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FORFARSHIRE LANDOWNERS AND  
THEIR ESTATES 1660 - 1690

JOHN McFAULDS

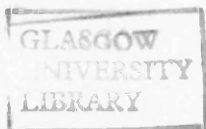
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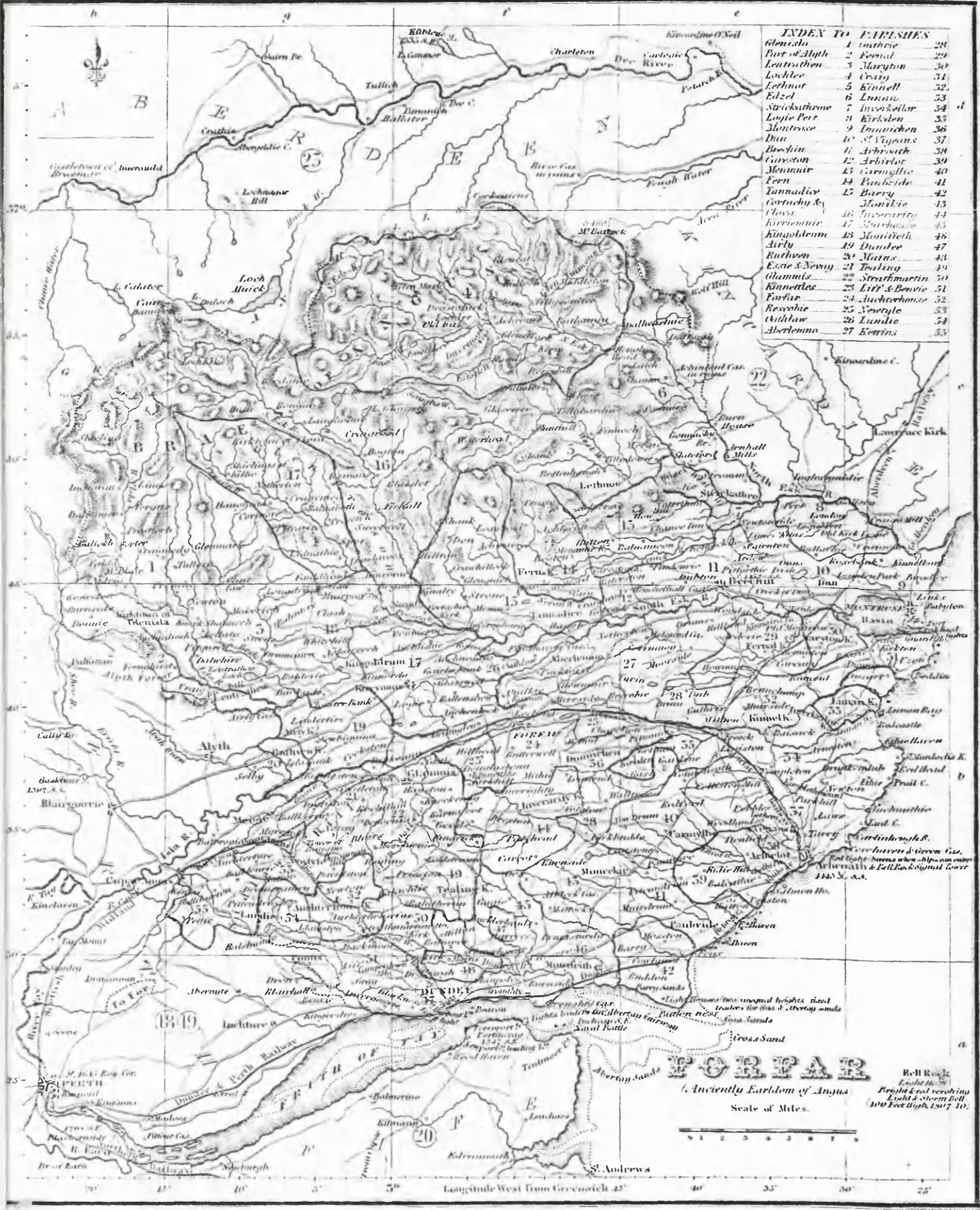
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**FORFAR**  
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 Scale of Miles.  
 1 2 3 4 5 6 7

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SUMMARY



A study of landed change in Forfarshire after 1660 indicates that although economic disruption caused by the wars of the Covenant and the subsequent Cromwellian occupation was not as serious as in other parts of Lowland Scotland, dislocation nevertheless had been sufficient to promote a desire for a speedy return to the economic as well as the political and religious status quo. This having been achieved in the immediate post-Restoration period efforts were thereafter directed towards improvement in estate management and increased agricultural production through the introduction of new techniques.

Certain properties, such as those of the Earls of Panmure, which had made considerable progress before 1660, served as an example of what could be achieved and continued their development unabated thereafter. On the other hand the majority of estates, like those of the Guthrie and Airlie families, had to undergo major changes to save them from bankruptcy before attaining efficient performance. Physical development, however, was less remarkable than the radical change in agricultural thinking which occurred most noticeably among the superiors of estates. One major reason for this change appears to have been the granting of a greater measure of authority to the sons of superiors on their return from military service.

Another indication that the attitude and role of the estate owner was changing is manifest in their appointment of dependable and committed factors. Such agents were crucial in landed development, and were as much a part of

estate progress as their superiors, acting as a bridge between their masters and the tenants who worked the land. Factorial attitudes and practices were critical if property was to be profitable, their relationships decisive in the maintenance or promotion of efficiency. The factors were responsible for the day to day management of the estate and the implementation of the superior's instructions. Evidence shows that those directives were implemented according to the factor's predilections and modified to suit the environment of which he had charge. This was especially true where a factor grew in authority according to his personality, status, success and length of service. Factors on occasion also put measures into effect independently, only asking the superior for his approval of their actions after the event. In this respect many factors could be an important influence on proprietors and at times in their own right a significant determinant of landed evolution.

The dynamics of that evolution in the Forfarshire landed economy are nowhere more evident than in the sasines registered at Dundee and Edinburgh. The surge of activity which characterised early registrations was not maintained throughout the post-Restoration period, but the sasines had more than numerical significance. Their study points to alterations in the social and economic structure of landed society more fundamental than the practical improvements which were simultaneously taking place. For example, although the aristocracy retained their significance as the major landholders in Forfarshire between 1660 and 1690, the gentry became the most potent force in landed

society. In addition, towards the Revolution tenants were rising in importance. They were the largest group in landed society with the least tenurial basis although they were not downtrodden. Their rights progressed throughout the period by compromise and conciliation.

Change in landed society is also apparent in that sector's financial bargains. The two major groups the aristocracy and gentry were the principal debtors with the remainder of the landed sector their creditors. The gentry also provided some of its own backing though less and less so as the period progressed. Tenants, on the other hand, increasingly became the creditors of their landlords. Even so, by 1690 the landed sector was increasingly unable to fulfil its own financial needs and outside credit was sought. That credit was mainly professional with a definite clerical bias. The clergy had always been a source of finance and merchants, lawyers, doctors of medicine and to a lesser extent the urban craftsmen eventually joined their ranks.

One other aspect of rural society which emerges from an examination of landholding is the continued importance of family and group relationships in Forfarshire. This indeed is the one unifying element binding landed society in this period. The disparate attitudes of the rural and urban sectors, of heritor and non-heritor and of aristocratic proprietors and the remainder of the landed sector were frequently allayed by a complex web of close and extended connections which constituted a major force

for social cohesion and development.

It was in consequence of such hitherto unrevealed forces in the Forfarshire landed sector that there can be discerned a process of development far different from that documented by contemporary accounts. The condition of the shire presented by commentators in the late 1670's and mid 1680's only reveals the more obvious signs of a much deeper and longer process of agricultural progress. Estate development was more than a superior's whim, frequently being forced on him by a complex series of personal and impersonal forces aimed at maintaining stability and directing activity along particular channels. Such change was also dictated by the fertility and stability of the area and the quality of estate personnel, who were in turn influenced by both English and Dutch methods. Major physical development may appear superficially unremarkable and may only have affected small enclaves in Forfarshire but the underlying evolution of rural society and administration, combined with minor practical advances, made the 1660 to 1690 period of fundamental significance not only to contemporary efficiency but to the evolution of agriculture in that area in the course of the eighteenth century.

INTRODUCTION

Scottish laws affecting agriculture between 1660 and 1690<sup>1</sup> were broadly based on the mercantilist policy of the provision of food for the nation.<sup>2</sup> Moreover since, with the exception of 1674,<sup>3</sup> the agricultural interest satisfied that need<sup>4</sup> parliament considered change unnecessary and continued the encouragement or prohibition of import and export only when necessary.<sup>5</sup> As there was no pressure of demand on food supplies and import facilities were available in times of crisis, there was in consequence a lack of motivation in official circles for the encouragement of agriculture. Even the acts which were passed have an ominous air of vague generalisation<sup>6</sup> although they did provide an atmosphere of security in which the agricultural interest could work. The latter sector as a whole, however, was given no signal inspiration, indeed scarcely any initial impetus from legislative sources. Only once in thirty years did the Scottish parliament specifically address itself to the spread of knowledge and new techniques in arable agriculture, and that was at a local level rather than on a national scale and at the insistence of local landlords. The act was "for sowing of pease and beans and inhibiting the casting up of ground within the shire of Aberdeen" which was passed on 16 June 1685.<sup>7</sup> By and large Scottish law-makers responded only to crises and the agricultural sector was relatively free of these between 1660 and 1690.

More important than agricultural reform and the provision of food in the minds of the government was the prospect of increasing national wealth through increased naval and military power.<sup>8</sup> The ability to feed the nation

only conserved its stock of wealth while implementation of acts relating to timber and fishing through their connection with the training of sailors, shipbuilding and repair,<sup>9</sup> made an increase in the nation's stock of wealth possible by improving naval and military predominance. Fishing could also incidentally add to the national food supply in times of famine and provided a ready article for export although this was regarded as being of secondary importance. The significance of timber and fish in the minds of legislators is therefore easy to understand, especially in the prevailing international atmosphere of fear of French power and jealousy of Dutch commercial importance, where the stock of wealth was considered fixed and one nation's advance was thought to be at the expense of another. The acts of the Scottish parliament which affected the fishing and timber sections of estates were consequently much more definite than the insubstantial generalisations affecting arable agriculture although the repetition of some such acts suggests non-compliance<sup>10</sup> and parliamentary ineptitude in legislating for such matters. Contemporary shire descriptions,<sup>11</sup> however, show that tree planting laws had some effect after 1660 and factorial correspondence demonstrates the implementation of specific clauses and minute regulations in fishing legislation.<sup>12</sup> There was therefore a discrepancy in the legislative attention paid to the different sectors of agriculture and the various parts of estate economies. Aspects least important to basic agricultural production received greatest attention, a disparity for which compensation had to be sought by the

agricultural interest itself.

The difference between the agricultural policy of the central government and the ideas of the agricultural sector was, however, even more pronounced. The intentions of the two were sometimes at variance. Those who planted trees, for example, had no notion of strengthening the power of the nation but were rather considering the ornamentation of their properties.<sup>13</sup> The discrepancy was increased by individual landlords working on different time scales of development to the government. Agriculture, particularly in fertile and peaceful areas was more advanced and change speedier than central government realised.<sup>14</sup> Parliament was legislating for a different set of conditions to those under which most landlords were working. The agricultural provision of the nation's food was so successful that parliament left the landed sector relatively free to develop its resources at its own speed and in the way best suited to it. Parliament in its agricultural policy, especially in productive areas like Forfarshire was the follower rather than the leader of development.

If parliament did little to influence basic agricultural development, however, neither did it do anything to hinder it. Legislation only superficially controlled arable agriculture<sup>15</sup> leaving it enough room to develop in any appropriate direction. However, since other aspects of the rural economy such as fishing and timber production were tightly controlled, landowners found the disparity of official attentions troublesome and worked to eliminate



discrepancies caused by it. Therefore, as a result of parliamentary concern in specific areas and the general attention of landowners to wider issues, all sections of agriculture and estate life developed between 1660 and 1690. Evolution, however, was more dependant on the wealth, enterprise and connections of landowners and on the situation in particular areas than on official involvement. The distinction of the agricultural sector was that it was changing faster and in more varied directions than central government could envisage. It could outstrip any directions that were imposed and was resilient enough to overcome any setbacks to its progress.

The post-Restoration era was one of restless social and agricultural experimentation in landed society initially motivated by recovery from the Interregnum and reinforced by the self-dependence forced on that society by the Scottish parliament's conservative attitude. The concern of that body to recover the status quo and retain existing productive capacity was paramount although it did not appreciate the buoyancy and vigour of agriculture in certain areas. Forfarshire's agricultural development in particular is largely a study of independent evolution within a national environment which had various discrepancies of official control but was mainly marked by disinterest and inappropriateness of action. Any modifications made in the agricultural sector were mainly the result of work of major landowners and their factors, the financial assistance

of landed society itself, the social change within that sector, rationalisation and better administration. These were aspects of the rural economy which parliament, so far in the wake of the agricultural advance, scarcely credited with a contribution to it. They were, however, an integral part of the progress of agriculture after 1660 as a study of Forfarshire and estate development there fully reveals.

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14. SRO GD45/14/122. SRO GD45/14/162. SRO GD45/14/163.
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FORFARSHIRE - THE AREA AND THE

LANDOWNERS 1660 - 1690

The fertility of Forfarshire to contemporary writers in the post-Restoration period,<sup>1</sup> as to those who preceded them,<sup>2</sup> was unquestionable. An area of some 830 square miles,<sup>3</sup> divided into four, the Grampians, Strathmore, the Sidlaws and the Maritime districts,<sup>4</sup> of which only a limited area was cultivated,<sup>5</sup> was considered among the most fertile and productive in Scotland.<sup>6</sup> This view was held even outside Scotland<sup>7</sup> a country not highly regarded for the productivity of its agriculture or the initiative of its landed society. The land was well drained<sup>9</sup> with a climate which Robert Edward considered "temperate and abundantly wholesome"<sup>10</sup> and a population which a recent estimate puts at around 68,000 to 70,000 in 1691.<sup>11</sup> Most of these were probably members of rural society engaged in some form of pastoral or arable agriculture in one of the six most densely populated Scottish shires.<sup>12</sup> In 1755 the parishes with the major urban areas were the most heavily peopled in the shire<sup>13</sup> and since most of the major towns were in the maritime district<sup>14</sup> it is not too taxing to believe that even between 1660 and 1690 the majority of Forfarshire population lived in the coastal area to the east of the Sidlaws.<sup>15</sup> However the shire had benefits other than soil and climate which added not only to the viability of estates but also to the economic welfare of the shire as a whole. It was relatively well covered not only with recognised routes and reasonable roads<sup>16</sup> but also had acceptable thoroughfares in the major towns.<sup>17</sup> In addition to a very fair spread of royal burghs<sup>18</sup> with all the privileges

The Grampians

1. Glenisla
3. Lentrathen
4. Lochlee
5. Lethnot
6. Edzell
16. Cortachy and Clova
17. Kirriemuir
18. Kingoldrum

The Sidlaws

28. Guthrie
35. Kirkden
36. Dunnichen
40. Carmyllie
44. Inverarity
45. Muirhouse
49. Tealing
51. Liff and Benvie
52. Auchterhouse
54. Lundie

Strathmore

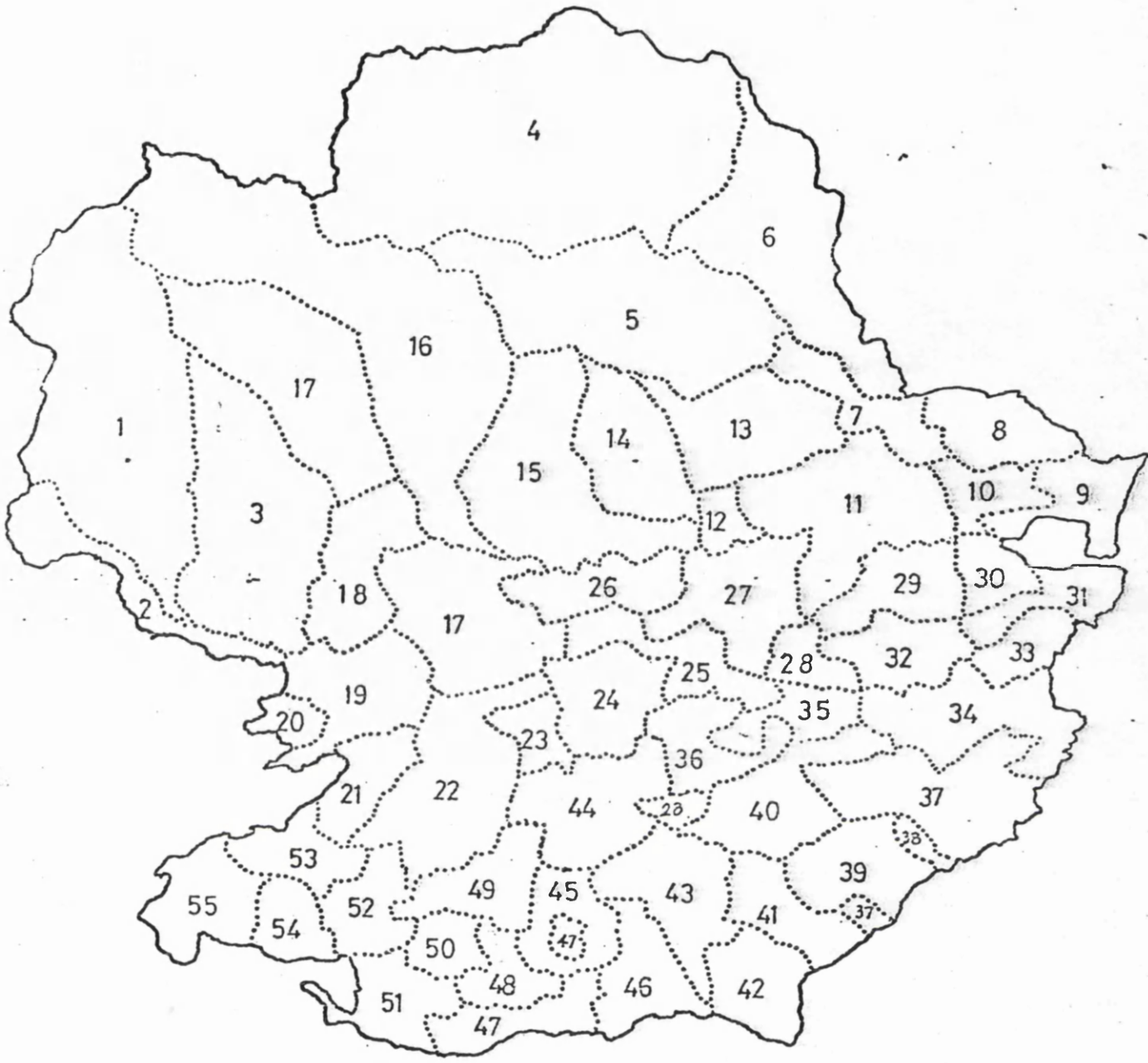
7. Strickathro
8. Logie Pert
10. Dun
11. Brechin
12. Careston
13. Menmuir
14. Fern
15. Tannadyce
19. Airlie
20. Ruthven
21. Essie and Nevay
22. Glamis
23. Kinnettles
24. Forfar
25. Rescobie
26. Oathlaw
27. Aberlemno
53. Newtyle
55. Kettins

Maritime

9. Montrose
29. Farnell
30. Maryton
31. Craig
32. Kinnell
33. Lunan
34. Inverkeillor
37. St. Vigean's
38. Arbroath
39. Arbirlot
41. Panbride
42. Barry
43. Monikie
46. Monifieth
47. Dundee
48. Mains
50. Strathmartine

2. Alyth

Figure 1 - Forfarshire - The Parishes and Natural Districts



FORFARSHIRE

—  
miles

FORFARSHIRE - the Natural Districts.

(fig.1.)

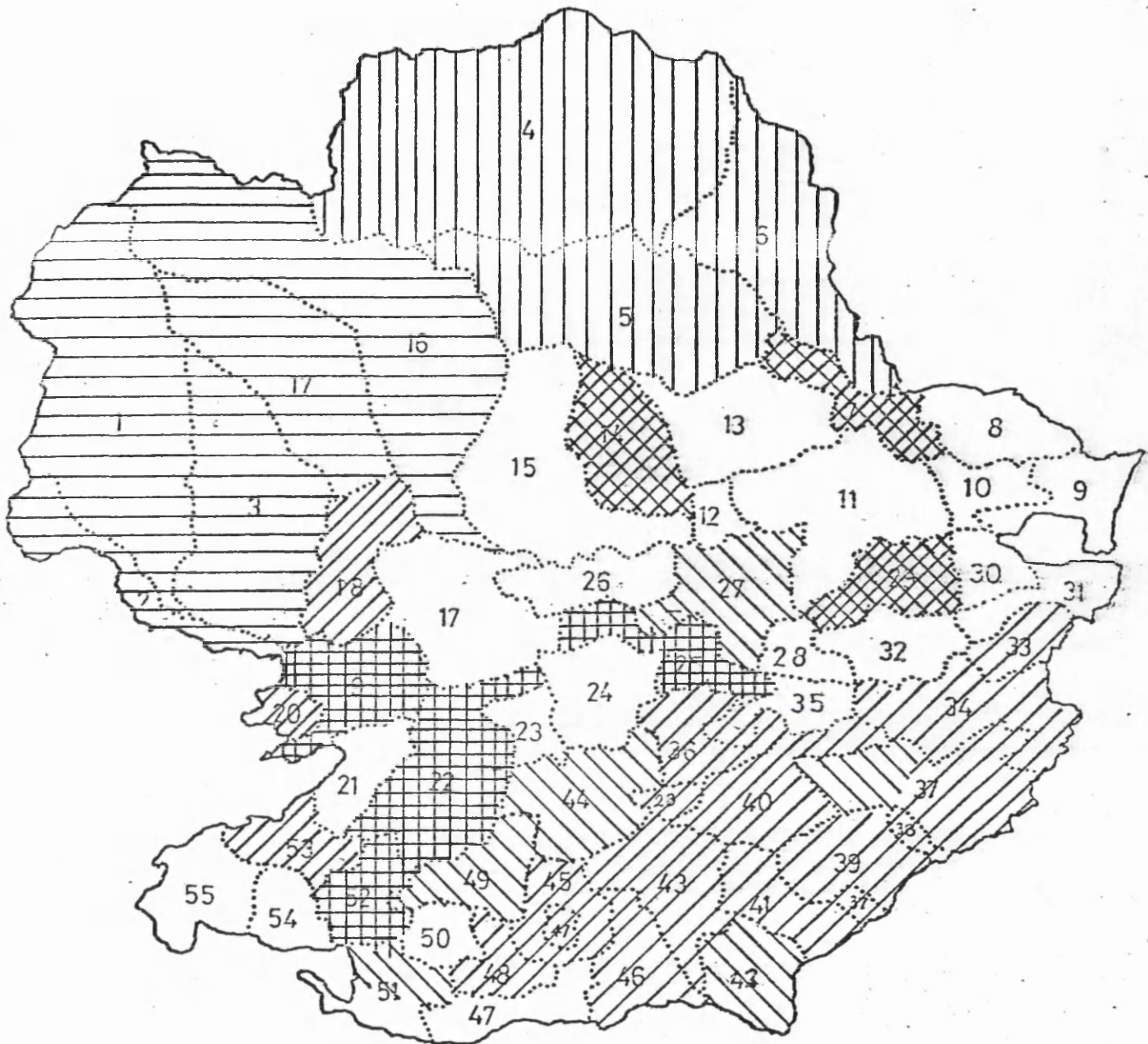


that entailed,<sup>19</sup> there were a large number of markets and fairs held throughout the county<sup>20</sup> lending to the impression given by contemporary accounts of Forfarshire as an economically self sufficient unit with surpluses to sell beyond its boundaries.<sup>21</sup> Certainly the agricultural sector sold produce to merchants<sup>22</sup> either for transport to the major shire towns or beyond them.<sup>23</sup> There is another important consideration affecting the economy of Forfarshire. During the 1660 to 1690 period that shire was politically<sup>24</sup> and ecclesiastically<sup>25</sup> stable in comparison with some other areas in Scotland. It was not for nothing, for example, that the government used major shire heritors to quell trouble in other areas.<sup>26</sup> Their loyalty was unquestioned, their royalism unquestioning. If Forfarshire landed society suffered from climatic changes, the fluctuations of the local and national economy and political rumours with consequent instability,<sup>27</sup> no major military upheavals<sup>28</sup> affected the development of agricultural production and the evolution of estate practice and management between 1660 and 1690. That is not to say, however, that the landed sector did not have its own very difficult internal problems<sup>29</sup> which brought some estates and families to the brink of ruin. Those, however, were very different from external impositions. Of such events before 1660, including the activities of Montrose, both central government and Forfarshire heritors had sufficient remembrance<sup>30</sup> to ensure tighter control of the shire thereafter lest they again experience armed resistance and consequent economic disruption

and destruction.

The re-establishment of ecclesiastical patronage played a major part in the re-assertion of control. It was re-established with episcopacy in 1660 after an absence of some eleven years.<sup>31</sup> In Forfarshire, an area of pronounced episcopal bias,<sup>32</sup> patronage was clearly a considerable force<sup>33</sup> even in the 1680's<sup>34</sup> less than a decade before it was abolished.<sup>35</sup> The most powerful patron in the shire after 1660 was the Earl of Panmure<sup>36</sup> and his patronage not only covered those areas in which he had a territorial interest.<sup>37</sup> If his property holding was extensive, despite having a maritime bias,<sup>38</sup> his patronage was mainly confined to the coastal district though covering much more of that area than his landed rights.<sup>39</sup> Indeed the only major landowner in Forfarshire whose patronage directly related to his territorial superiority was the Earl of Airlie,<sup>40</sup> virtually supreme in the parishes of Lentrathen, Glenisla and Cortachy and Clova.<sup>41</sup> The Earls of Northesk scarcely figured in Forfarshire patronage<sup>42</sup> while the other major aristocratic landlords Strathmore and Southesk held the patronage of much narrower areas than the lands they possessed.<sup>43</sup> The other principal patrons were David Lindsay of Edzell who patronized the parishes of which he was superior, Edzell, Lochlee and Lethnot and Navar,<sup>44</sup> the Scottish Primate, the Archbishop of St. Andrews,<sup>45</sup> and the King.<sup>46</sup> The latter two major political figures had the patronage of large tracts of territory in the coastal and Sidlaws areas.<sup>47</sup> Given their presence and that of their appointees, and the

.



-  - AIRLIE
-  - LINDSAY OF EDZELL
-  - PANMURE
-  - STRATHMORE
-  - THE KING
-  - SOUTHESK

## FORFARSHIRE

—  
miles

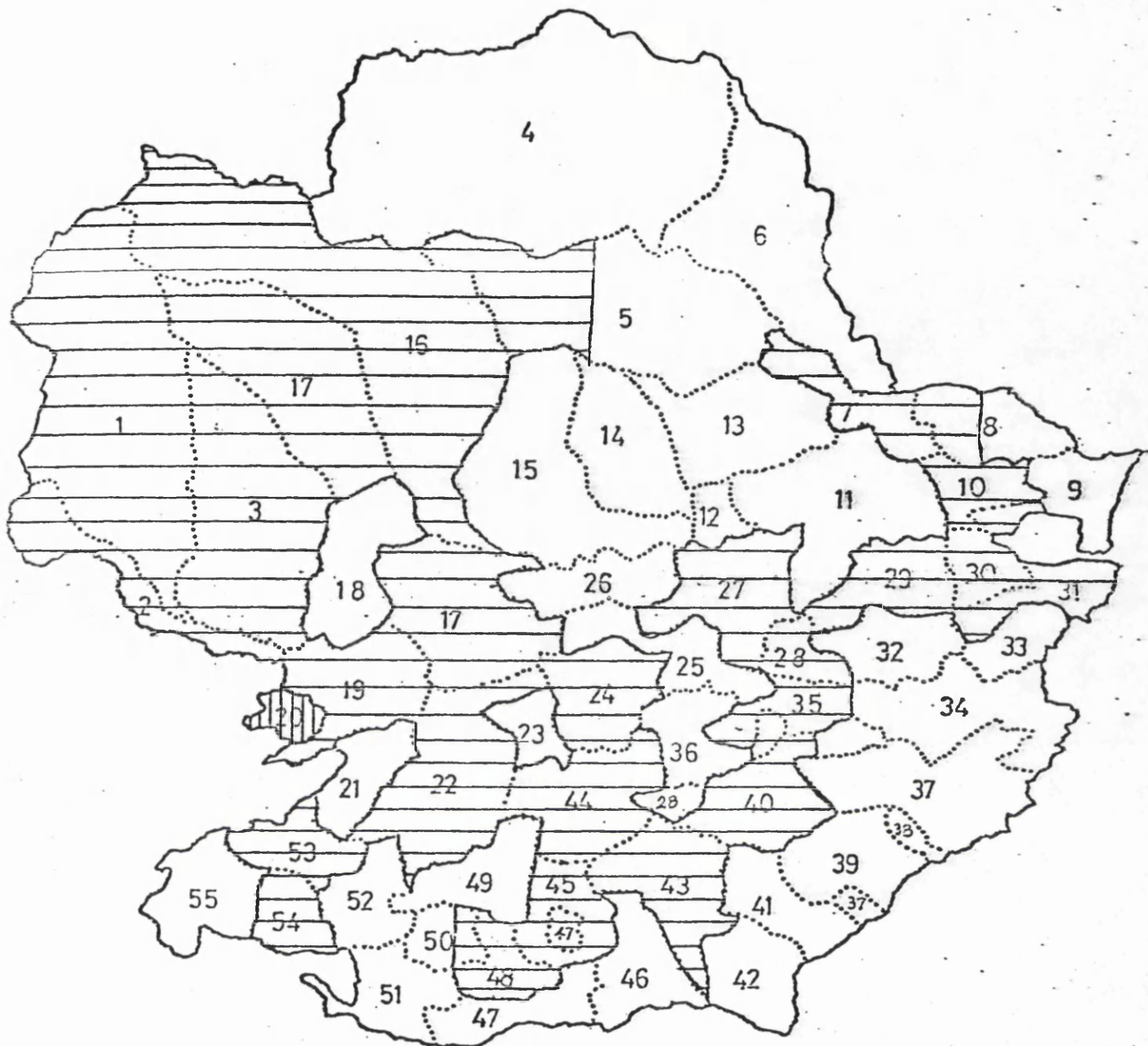
Major Forfarshire Patrons.

(fig.2.)




fact that the estates of the Primate covered a considerable proportion of Forfarshire territory,<sup>48</sup> support for episcopacy and the loyalty of the shire is not surprising.

Such aspects were not without effects on the political and landed structure. They made Forfarshire more submissive and increased the power of the sovereign there. They were also a force for the implementation of government edicts and increased the desire of the local magnates to maintain peace and security in their shire<sup>49</sup> in order not to embarrass the monarch. If anything local officials erred on the side of caution in their search for stability and isolation from outside troubles<sup>50</sup> though in so doing Forfarshire was given almost unrivalled opportunities for the development of its landed sector. That shire had the environment both political and geographical, the willingness and the example of some important and powerful heritors, the wealth and security to modify the superstructure of landed society and the management of the land. It also had opportunities to remedy the more obvious defects of estate administration. If there was little change in the pattern of landholding in Forfarshire between 1660 and 1690<sup>51</sup> such permanence and undramatic practical modifications masked fundamental alterations not only in the ideas of landowners about their properties but also observable changes in the management of the land and the internal dynamics of landed groups. They were changes which were vital to the practical improvements which came in the eighteenth century.<sup>52</sup>

The benefits of such changes, however, were not immediate. For example in the decade and a half between the assessed valuations of 1667 and 1682,<sup>53</sup> the valued rent of Forfarshire fell by £2,713 9/11 Scots.<sup>54</sup> This indicated an economic lethargy in that shire in the post-Restoration period based on poor productivity and a lack of optimism among heritors possibly as much about contemporary changes as anything else. The pessimism was not universal, however. The Maritime area, presumably the most populous district,<sup>55</sup> appeared to suffer worst.<sup>56</sup> Strathmore fared somewhat better<sup>57</sup> though the Sidlaws and Highland regions did best of all.<sup>58</sup> This is not without its implications. The coastal area, as well as being very fertile, was more closely in touch with merchants and trade and may have been suffering as much from a depression in trade<sup>59</sup> as from a lack of buoyancy in arable production.<sup>60</sup> Strathmore's performance may also be explained by poor harvests. The interesting feature, however, is the efficient performance of the upland regions particularly the Sidlaws.<sup>61</sup> This would seem to have been because of the combination of arable and pastoral agriculture though doubtless other aspects such as the numbers of the population, the size of properties, the different constitution of crops, possibly a different climate<sup>62</sup> and different management all contributed. In parishes as opposed to areas only minor differences are noticeable in the two years covered by the rentals<sup>63</sup> with the exception of Clova and Kirriemuir, which underwent thorough-going changes.<sup>64</sup> However, as well as showing the condition of geographical areas and individual



# FORFARSHIRE

-  - INCREASE
-  - SAME
-  - DECREASE

—  
miles

Changes in the Valued Rent of Forfarshire  
Parishes between 1667 and 1682.

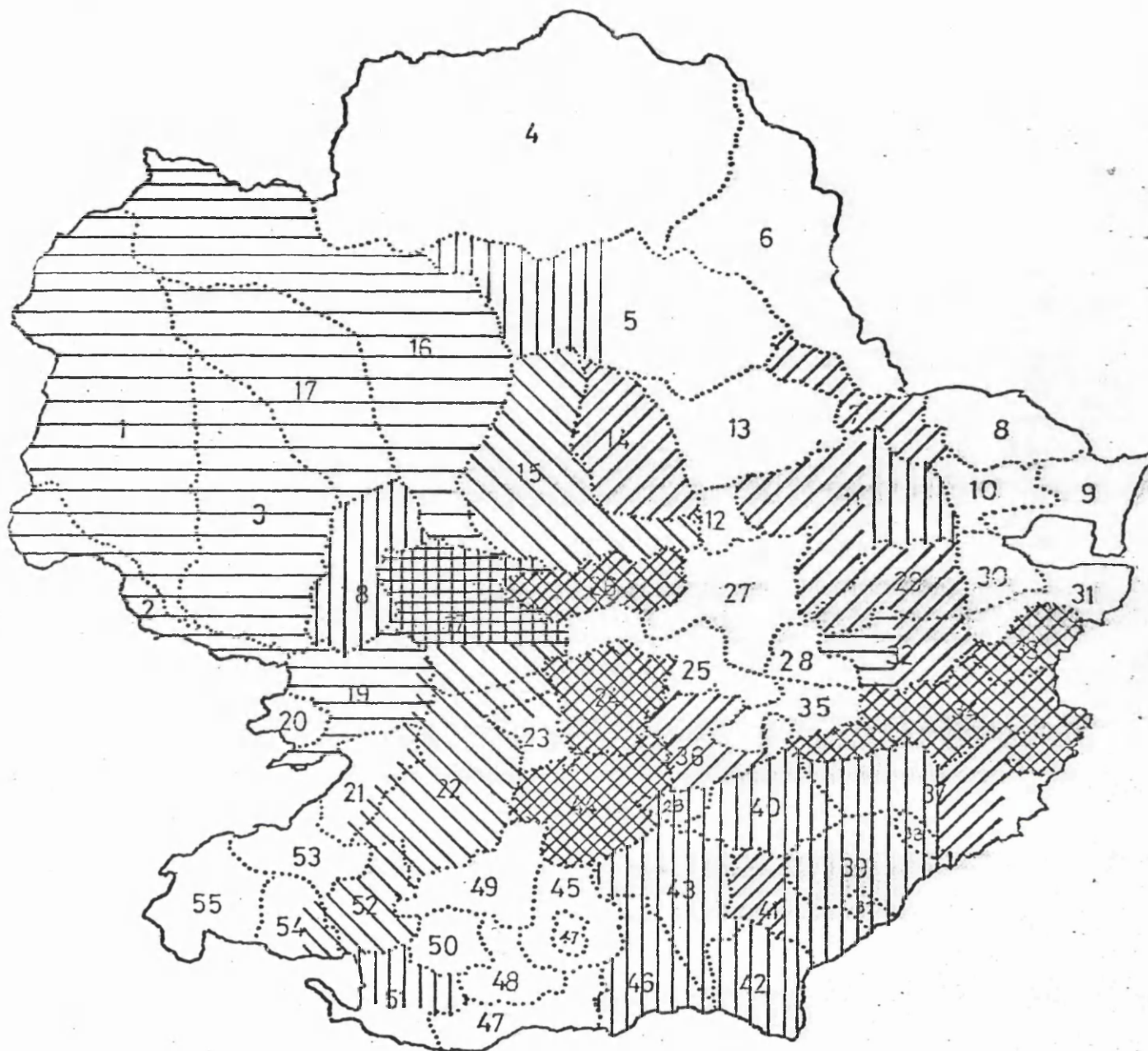
Sources: SRO ex GD130/Box 8/Bundle 3.  
SRO ex GD130/Box 5/Bundle 9.







(fig.3.)

parishes the valued rentals of 1667 and 1682 demonstrate the performance of family estates.<sup>65</sup>

Aristocratic landholding in Forfarshire after 1660 was focussed primarily on the Maritime and Strathmore districts<sup>66</sup> with the Sidlaws and Grampians only half as significant as them.<sup>67</sup> In a comparison of the shire's Valued Rent for 1667 and 1682<sup>68</sup> aristocratic property in the Maritime area decreased most<sup>69</sup> followed by property in Strathmore<sup>70</sup> while that in the Sidlaws and Grampian districts was almost equally reduced,<sup>71</sup> although only by about one seventh the amount of the coastal area and one third of Strathmore.<sup>72</sup> Estates in the Sidlaws and Grampian parishes seem therefore to have been most economically successful between about the middle of the 1660's and the start of the 1680's.<sup>73</sup> The perplexing question is why did the Airlie estates, situated in the Grampian region,<sup>74</sup> a relatively efficient area, fare so badly in the 1660's and 1670's<sup>75</sup> while the Panmure properties, admittedly among the best administered in the seventeenth century,<sup>76</sup> though sited in the declining coastal region, do so well? One explanation may be that the Ogilvy properties outside Forfarshire, in Banffshire, were in grave economic straits,<sup>77</sup> while such Panmure estates, particularly at Belhelvie, were well administered and economically profitable.<sup>78</sup> Adequate management inside Forfarshire and profits from outside saved Panmure territories while those of the Earl of Airlie, which could boast neither advantage, were in danger of sequestration<sup>79</sup> beset by creditors on all sides.<sup>80</sup> The Earl of Kinghorn's territories were located mainly in the Strathmore and Sidlaws





-  - AIRLIE
-  - PANMURE
-  - DOUGLAS
-  - SOUTHESK
-  - STRATHMORE
-  - NORTHESK

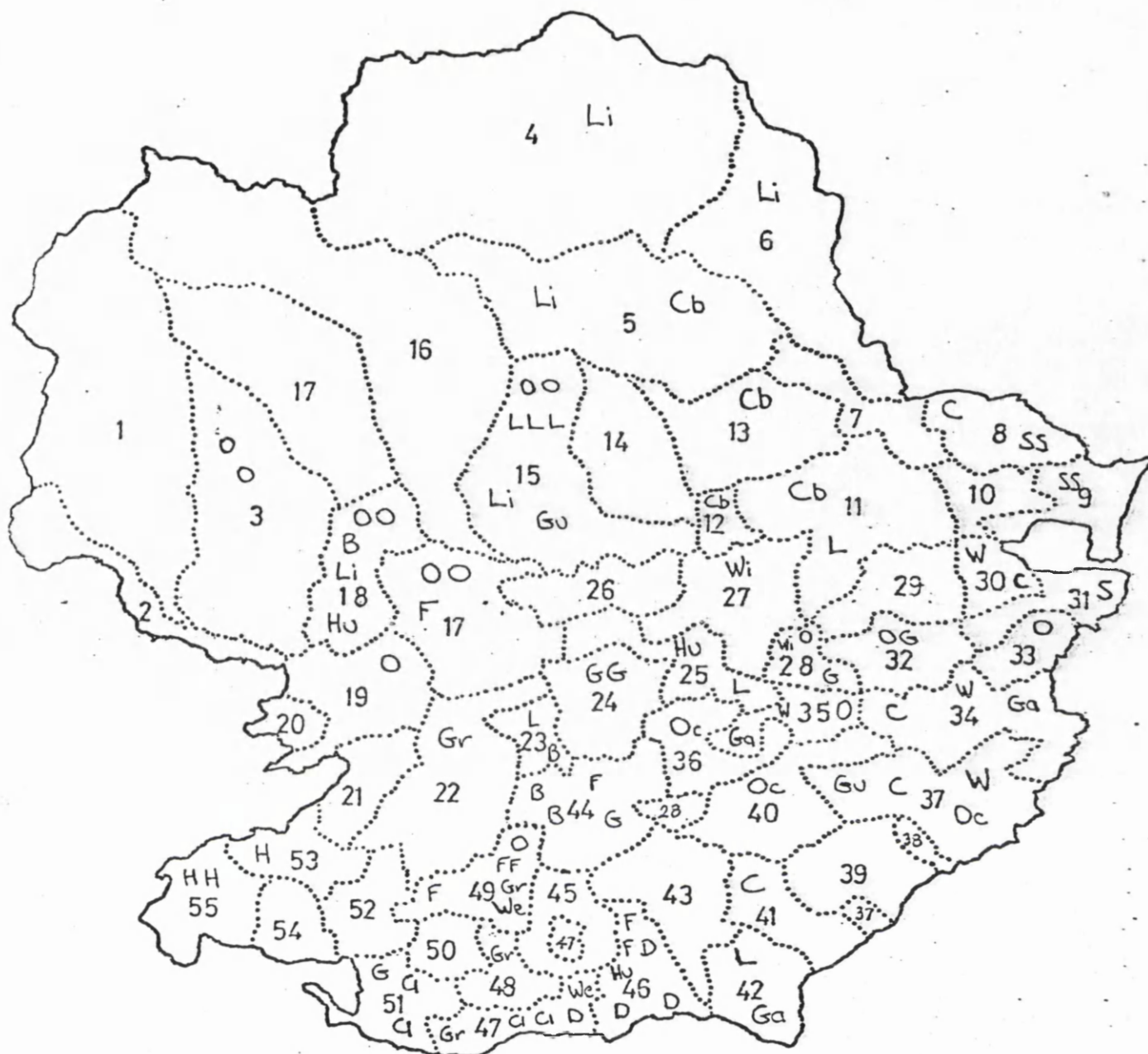
## FORFARSHIRE

— miles

Aristocratic Landholding c.1680.

(fig.4.)





## FORFARSHIRE

—  
miles

- |                   |               |                         |
|-------------------|---------------|-------------------------|
| O - Ogilvy.       | L - Lyon.     | We - Wedderburne.       |
| F - Fotheringham. | B - Bower.    | Cb - Carnegy Balnamoon. |
| W - Wood.         | D - Durham.   | Oc - Ochterlony.        |
| S - Scott.        | Li - Lindsay. | Cl - Clayhills.         |
| C - Carnegy.      | Gu - Guthrie. | H - Halyburton.         |
| G - Gray.         | Wi - Wishart. | Ga - Gardyne.           |
| Gr - Graham.      | Hu - Hunter.  |                         |

Estates of Major Families c.1680.

(fig.5.)

districts<sup>81</sup> and roughly held their rental value throughout the post-Restoration period.<sup>82</sup> Northesk estates were largely in the coastal region<sup>83</sup> which suffered reductions in valued rental<sup>84</sup> though other lands in the Sidlaws and Strathmore<sup>85</sup> increased theirs,<sup>86</sup> probably making up for any losses.

Shire aristocratic properties which gave least reason for economic optimism were those of the Earls of Southesk. Those estates were primarily in the Maritime and Strathmore regions, with minor enclaves in the Sidlaws area.<sup>87</sup> The largest proportion of their lands decreased in rental value<sup>88</sup> and from their position it is clear that widespread holdings of property were no guarantee of profitability. The Panmures and the Southesks were the two most extensive aristocratic landowners in post-1660 Forfarshire<sup>89</sup> even if the Earl of Airlie's consolidated acreage in the north west corner of the shire was greater.<sup>90</sup> Yet while the former's estates prospered those of the latter declined,<sup>91</sup> although both were labouring under very similar diminishing valued rentals.<sup>92</sup> Quite clearly the answer to the problems of agriculture was not size or consolidation. The commitment of the superior, the quality of management and tenantry, the continuation of a successful policy beyond the lifetime of one superior and the control of indebtedness and general accounting all had instrumental parts to play in the economic viability of the estates of the nobility. Only a few of them, the Panmures being almost uniquely successful, managed the effective combination of the constituents for success.

After 1660 the other aristocratic landholders of significance were the Earls of Middleton and Lauderdale and the Marquis of Douglas.<sup>93</sup> The first two controlled property in Maryton<sup>94</sup> and Benvie<sup>95</sup> in the Maritime region,<sup>96</sup> the former increasing and the latter decreasing in the valued rental roll between 1667 and 1682.<sup>97</sup> Neither of them could be considered to have as powerful a sway in the shire as the major landowners. The Marquis of Douglas, however, virtually controlled the parish of Kirriemuir<sup>98</sup> which increased in Valued Rent,<sup>99</sup> undergoing extensive alteration in the post-Restoration period.<sup>100</sup> Other aristocrats such as Lords Couper and Gray were much less significant<sup>101</sup> or had only a transient interest<sup>102</sup> in Forfarshire property or its rights. It is significant, however, that those in high social or political positions in Scottish life in the seventeenth century,<sup>103</sup> and some of the greatest minds of the post-Restoration period such as Sir George Mackenzie,<sup>104</sup> were interested in Forfarshire land, albeit temporarily. They were well aware of its contemporary standing in terms of fertility, profitability and stability. If territories of landowners such as the Earls of Airlie and Southesk were declining in the first half of the post-Restoration period,<sup>105</sup> different areas had greater or lesser productivity and the valued rental of sectors increased or declined,<sup>106</sup> it is quite obvious that contemporary opinion considered Forfarshire one of the more desirable areas in which to have landed interests. It is scarcely surprising, given such elements, that Forfarshire heritors were xenophobic,<sup>107</sup> that close

FAMILY	AREA	Maritime		Strathmore		Sidlaws		Grampians		TOTAL	
Strathmore	Parish Interests			6		2				8	
	Val. Rent + or -			3+	3-	1+	1-			4+	4-
Airlie	Parish Interests	1						4		5	
	Val. Rent + or -		1-					3+	1-	3+	2-
Northesk	Parish Interests	3		1		2				6	
	Val. Rent + or -		3-	1+		2+				3+	3-
Southesk	Parish Interests	4		4		2				10	
	Val. Rent + or -	1+	3-	1+	3-	1+	1-			3+	7-
Pannure	Parish Interests	6		1		2		2		11	
	Val. Rent + or -		6-		1-	2+		1+	1-	3+	8-
Middleton	Parish Interests	1								1	
	Val. Rent + or -	1+								1+	
Douglas	Parish Interests			1						1	
	Val. Rent + or -			1+						1+	
Lauderdale	Parish Interests	1								1	
	Val. Rent + or -		1-								1-
TOTALS	)	16		13		8		6		43	
	)	2+	14-	6+	7-	6+	2-	4+	2-	18+	25-

Areas of Aristocratic Influence in Forfarshire and their Increase or Decrease in the Valued Rentals of 1667 and 1682.

(Table 1.)

relationships evolved in the landed group<sup>108</sup> and that the development of business within the shire was, to a degree, the remit of property owners or their creditors, also generally native.<sup>109</sup>

The major families also had their cadet branches and followers<sup>110</sup> who increased family influence beyond the confines of their principal spheres. The family name of the Earls of Airlie was Ogilvy and that family was among the most extensive<sup>111</sup> and influential in Forfarshire.<sup>112</sup> From the head of the family's area of greatest influence in the far north western parishes,<sup>113</sup> Ogilvy properties stretched north west to south east in a broad band across the shire.<sup>114</sup> It was as if it were collective family policy at once to cut the shire in two and to have access to all areas from the mountainous regions to the coastal plain. It is scarcely surprising that the Airlies were valuable and sought after political allies.<sup>115</sup> Not only did they have general oversight of the shire from their Grampian stronghold but their family influence pervaded the broadest social and economic spectrum of any Forfarshire superior.<sup>116</sup> Such a position was not necessarily advantageous, however. In the post-Restoration period the second Earl of Airlie in particular, who seems to have taken over virtually total control of family properties from his father<sup>117</sup> before the latter died in 1666,<sup>118</sup> was apathetic and disinterested.<sup>119</sup> His estates were in very poor condition until the middle of the 1670's<sup>120</sup> and if estate owners took their lead from him<sup>121</sup> then a fair percentage of family properties must have been in a perilous condition. The influence of the superior

on estate management and in the landed sector as a whole is one of the unanswered and presently unanswerable questions of landownership not only in seventeenth century Forfarshire but in Scotland generally. Despite the Airlie superior's defects, however, family territories in the 1660 to 1690 period generally increased in valued rental,<sup>122</sup> extended family properties following much the same course,<sup>123</sup> although this may well have been because of their very low base in the earlier period.<sup>124</sup> Family estates<sup>125</sup> predominated in the Grampian and Strathmore regions<sup>126</sup> and in the valued rentals the former improved most,<sup>127</sup> followed by those in the Sidlaws<sup>128</sup> and Strathmore<sup>129</sup> with properties in the Maritime district doing least well and suffering only decreases between 1667 and 1682.<sup>130</sup> Obviously in the eyes of those responsible for drafting valued rentals potential was considerably more important than administration and position more significant than performance.

The only family which came close to the Ogilvys in the extent of their territorial interests and effect on estate evolution was the Carnegies,<sup>131</sup> including the important family of Carnegy of Balnamoon.<sup>132</sup> Carnegy was the family name of the Earls of Northesk and Southesk<sup>133</sup> who were most influential in the coastal region of Forfarshire<sup>134</sup> and in the Strathmore and Sidlaws districts.<sup>135</sup> The valued rent of the Northesk estates increased<sup>136</sup> while those of Southesk declined significantly<sup>137</sup> between 1667 and 1682<sup>138</sup> though cumulatively they experienced a considerable fall in rental. The family of which they were the head, however, performed

even less well.<sup>139</sup> From the north east to the south, in general following the coastal region, the Carnegy family administered estates<sup>140</sup> and in only two cases, one in the Grampian Highlands<sup>141</sup> and the other in the coastal plain,<sup>142</sup> did the valued rent of the parish in which their estates lay increase. The related family of Carnegy of Balnamoon<sup>143</sup> had wide landed interests in the parishes of Carraldstone Menmuir and Navar.<sup>144</sup> Only the latter parish, in the Grampians,<sup>145</sup> increased its valued rental.<sup>146</sup> Balnabreich in Brechin, like the two former interests of the Carnegies of Balnamoon, was in the Strathmore district<sup>147</sup> and, like them, decreased in the valued rental roll between 1667 and 1682.<sup>148</sup> Carnegy family property in the Maritime and Strathmore districts confirms the notion that the efficiency of estates in those two regions was rather poorer than those in the other areas of Forfarshire.<sup>149</sup> If little is known of the pre-industrial Scottish local economy it is quite clear that it, as well as the national economy,<sup>150</sup> had its recessions and upswings. Not only that but particular areas, especially within the landed sector of a local economy, had their advances and depressions.<sup>151</sup>

Of all Forfarshire families related to major aristocratic landholders the Maules, related to the Earls of Panmure, were least common.<sup>152</sup> The estates of that superior evolved best among those in Forfarshire after 1660<sup>153</sup> their management structure being best defined<sup>154</sup> and their territories among the most widespread.<sup>155</sup> The connected family, however, was

the smallest of the important noble landholders.<sup>156</sup> It was probably of an extent more akin to gentry than noble status,<sup>157</sup> apparently one reason for the success of the Panmures since their commitment to their extended family was thereby reduced.<sup>158</sup> The latter was a prerequisite of the viability of any estate and one which too few landowners, particularly aristocratic ones, appreciated or achieved.<sup>159</sup> It was a facet of estate administration intimately related to the evolution of property which the Maules were among the earliest in Forfarshire landed society to recognise. That family had major property interests in Monifieth and Arbirlot in the Maritime sector,<sup>160</sup> both of which reduced their valued rental between 1667 and 1682.<sup>161</sup> They were also responsible for the estate of Ballumbie in Murroes parish<sup>162</sup> in the Sidlaws<sup>163</sup> which increased in valued rental in the same period.<sup>164</sup> That estate was administered by James Maule of Ballumbie<sup>165</sup> the brother of the Earl of Panmure,<sup>166</sup> who later became the fourth Earl.<sup>167</sup> The family also had a variety of other minor territorial interests inside Forfarshire and some concerns beyond<sup>168</sup> which added to overall estate profitability.<sup>169</sup>

The Lyons, the relations of the Earl of Kinghorn,<sup>170</sup> were more extensive than the Maules in Forfarshire<sup>171</sup> though heavily concentrated in the Strathmore region<sup>172</sup> and mostly involved in territory which diminished in rental value after 1660.<sup>173</sup> The head of the family, however, as in the Panmure case, was one of the major improvers in post-Restoration Forfarshire<sup>174</sup> and his properties were the best administered of those belonging to that family.<sup>175</sup> The position of the



Lyons and most other extended families proves<sup>176</sup> that it was possible for a major superior to successfully administer his estates while those of his family were doing less well.<sup>177</sup> The reasons for this disparity are not difficult to find. The estates of the extended families suffered a chronic lack of resources and did not have the support of other territorial interests to sustain them in times of economic depression. The Valued Rentals of 1667 and 1682 demonstrate that aristocratic estates in Forfarshire prospered at the expense of those of their families and that the latter had to find a source of support other than the head of the family.

There were also gentry families, not related to the nobility,<sup>178</sup> who held a significant amount of property throughout Forfarshire<sup>179</sup> which had varying degrees of success after 1660. Most of their estates, however, were concentrated in the Maritime and Strathmore districts<sup>180</sup> which declined noticeably in the Valued Rentals.<sup>181</sup> This would suggest that these areas were overpopulated, that the land was supporting many more people and estates than it could, and possibly that estates were much smaller than the optimum profitable size. For gentry estates the Sidlaws region was the area which was most profitable.<sup>182</sup> It had a reasonably sized group of properties, was not too populous and had a degree of diversified production. The Grampian Highlands, on the other hand, containing a smaller number of larger estates,<sup>183</sup> due to geographical and climatic conditions, decreased in value between 1667 and 1682.<sup>184</sup>

FAMILY		Maritime		Sidlaws		Strathmore		Grampians		TOTAL	
Ogilvy	Parish Interests	2		3		5		4		14	
	Val. Rent tor-	2-	3+	3+	2-	2+	2-	8+	6-		
Carnegy	Parish Interests	4				1				5	
	Val. Rent tor-	1+	3-			1-		1+	4-		
Carnegy of Balmamoon	Parish Interests					3		1		4	
	Val. Rent tor-					3-	1+	1+	3-		
Lyon	Parish Interests					6				6	
	Val. Rent tor-					6-				6-	
Bower	Parish Interests			3		1				4	
	Val. Rent tor-		3+			1-		3+	1-		
Fotheringham	Parish Interests	3		3		1				7	
	Val. Rent tor-	3-	3+	1+				4+	3-		
Wood	Parish Interests	3		1						4	
	Val. Rent tor-	1+	2-	1+				2+	2-		
Wedderburn	Parish Interests	1		1						2	
	Val. Rent tor-	1-		1-						2-	
Durham	Parish Interests	4								4	
	Val. Rent tor-	4-						4-			
Clayhills	Parish Interests	4								4	
	Val. Rent tor-	4-						4-			
Halyburton	Parish Interests					3				3	
	Val. Rent tor-					1+	2-	1+	2-		
Wishart	Parish Interests			1		1				2	
	Val. Rent tor-		1+	1+				2+			
Hunter	Parish Interests	1				1		1		3	
	Val. Rent tor-	1-				1-	1-	1-	3-		
Ochterlony	Parish Interests	1		2						3	
	Val. Rent tor-	1-	1+	1-				1+	2-		
Lindsay	Parish Interests					3		4		7	
	Val. Rent tor-					3-	4-	7-			
Gray	Parish Interests	2		2		2				6	
	Val. Rent tor-	2-	2+	2+				4+	2-		
Grahams	Parish Interests	3				1				4	
	Val. Rent tor-	3-		1+				1+	3-		
Scot	Parish Interests	2				2				4	
	Val. Rent tor-	1+	1-			1+	1-	2+	2-		
Gardyne	Parish Interests	2		1						3	
	Val. Rent tor-	2-	1+					1+	2-		
Maule	Parish Interests	2		1						3	
	Val. Rent tor-	2-	1+					1+	2-		
TOTAL	Parish Interests	34		18		30		10		92	
	Val. Rent tor-	3+	31-	16+	2-	10+	20-	3+	7-	32+	60-

Areas of Gentry Family Influence in Forfarshire and their Increase or Decrease in the Valued Rentals of 1667 and 1682.

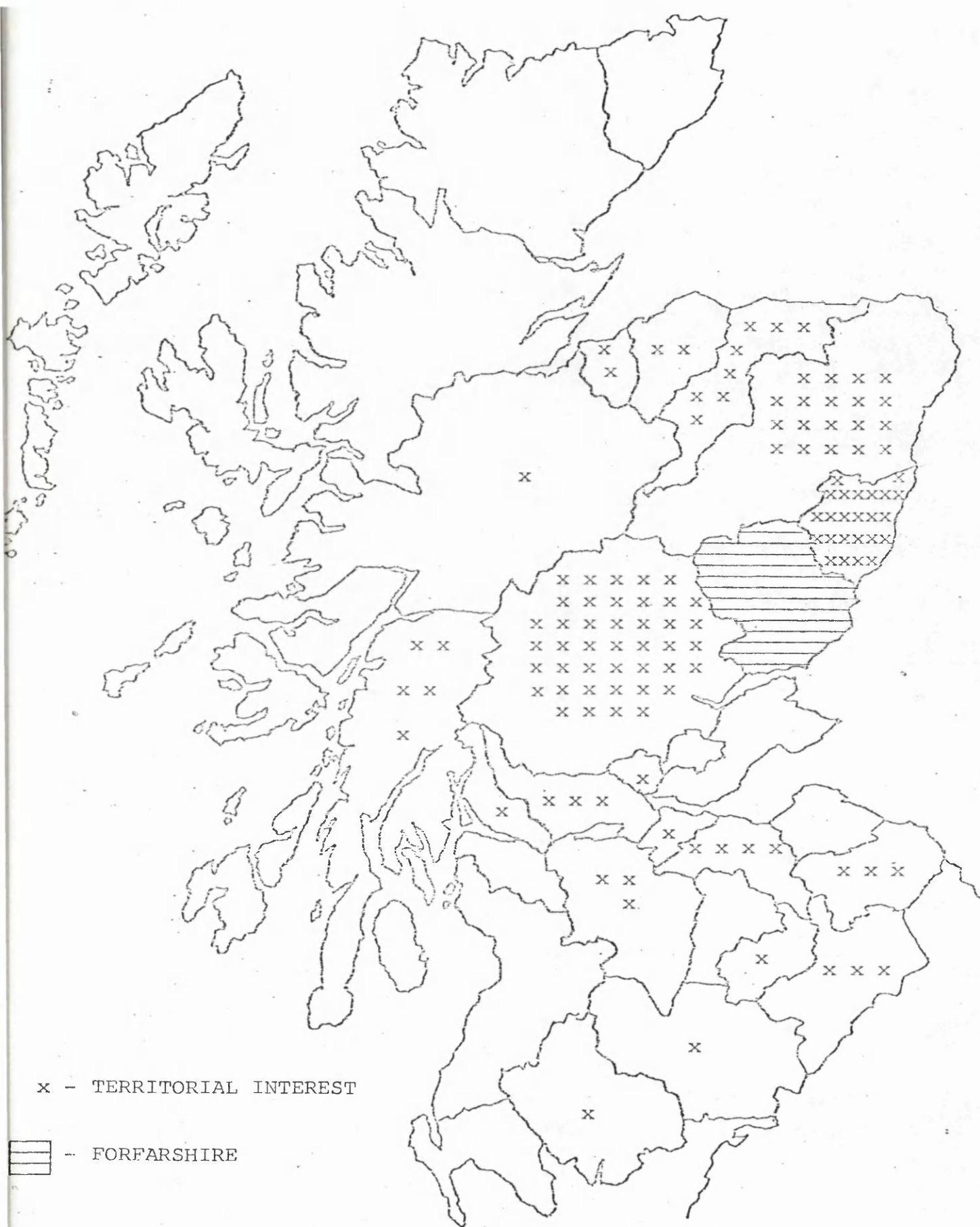
(Table 2.)

The connections between productivity, diversification, estate size, family size, population and valued rental are extremely complex and difficult to prove with the limited material which is available. That some relationship existed, however, is obvious.

Of major gentry families not intimately connected to the aristocracy in Forfarshire the Lindsays and Grays were among the most significant and widespread.<sup>185</sup> With the death of Lord Spynie in 1671<sup>186</sup> the Lindsays lost their head in Forfarshire and Lord Gray was not a major influence there after 1660.<sup>187</sup> His family was extensive, however,<sup>188</sup> and the sheriff clerk, William Gray of Hayston, was the shire's major landed speculator.<sup>189</sup> Lindsay property in Strathmore and the Grampians<sup>190</sup> did uniquely badly in the Valued Rentals of 1667 and 1682,<sup>191</sup> a possible result of the loss of the superior and the activities of creditors and speculators<sup>192</sup> attempting to gain what rights were being disposed of.<sup>193</sup> The Gray family, on the other hand, with two interests in each of the Maritime, Sidlaws and Strathmore regions<sup>194</sup> managed to control their purchases of property so well that only those in the coastal area diminished in value.<sup>195</sup> Just as the Lindsays were not unique in holding lands in territories which decreased in rental value,<sup>196</sup> neither were the Grays in their good fortune.<sup>197</sup> Other notable gentry families were the Fotheringhams and the Bowers.<sup>198</sup> The former had property in coastal, Sidlaws and Strathmore districts<sup>199</sup> with only their maritime holding declining in rental value.<sup>200</sup> Indeed of all gentry estates in that

district only three in two parishes, Craig and Maryton, out of 34 estates in nineteen parishes were in areas which increased in rental value after 1660.<sup>201</sup> The Bower family had estates in the Sidlaws and Strathmore regions<sup>202</sup> in parishes which in the former area increased in rental value and in the latter decreased.<sup>203</sup> In general the estates of the gentry in post-Restoration Forfarshire were twice as likely to be situated in parishes and areas of which the valued rent declined as not.<sup>204</sup>

As well as owning territory in Forfarshire the landowners of that shire were responsible for lands in other areas. The Airlies, for example, owned lands in Banffshire<sup>205</sup> which, in the early post-Restoration period, were very poorly managed and evidently responsible for reducing the profitability of the major estates.<sup>206</sup> The Panmures controlled lands in England<sup>207</sup> and throughout Scotland<sup>208</sup> while the Guthries of that ilk held lands in Northern Ireland centred on Rapho in County Fermanagh.<sup>209</sup> The Raits of Hallgreen also owned lands in Ireland.<sup>210</sup> They were a Kincardineshire family<sup>211</sup> who held land in Forfarshire and their status clearly indicates that outsiders infiltrated Forfarshire territory.<sup>212</sup> Conversely it is apparent from a study of the General Register of Sasines that the majority of Forfarshire heritors who held land outside the shire did not venture overseas but restricted their attentions to fertile areas close to home. Perthshire was by far the most significant area of outside interest of Forfarshire landowners<sup>213</sup> followed by Fife,<sup>214</sup> two very productive agricultural areas. Thereafter followed Kincardineshire, Aberdeenshire and Banffshire,<sup>215</sup> the east and



The Territorial Interests of Forfarshire Landowners  
outside that Shire 1660-1690.

Source: General Register of Sasines  
SRO RS3/1 - RS3/61.

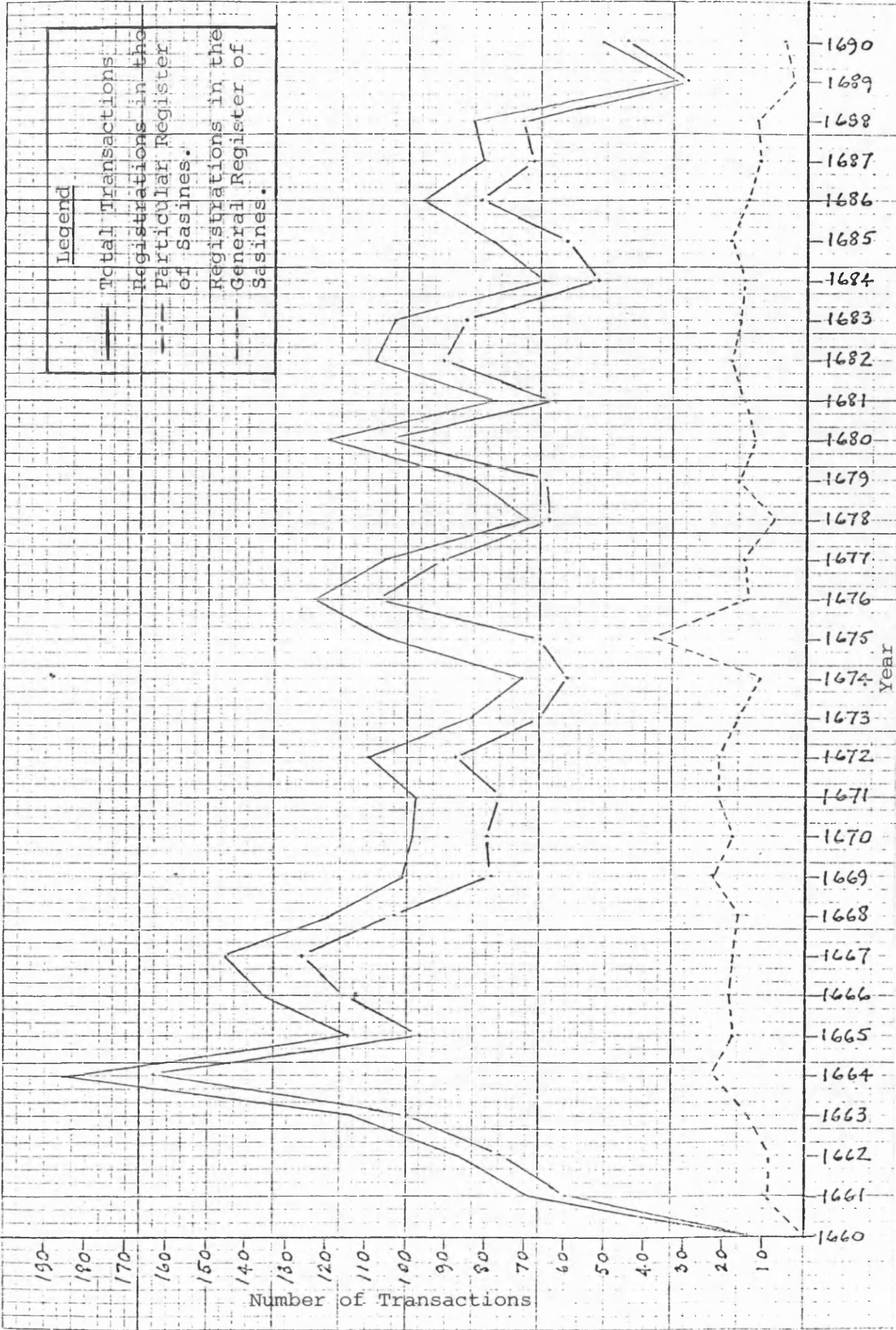
(fig.6.)

north east of Scotland predominating<sup>216</sup> in the attentions of Forfarshire heritors although Argyll and Lanark were also given some attention<sup>217</sup> with minor participation in other shires throughout Scotland.<sup>218</sup> Clearly fertility was the major consideration drawing Forfarshire heritors to neighbouring territories<sup>219</sup> along with family relationships and indebtedness.<sup>220</sup>

In their attentions to outside properties Forfarshire landowners were reasonably constant, possibly a reaction to the fickleness of internal landed transactions. Some allusion has already been made to this phenomenon and its effect on the local economy which can easily be proved by reference to the incidence of transactions registered at Dundee and Edinburgh in, respectively, the Particular and General Registers of Sasines.<sup>221</sup> Landed bargains were deeply affected by constitutional and political troubles.<sup>222</sup> Their peak of activity in the early post-Restoration period<sup>223</sup> and their decline in the late 1680's<sup>224</sup> with James II's abdication<sup>225</sup> are especially noticeable. No doubt the other fluctuations in landed deals were the result of changes in the local and national economies while the weather<sup>226</sup> and speculation<sup>227</sup> also seem to have had some effect.

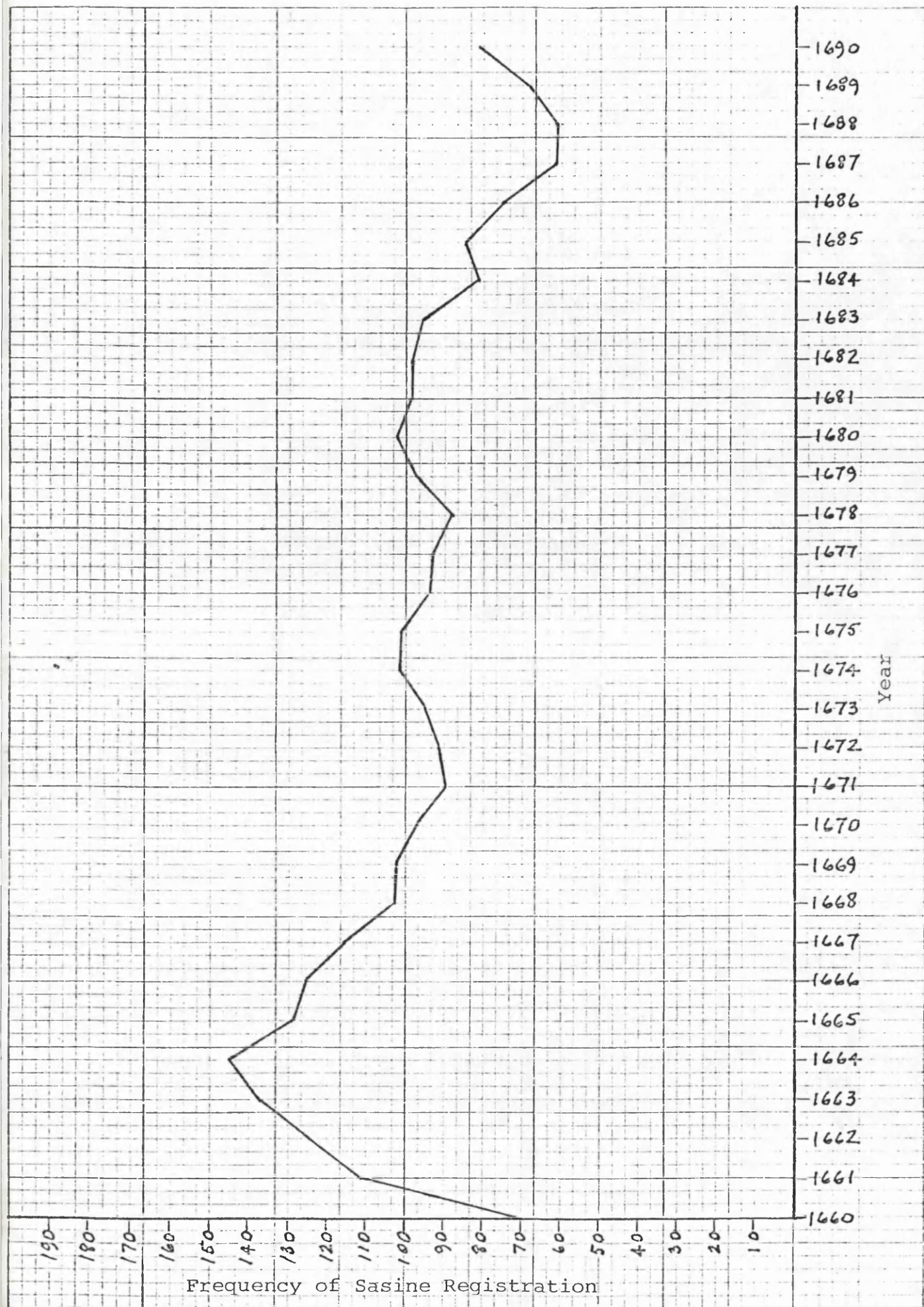
However, the considerable effects of Charles II's restoration on the land market and landed developments<sup>228</sup> in Forfarshire were reinforced by major changes of succession in the principal landed families.<sup>229</sup> It was almost as if the "conservative reaction"<sup>230</sup> of 1659 to 1660 in the county as a whole had led to the sweeping away of the





Transactions affecting Forfarshire Land 1660-1690 (fig.7.)

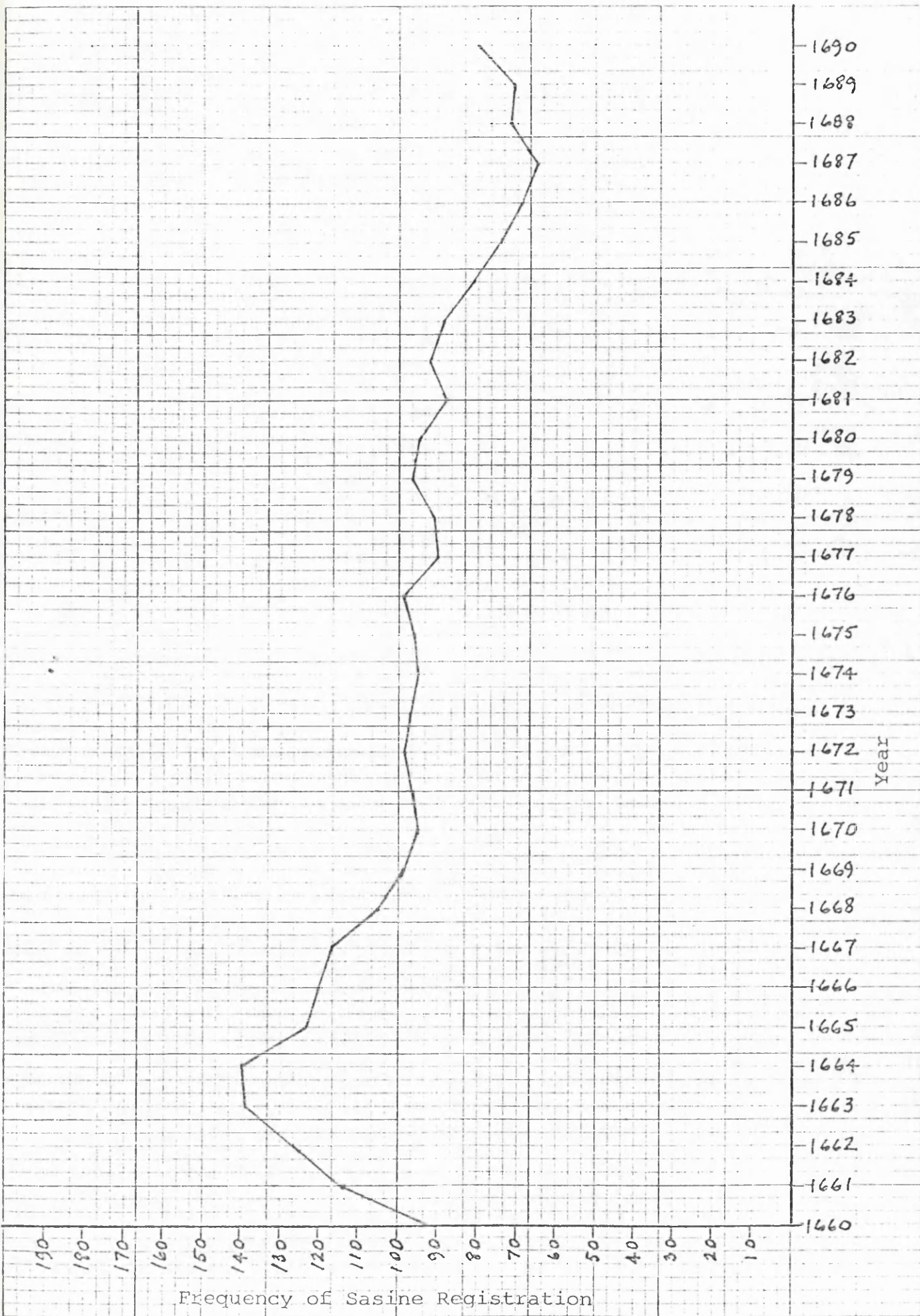




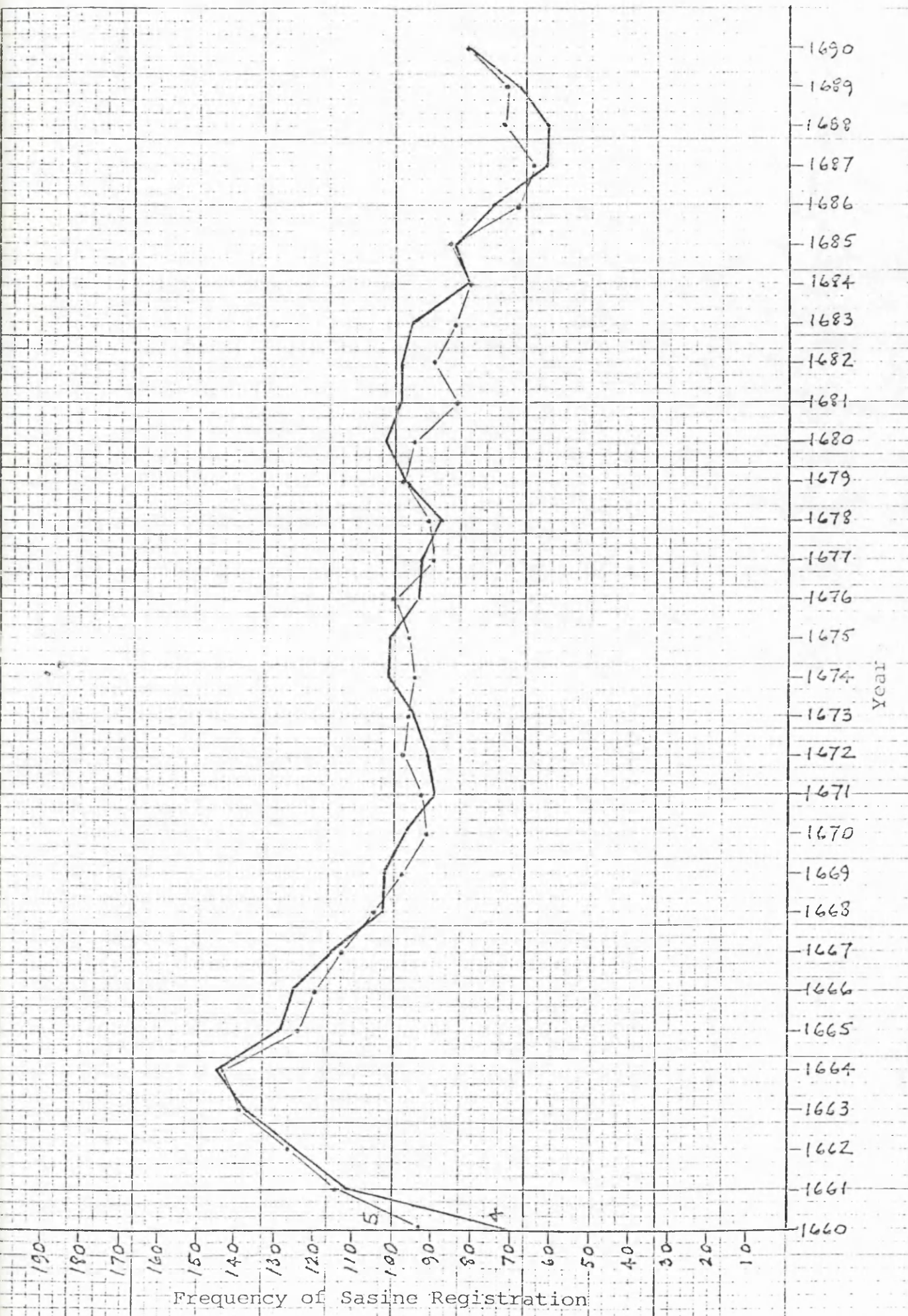
A Four Year Moving Average of the Registration of Sasines for Forfarshire 1660-1690.

(fig.8a)





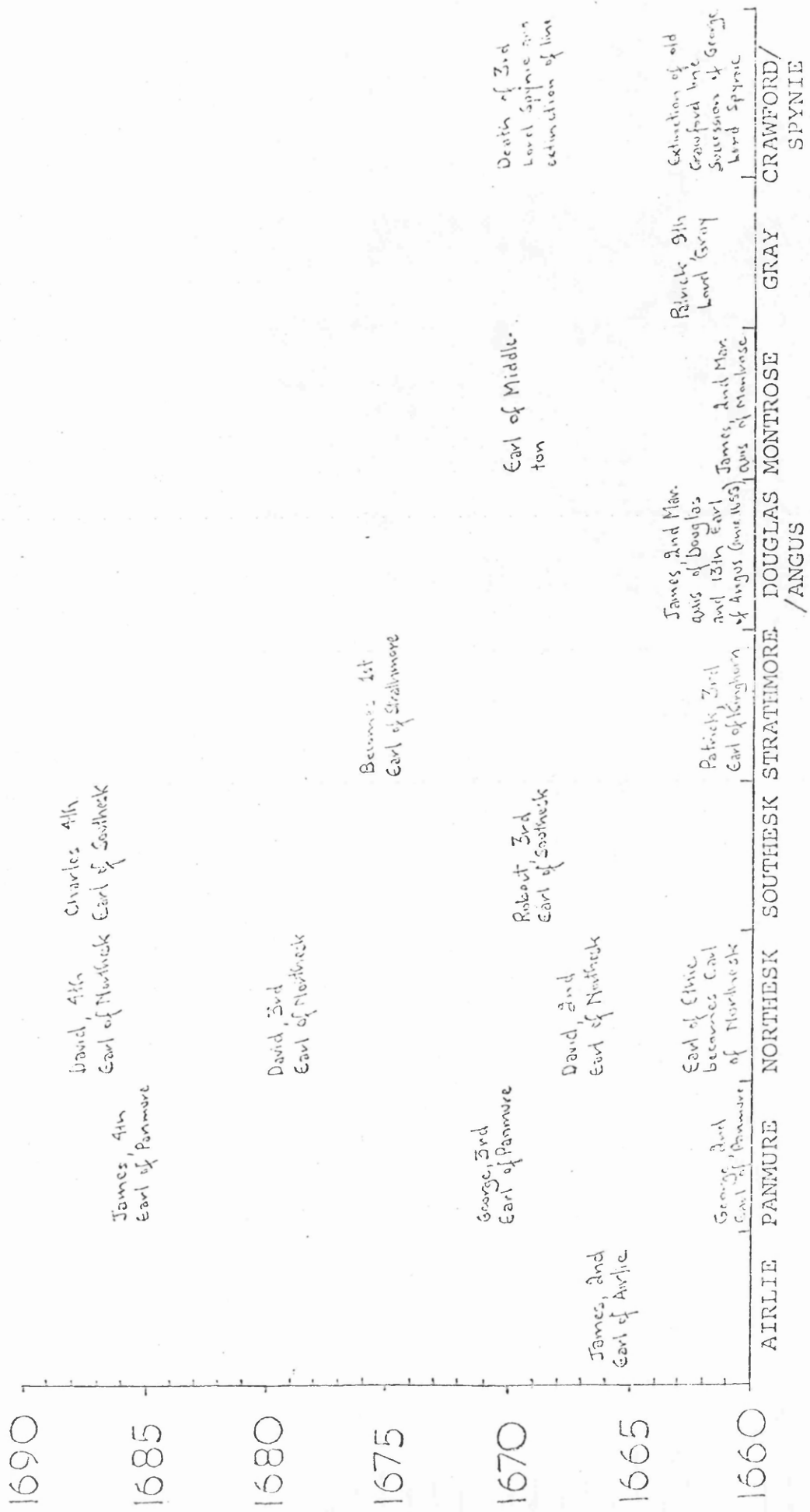
A Five Year Moving Average of the Registration of Sasines for Forfarshire 1660-1690. (fig. 8b)



A Comparison of the Four and Five Year Moving Averages of the Registration of Sasines for Forfarshire 1660-1690. (fig. 8c)



existing superiors in Forfarshire landed society and their replacement by younger successors.<sup>231</sup> Within six or seven years of the Restoration the major shire superiors had all but completely changed. Where the heads of families did not change until the middle of the 1660's it seems likely that heirs took over before their legal succession either for experience or because of the incapacity of the incumbent. This was certainly the case with the Earldom of Airlie. James, Lord Ogilvy was de facto superior from the late 1650's until he became legal superior in 1666.<sup>232</sup> There is some indication that this was also the case on the Guthrie estates until 1664 when John Guthrie of that ilk became de jure as well as de facto head of that family.<sup>233</sup> It can therefore be quite legitimately postulated that 1660 marks more than simply a political event in Forfarshire. In a practical sense it marked a new era for the landed society of that shire and a new departure for the relationships within it. Certainly some of the activities of the new superiors isolate them from their predecessors, their attitudes to the administration of their properties singling them out as belonging to a new age, their appointments of personnel demonstrating their concern for the performance of their properties.<sup>234</sup> That the post-1660 superiors had some effect on the evolution of agriculture is indisputable. The degree of their effect, whether it was simply an impetus in an evolutionary process or took agriculture in a different direction, is debatable. Both elements can be traced in Forfarshire after 1660. The traditional development of houses, gardens and plantings



A Chronological List of the Major Forfarshire Superiorities 1660-1690.

(Table 3.)

continued,<sup>235</sup> while a much deeper administrative change, including considerations of the function of the family estate, the place of the extended family and the development of estate management, was proceeding.<sup>236</sup>

Of the six major aristocratically controlled territories in Forfarshire between 1660 and 1690<sup>237</sup> only two, those of the Earl of Kinghorn and Strathmore<sup>238</sup> and the Marquis of Douglas,<sup>239</sup> had one superior throughout the three decades and benefitted by being subject to a continuous policy under him.<sup>240</sup> The Douglas properties in the parish of Kirriemuir<sup>241</sup> were only a minor part of that family's domains throughout Scotland,<sup>242</sup> however, and may be seen as not greatly affecting the evolution of landed society in the shire. Those properties, nevertheless, did have many of the problems inherent in Forfarshire estates after 1660<sup>243</sup> including an untrustworthy factor,<sup>244</sup> indebtedness, the sustenance of a major family and minority.<sup>245</sup> All these constituents had to be reviewed and reformed and while there appears to have been extensive reorganisation of Douglas Forfarshire properties,<sup>246</sup> the transformation of the management, accounting and general procedures of other family estates had to wait until somewhat later.<sup>247</sup> Although Douglas properties in Forfarshire were not as extensive as any of the other noble estates, their reformation while that family's other lands marked time indicate that Forfarshire was in the forefront of agricultural evolution and a strong example to other areas.<sup>248</sup>

When the Earl of Kinghorn returned to his estate in 1660 from his education at the University of St. Andrews<sup>249</sup> he found his houses and the fabric of his properties in a poor condition, his personal fortune all but non-existent.<sup>250</sup> He resolved there and then, however, to live within his means and to retrieve his fortunes from the brink of sequestration.<sup>251</sup> His intentions can be followed throughout the 1660 to 1690 period from the early days of Restoration indigence to Revolution splendour.<sup>252</sup> He is the famed example among major landholders in Forfarshire of the efforts of a continuous policy of economy and good management. Yet there is a certain anomaly in his position. Even while his family and estates were poor he could still find the time and money to travel to London to pay his respects to the King<sup>253</sup> and take part in military manoeuvres.<sup>254</sup> His social and political standing was as important to him as his estates and family<sup>255</sup> though he miserably failed to learn that the King was not given to financially expressing his gratitude for loyalty and effort.<sup>256</sup> The time he spent on military duty would have been better spent at home on his estates.<sup>257</sup> The debts which Kinghorn's father had incurred and which he had to repay, blaming his predecessor all the while,<sup>258</sup> are a notable feature of the Particular Register of Sasines for Forfarshire.<sup>259</sup> He showed that it was not enough simply to be a landed magnate with political and military connections. The skills which an effective superior had to have or acquire included those of manager, accountant, competent judge of character and diplomat, with foresight and stability of

policy as well as a knowledge of his estates,<sup>260</sup> personnel and tenantry. He had also to be an effective delegator of authority and estate policy maker. The difficulty was that many, if they had one or other of these qualities, did not combine a number of them sufficiently well for them to be effective. They had to learn such qualities by trial and error or have them forced on them by outside elements participating in their affairs.

The second Earl of Airlie lacked such qualities. Although the Airlie estates, mainly in the north west of Forfarshire,<sup>261</sup> had two superiors between 1660 and 1690<sup>262</sup> only one was effective since the first Earl delegated control to his son around the 1660 period.<sup>263</sup> Whether this was because he considered himself too old or ill<sup>264</sup> to carry on administering his properties or to give his somewhat recalcitrant son<sup>265</sup> some experience of estate management is not clear. What can be postulated is that the better experienced,<sup>266</sup> more assiduous demanding and energetic David Ogilvy of Clova, the youngest son of the first Earl of Airlie, might well have made a better superior than his brother.<sup>267</sup> This consideration along with personal and financial matters, drove the brothers apart around 1673,<sup>268</sup> at a time when David Ogilvy's experience and expertise would have been invaluable to the Airlie estates.<sup>269</sup> The second Earl consistently worked to employ his brother in a situation in which he would not be able to offer practical advice on estate management,<sup>270</sup> or take the second Earl to

task for his poor application to duty.<sup>271</sup> The laird of Clova ultimately settled in Edinburgh involved in Airlie legal business and political duties<sup>272</sup> along with James Carnegy of Balnamoon<sup>273</sup> his nephew<sup>274</sup> in an environment and occupation in which he, a practical man with myriad personal relationships on the Airlie estates, was evidently unhappy.<sup>275</sup> He was, however, doubtless to the consolation of the second Earl effectively neutralised in the management of estate affairs giving the latter the full control he could not have while Clova was close to him. In the relationship between the brothers Ogilvy around 1666 there is evidence of one of the defects of that superior. He was incapable of delegating authority or of accepting the counsel of those more experienced than himself especially, as is often the case, when the advice was offered by his brother. The inadequate utilisation of the skills of the laird of Clova after the early 1670's was a grievous loss to the Airlie estates. It is probably true to say that the second Earl's indebtedness,<sup>276</sup> and the estate problems he inherited through his earlier negligence and apathy,<sup>277</sup> were almost responsible for the downfall of his properties.<sup>278</sup> In the second half of the 1670's, however, the improving political and economic climate, better personnel<sup>279</sup> and accounting methods,<sup>280</sup> as well as a definite policy and evidently a greater interest on the part of the superior<sup>281</sup> played a part in the recovery of the Airlie estates.<sup>282</sup> From a decade and a half of decline after the Restoration the Airlie estates recovered to develop reasonably speedily<sup>283</sup> after the second Earl had established his authority and an efficient and



responsive management structure had been implemented.

One of the best examples of such improvements, in Scotland as much as Forfarshire, was the estates in that county and beyond<sup>284</sup> of the Earls of Panmure.<sup>285</sup> In the period from the Restoration to 1690 those properties had four superiors though their development and productivity scarcely faltered.<sup>286</sup> Patrick the first Earl of Panmure died in 1661.<sup>287</sup> His son George as second Earl ruled the family territories between then and 1671<sup>288</sup> and his two grandsons George and James Maule of Ballumbie<sup>289</sup> as third and fourth Earls of Panmure ruled between 1671 and 1686<sup>290</sup> and then and 1723.<sup>291</sup> It is evident from the family history that dislocation was never a problem among the Panmures, even given the greater than average number of superiors, and that it was their strategy that the work begun by one superior should be completed by another.<sup>292</sup> Continuous policy benefitted their estates immeasurably<sup>293</sup> and from extant accounts and correspondence of factors it is obvious that their properties were among the best administered in Forfarshire,<sup>294</sup> subject to a process of continuous development from 1660 to 1690.<sup>295</sup> Patrick Lyon the third Earl of Kinghorn and first Earl of Strathmore has always been considered one of the major improvers in the post-Restoration period.<sup>296</sup> The Earls of Panmure preceded him and were responsible for a more thorough-going change in the structure of their estates<sup>297</sup> or, perhaps more accurately, for the original development of efficient property management and its manning by competent,

vigorous, responsible and experienced factors like the Innes family<sup>298</sup> and John Maule.<sup>299</sup> It is perfectly evident from the position of the Panmures and the condition of their property that the security of the superior's family, his succession and the continuity of his directives played a significant part in the evolution of landed society in Forfarshire and the effective administration of landed estates.

Nowhere does this become more apparent than in the case of the Northesk family. That family had four superiors in the 1660 to 1690 period.<sup>300</sup> Possibly the most significant event in their history in the second half of the seventeenth century, however, was the favouring of Alexander Carnegie of Kinfauns,<sup>301</sup> the fourth son of the Second Earl,<sup>302</sup> over his brother David the rightful heir by his mother,<sup>303</sup> and their unsuccessful joint attempt to have the second Earl alienate his heir's patrimony to Kinfauns.<sup>304</sup> Their sustained campaign, based mainly on the flower of Northesk properties, the productive barony of Erroll,<sup>305</sup> and the entertainment of Kinfauns in his father's home,<sup>306</sup> led to the impoverishment of the family. For example, an estate rental for Forfarshire, Mearns and the barony of Erroll of 392 chalders of victual shortly after the Restoration<sup>307</sup> was, according to the factor's accounts, all but spent by the 1680's.<sup>308</sup> The Northesks also seem to have had some trouble with one of their factors, John Sibbald,<sup>309</sup> who evidently was not acceptable to all members of the family and consequently was obstructed in the performance of his duties.<sup>310</sup> One of the prerequisites for any factor

was his acceptability and his ability to placate opponents. Where he was not able to do that his task became doubly demanding. Insecurity, particularly where inter-family squabbles over superiority or succession were involved, and where families were divided into factions destroyed fortune, estates, respect, authority, administration, policy and continuity. The Northesk family are a prime example of that deterioration which evidently began sometime in the 1670's<sup>311</sup> and became increasingly virulent and destructive until the costly and lengthy legal actions of the 1690's.<sup>312</sup>

The Southesk estates had three superiors between 1660 and 1690,<sup>313</sup> all of whom appear to have been reasonably secure and stable if unenterprising. They may be seen as an example of the fact that superiors could survive by doing very little as long as their succession was not endangered and there were no family disputes about rights to property. They may well have been able to do very little, however, because of the limited extent of their territorial jurisdiction,<sup>314</sup> because of the peace which appears to have reigned over their lands and family, the extent of those with their name in Forfarshire<sup>315</sup> and the loyalty to which they were subject. The family historian makes little mention of the condition of Southesk estates.<sup>316</sup> He does note, however, that the fourth Earl after the Revolution did not appear at Court<sup>317</sup> but remained at his castles of Kinnaird and Leuchars in "considerable splendour"<sup>318</sup> which, given the fall in valued rent of most of his Forfarshire properties between 1667 and 1682,<sup>319</sup> would appear to have

been most irresponsible. Apparently, however, as well as the advantages of stable succession, extensive family connections and a limited landed remit, the Southesks had property in other shires<sup>320</sup> to bolster their Forfarshire holdings. There is little extant evidence on the condition of the latter estates<sup>321</sup> but it seems clear that they were not of overwhelming interest to the family between 1660 and 1690.<sup>322</sup> For example the first Earl was something of a politician and the third Earl was "more a man of fashion than a politician".<sup>323</sup> His successor was noted for his generosity and "adorning his noble demesne"<sup>324</sup> ostensibly by the planting of trees<sup>325</sup> though that happened after 1689. These minor pieces of evidence give some indication of Southesk interests and how backward their estates were. Tree planting and the general ornamentation and beautification of estates had long been the case in Forfarshire<sup>326</sup> and by the Revolution most heritors had long moved to other areas of concern such as administration, communications and productivity.<sup>327</sup> Backwardness, along with the lack of commitment and over-splendid life style of the Southesks, as well as their extra estate interests and their view of themselves as national figures and courtiers, were partial reasons for the low condition of their Forfarshire estates.

Aristocratic landholding in Forfarshire covered most phases of post-Restoration estate development, many types of superior and the variety of evolutionary difficulties which had to be overcome on the road to viability and

efficiency. Whereas the Panmures were among the first to solve their difficulties and set their long term policies, the Southesks were among the last. Whereas Kinghorn was vigorous and aware of the direction in which he wished his estates to evolve, neither Airlie nor Southesk planned ahead and both were apathetic though from different causes. The second Earl of Airlie by his personality and military career appears to have found his estates initially boring, being a practical man rather than a theoriser, while the Southesks apparently considered their estates second to their political ambitions and mainly a means of revenue. However, Northesk difficulties from about the 1670's, including the dissipation of the fruits of property and the disputes concerning family rights and succession were the problems Forfarshire landowners feared most. The Southesks could be grateful they had none of those, though their recalcitrance in development may well have been caused by considering the divisions in the other Carnegie branch and what could happen if they moved too far too fast. If they were economically backward they were at least inherently secure and at the head of peaceful properties.

A similar pattern of renewal or change around the 1660's can be noticed on the properties of other major families such as those of Montrose, Gray and Crawford. The estates of the reinstated Marquis of Montrose<sup>328</sup> were granted to his son at the Restoration<sup>329</sup> being acquired on his death at the end of the 1660's by the Earl of Middleton.<sup>330</sup> The Gray family had two superiors in the three decades after

1660. Andrew, eighth Lord Gray died in 1663<sup>331</sup> followed by his grandson Patrick, ninth Lord Gray.<sup>332</sup> The family was very extensive in Forfarshire<sup>333</sup> although their relationships are difficult to establish.<sup>334</sup> The position of the Crawfords and Lindsays is more certain<sup>335</sup> Colonel Ludovic Lindsay, the sixteenth Earl of Crawford<sup>336</sup> was dead in 1663.<sup>337</sup> "The old Crawford line ended in him"<sup>338</sup> and he was succeeded by George, third Lord Spynie<sup>339</sup> who was dead in December 1671.<sup>340</sup> The succession was then totally extinct<sup>341</sup> and the lairds of Edzell became the representatives of the house of Crawford.<sup>342</sup> Such dilemmas and fundamental alterations of superiority, and with them probably changes of policy direction can scarcely have increased confidence in or security on the Lindsay properties. As a result they declined in valued rent.<sup>343</sup> Additionally, however, the Lindsays were never formidable administrators or property.<sup>344</sup> They claimed the Earldom of Crawford in 1685<sup>345</sup> though their demand was not accepted,<sup>346</sup> and thereafter was dropped.<sup>347</sup> The succession by major gentry to aristocratic territories may, in some instances, have been no bad thing, but Lord Lindsay notes that "The Edzell family were in fact less interested in acquiring or vindicating new honours than in sustaining the position they already held".<sup>348</sup> Consolidation of family property under Lindsay of Edzell whose domain was the "Kitchen of Angus"<sup>349</sup> did little good in the long run, however. His new found territorial wealth appears to have led him to extravagant tastes and not to the improvement of his properties.<sup>350</sup> He was finally bought out by the Earl of Panmure<sup>351</sup> "through his own imprudence."<sup>352</sup> From the early 1670's the Lindsay properties

in Forfarshire had been the subject of speculation and continuous decline culminating in their transfer to a major Forfarshire landowner, a fact which betrayed many of the inherent characteristics of landed society, mainly those of exclusiveness and isolation. The major families were just as powerful at the end of the seventeenth century as they had been earlier. Only their constitution had altered. A study of their landed practices, evolution, superiorities, relationships and management structures are an integral part of the understanding of agricultural development in Forfarshire. They were central figures in that development, their attitudes and policies giving it direction and impetus. As powerful leaders of society their example and opinion was of importance just as their instructions were. Without the majority of them landed progress would have been much retarded.

There is, therefore, a considerable body of evidence to justify the claim that in parts of the country at large, but particularly in Forfarshire, the Restoration was more than a political change.<sup>353</sup> Because of the genealogical peculiarities of Forfarshire nobility<sup>354</sup> it was a change of greater internal significance than it otherwise might have been. Thereafter the period was one of a complex alteration of superiorities and ideas affecting the structure of landed society. There was a volte face due to the optimism spawned by the return of the sovereign and society once again on secure and recognisable foundations. Power was again in the hands it should have traditionally been and

the succession of major families was re-established if on younger, widely experienced men who had a considerable amount to learn about the administration of property. The youth and lack of experience of some Forfarshire nobles<sup>355</sup> indeed and some short superiorities, may well have added to that shire's development for at least the new superiors came to their patrimony with few set ideas and willing to learn. The changes they brought with them by virtue of their return penetrated deeply into landed society. For example, landed transactions in which the gentry played a significant part<sup>356</sup> were at their height in the early 1660's.<sup>357</sup> If that initial optimism did not persist<sup>358</sup> that was due to national economic and climatic difficulties rather than serious internal problems, the original impetus being maintained over a wide enough spectrum both territorially and chronologically to make Forfarshire by 1690 a much different constituent of the Scottish agricultural sector than it had been in 1660.

Despite radical changes, however, there was a wide variety of performances in the Forfarshire landed sector. Upland, less populous districts with large estates were deemed profitable, or potentially so, in the Valued Rent Rolls while smaller properties in well populated low-lying districts were not. The results of such differences cannot have gone unnoticed for the degree of emulation evident in Edward's description of the shire<sup>359</sup> indicates how fashionable and infectious change was and this must have led to further development. What is unclear is how intense



such modification was and where the idea of agricultural change and estate reorganisation originated. Change, nevertheless, was rife throughout Forfarshire between 1660 and 1690 and if it was not on the physical scale of later improvements it was fundamental to them. In the evolution of Scottish agriculture Forfarshire landed society between 1660 and 1690 provides an instructive study of how estate reorganisation was implemented, who were its principal motivators, their aspirations, the influences on them and the ultimate effects of such changes. In the first instance, however, there were many problems to be faced.

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FOOTNOTES

1. Robert Edward, Description of the County of Angus (1681). In A.J. Warden, Angus or Forfarshire (5 vols.), (1880-5), ii, 234-252, passim. Hereafter Edward in Warden, Forfarshire.  
  
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John Stowe, The History of England (1600), 4. Hereafter Stowe, England.
3. J. Headrick, General View of the Agriculture of the County of Angus or Forfarshire with observations on the means of its improvement (1813), 2. Hereafter Headrick, Angus.
4. Headrick, Angus, 3-8. See Figure 2.
5. Ibid.
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7. Ibid.
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9. W.A. Illsey (ed.), The Third Statistical Account of Scotland. Vol. XXVI. Angus (1977). A. Scarth, Physical Background (Chapter 1), 30-33.  
  
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13. Kyd, Population, 46-9.
14. See Figure 1.
15. Kyd, Population, 46-9.
16. R. Greene - A New Map of Scotland with the Roads (1679). SRO RS 35/1 - 35/8 passim.  
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17. SRO RS 35/1 - RS 35/8 passim.  
Hume Brown, Early Travellers, 264 et passim.  
Hume Brown, Scotland, 352.
18. W.M. Mackenzie - The Scottish Burghs (1949), 62f.  
G.S. Pryde - The Burghs of Scotland, (1965), passim.  
The royal burghs were Montrose, Forfar, Dundee, Arbroath Brechin. There were also the burghs of barony and regality. Op.cit. passim.
19. T. Pagan - The Convention of Royal Burghs of Scotland (1926), 120f. Miscellany of the Scottish Burgh Records Society (1881), passim.
20. J.D. Marwick - List of Markets and Fairs now and formerly held in Scotland (1890), passim. His list, however, seems not to be comprehensive.
21. Edward in Warden, Forfarshire ii, 237.
22. SRO GD188/27/8, SRO GD188/32/9, SRO GD188/32/10. The Guthrie Estate Accounts compiled by the factor chamberlain Henry Lindsay, the laird of Cairne.
23. SRO GD130 passim. SRO GD16/26/65. SRO GD16/26/156 passim.
24. W. Wilson - The House of Airlie, 2 vols. (1924), passim. Hereafter Wilson, Airlie.

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- J. Stirton - Glamis, a parish history (1913), passim.
25. I.B. Cowan - The Scottish Covenanters 1660-1688, (1976), 54.
- G.D. Henderson - Religious Life in Seventeenth Century Scotland (1937), 232.
26. The second Earl of Airlie, his brother Sir David Ogilvy of Clova and the Earl of Strathmore were used in this way. See J. King Harrison - The Covenanters (1913) ii, 266 et passim.
- SRO GD16/26/56, The Letters of Sir David Ogilvy of Clova, passim.
- SRO GD16/29/140/Box 2/Bundle 3, passim.
27. For this see the incidence of landed transactions in Forfarshire in the Particular and General Register of Sasines.
- SRO RS3/1 - RS3/61, SRO RS35/1 - RS35/8, passim.
28. With the possible exception of the incursions of Highlanders. See SRO GD16/27/140 n.d. XVII Century.
29. Vide infra.
30. Wilson, Airlie, passim.
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- J. Buchan,- Montrose (1949), passim.
31. A.A. Cormack - Teinds and Agriculture, (1930), 186-7.
32. Vide supra.
33. See Figure 2.
34. Ochterlony in Warden, Forfarshire ii, 252-78, Edward in Warden, Forfarshire ii, 245.
- I.B. Cowan - The Scottish Covenanters 1660-88 (1976), 54.
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35. Acts of Parliament of Scotland, William and Mary's 1st Parliament Cup, XXIII. Scots Acts iii, 283.  
A.A. Cormack - Teinds and Agriculture (1930), 186.
36. See Figure 2.
37. See Figure 4.
38. Ibid.
39. See Figure 2.
40. See Figures 3 and 4.
41. Ibid.
42. See Figure 2.
43. See Figures 2 and 4.
44. See Figures 2 and 5.
45. See Figure 2.
46. Ibid.
47. Ibid.
48. Wilson Airlie, passim.
49. SRO ex GD188/34/5, SRO GD188/3/3/4.
50. Ibid.
51. SRO RS3/1 - RS3/61, SRO RS35/1 - RS35/8, passim.
52. J.E. Handley - Scottish Farming in the Eighteenth Century (1953), 109f.  
J.A. Symon - Scottish Farming Past and Present (1959), 103f.  
T.B. Franlin - A History of Scottish Farming (1952), 114f.
53. SRO ex GD130/Box 8/Bundle 3, 1667, SRO ex GD130/Box 5/Bundle 9, 1682. Hereafter Valued Rent GD130 1667-1682.
54. Ibid. It should be noticed however that there are some discrepancies in the totals which have been struck including inaccurate contemporary addition.
55. Vide supra.
56. Valued Rent GD130 1667-1682.

57. Ibid.
58. Ibid.
59. T.C. Smout - Scottish Trade on the Eve of Union 1660-1707 (1963), 240-44, 286-7. Hereafter Smout, Union. He puts the break in prosperity in early 1681 though it seems likely that particular Forfarshire estates were having grave difficulties in the 1660's and 1670's.
60. SRO GD16/29/140 Miscellaneous Estate Accounts of the Airlie Estates.  
  
SRO GD188/27/8, SRO GD188/32/9, SRO GD188/32/10. Guthrie Estate Accounts, passim.
61. Valued Rent GD130 1667-1682.
62. W.A. Illsey (ed.) - The Third Statistical Account of Scotland, Vol. XXVI Angus (1977). A Scarth - Physical Background (Chapter One), 30-33.  
  
E.S. Valentine - Forfarshire (1912), 43-48.
63. Valued Rent GD130 1667-1682.
64. Ibid.
65. Ibid.
66. See Figure 4.
67. Ibid.
68. Valued Rent GD130 1667-1682.
69. Ibid.
70. Ibid.
71. Ibid.
72. Ibid.
73. Ibid.
74. See Figure 4.
75. SRO GD16/29/140 Miscellaneous Estate Accounts, passim.
76. SRO GD45/14/163, SRO GD45/18/42 - 103. John Maule's Letters and Accounts.
77. SRO GD16/26/8, SRO GD16/26/59. The Letters of Robert Hamilton, passim.

- SRO GD16/26/85 The Letters of Thomas Ogilvy, passim.  
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78. SRO GD45/14/162, SRO GD45/14/122 Letters of Alexander Innes.
79. SRO GD16/29/140/Box 2/Bundle 3 Miscellaneous Estate Accounts, passim.
80. SRO GD16/29/140 Miscellaneous Estate Accounts, passim.  
SRO GD16, passim.
81. See Figure 4.
82. Valued Rent GD130 1667-1682. See Figure 3.
83. See Figure 4.
84. Valued Rent GD130 1667-1682. See Figure 3.
85. See Figure 4.
86. Valued Rent GD130 1667-1682. See Figure 3.
87. See Figure 4.
88. Valued Rent GD130 1667-1682. See Figure 3.
89. See Figure 4.
90. Ibid.
91. Vide supra. See Figure 3. SRO GD45, passim.
92. Valued Rent GD130 1667-1682. See Figure 3.
93. Ochterlony in Warden Forfarshire ii, 259, 260, 271.  
See Figure 4. See also SRO RS3/1 - RS3/61 passim.
94. Ochterlony in Warden Forfarshire ii, 271. A.J. Warden - Angus or Forfarshire (5 vols. 1880-5), iv, 300f.  
Hereafter Warden, Forfarshire.
95. Ochterlony in Warden, Forfarshire ii, 263. Warden, Forfarshire, iv, 189.
96. See Figure 1.
97. Valued Rent GD130 1667-1682. See Figure 3.
98. W. Fraser - The Douglas Book 4 vols. (1885), ii, 449f, 591. Hereafter Fraser, Douglas.  
See Figures 4 and 3.  
Ochterlony in Warden, Forfarshire ii, 259.



99. See Figure 3, Valued Rent GD130 1667-1682.
100. SRO RS35/1 - RS35/8 passim.
101. Ochterlony in Warden, Forfarshire ii, 264 et 252-78 passim.
102. SRO RS3/1 - RS3/61 passim .
103. Ibid.
104. SRO RS3/53 fo 318 22.6.1686, SRO RS3/60 fo 49 24.2.1690.
105. SRO GD16/29/140 Miscellaneous Estate Accounts 1660-1680, passim.
106. Vide supra.
107. SRO RS35/1 - RS35/8, SRO RS3/1 - RS3/61, passim.
108. Ibid.
109. Ibid.
110. W. Fraser - History of the Carnegies Earls of Southesk and their Kindred (2 vols.) (1867), passim. Hereafter Fraser, Southesk.  
Wilson, Airlie, passim.
111. SRO RS35/1 - RS35/8, SRO RS3/1 - RS3/61, passim.
112. Ochterlony in Warden, Forfarshire ii, 252-78, passim.  
Valued Rent GD130 1667-1682. See Figure 5.
113. See Figure 4.
114. See Figure 5. Ochterlony in Warden, Forfarshire ii, 252-78, passim.
115. Wilson, Airlie, passim.
116. See Figures 4 and 5.
117. SRO GD16/34/46, SRO GD16/26/55, SRO GD16/34/82, passim.
118. Wilson, Airlie i, 289.
119. Wilson, Airlie ii, 4.  
A.H. Millar (ed.) - Glamis Book of Record 1684-89 (SHS 1890), 4. Hereafter Millar, Glamis.
120. SRO GD16/29/140 1660-1680 Miscellaneous Estate Accounts, passim.  
SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85 passim.

121. See Figure 5.
122. See Table 1. See Valued Rent GD130 1667-1682.
123. See Figures 5 and 3. See Valued Rent GD130 1667-1692.
124. Vide supra.
125. See Figures 5, 3 and 1. Ochterlony in Warden, Forfarshire ii, 252-78 passim.
126. Ibid.
127. Valued Rent GD130 1667-1682.
128. See Figures 3, 4 and 5. Valued Rent GD130 1667-1682.
129. Ibid.
130. Ibid.
131. See Figure 6. Ochterlony in Warden, Forfarshire ii, 266-7.  
Fraser, Southesk, passim.  
SRO GD16/31/213, passim.
132. Ochterlony in Warden Forfarshire ii, 266-7. See Figure 5.  
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133. Fraser, Southesk xxi-xxiv et passim.
134. See Table 1, Ochterlony in Warden, Forfarshire ii, 252-78, Valued Rent GD130 1667-1682. See Figure 4.
135. Ibid.
136. Ibid.
137. Ibid.
138. Ibid.
139. See Figures 5 and 3. Valued Rent GD130 1667-1682.  
Ochterlony in Warden, Forfarshire ii, 252-78, passim.
140. See Figure 5. Ochterlony in Warden, Forfarshire ii, 252-78. Valued Rent GD130 1667-1682. See Figure 3.
141. Ibid.
142. Ibid.

143. Fraser, Southesk, cvi, 431, SRO GD16/31/213,  
SRO GD16/31/70.
144. Ochterlony in Warden, Forfarshire ii, 267, Warden,  
Forfarshire iv, 171.
145. See Figures 1, 3, 4 and 5.
146. Valued Rent GD130 1667-1682.
147. See Figures 1, 3 4 and 5.
148. Valued Rent GD130 1667-1682. See Figures 5 and 3.
149. Vide supra.
150. Smout, Union, passim.
151. Valued Rent GD130 1667-1682. SRO RS35/1 - RS35/8,  
passim. SRO RS3/1 - RS3/61, passim.
152. Ochterlony in Warden, Forfarshire ii, 252-78, passim.  
J. Stuart (ed.) - Registrum de Panmure. Compiled by  
the Hon. Harry Maule of Kelly AD1773 (1874) 2 vols.  
passim. Hereafter Stuart Reg. Pan.
153. SRO GD45 passim.
154. SRO GD45/14/163, SRO GD45/18/42-103, SRO GD45/14/122,  
SRO GD45/14/162.
155. See Figure 4.
156. Ochterlony in Warden Forfarshire, ii, 252-78.  
Stuart Reg. Pan. passim.  
Warden, Forfarshire, i, 379f.
157. SRO RS3/1-RS3/61, RS35/1-RS35/8, passim. Note the  
extent of families of the name of Ogilvy, Carnegy and  
Lyon against the paucity of Maules in these landed  
transactions.
158. SRO GD45/21/1, SRO GD16/31/252, SRO GD188/20/5,  
SRO GD188/24/2.
159. Ibid, et SRO GD188/25/5, SRO GD188/33/10. See the  
Airlie Muniments (SRO GD16) for evidence of the  
contrary trend.
160. Ochterlony in Warden, Forfarshire ii, 261, 274.  
Stuart, Reg. Pan., 336-8.  
Warden, Forfarshire, iv, 382fii, 372f.

161. Valued Rent GD130 1667-1682.
162. Ochterlony in Warden, Forfarshire ii, 262.  
Warden, Forfarshire, v, 6f.  
Stuart, Reg. Pan. xlvi-xlvii.
163. See Figures 1, 3 and 4.
164. Valued Rent GD130 1667-1682.
165. Stuart, Reg. Pan. xlvi-xlviii.
166. Ibid.
167. Ibid.
168. Stuart, Reg. Pan., 336-8.
169. SRO GD45/14/163, SRO GD45/18/42-103, SRO GD45/14/162,  
SRO GD45/14/122,
170. Millar, Glamis, passim.
171. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
172. Ochterlony in Warden, Forfarshire ii, 252-78.  
SRO RS35/1-RS35/8 passim.
173. Valued Rent GD130 1667-1682.
174. Millar, Glamis, passim.
175. Vide supra et Table 1.
176. Valued Rent GD130 1667-1682. See Figures 1, 3, 4 and  
5.
177. Ibid.
178. Lord Lindsay - Lives of the Lindsays (1849), 3 vols.  
ii, 80, 253. Hereafter Lindsay, Lives.
179. Ochterlony in Warden, Forfarshire ii, 252-78 passim.  
See Table 2.  
Warden, Forfarshire, passim.
180. Ochterlony in Warden, Forfarshire ii, 252-78 passim.  
See Table 2.
181. Valued Rent GD130 1667-1682.
182. See Table 2.
183. Ochterlony in Warden, Forfarshire ii, 252-78. Figures  
1, 3, 4 and 5.

184. Valued Rent GD130 1667-1682.
185. SRO RS3/1-RS3/61, SRO RS35/1-RS35/8 passim.
186. Lindsay, Lives ii, 253.
187. The Scottish Family of Gray (1914), passim.  
SRO GD18/6/2149, SRO GD18/6/2150.
188. Ibid et SRO RS35/1-RS35/8 passim.
189. SRO RS35/1-SRO RS35/8. See especially SRO RS35/1-RS35/4,  
SRO GD16/50/37, SRO GD45/14/81, SRO GD16/50/40,  
SRO GD16/50/49, SRO GD16/31/68.
190. Ochterlony in Warden, Forfarshire, ii, 252-78 passim.  
See Table 2.
191. Valued Rent GD130 1667-1682. See Table 2.
192. SRO RS35/4-RS35/6, SRO RS35/3 fo. 419, 420 28-2-1668  
et passim.
193. Valued Rent GD130 1667-1682.
194. See Table 2.  
Ochterlony in Warden, Forfarshire, ii, 252-78 passim.
195. Valued Rent GD130 1667-1682. See Table 2.
196. See Table 2. Valued Rent GD130 1667-1682.
197. Ibid.
198. See Table 2.  
Ochterlony in Warden, Forfarshire, ii, 252-78, passim.  
Valued Rent GD130 1667-1682.
199. Ochterlony in Warden, Forfarshire ii, 252-78, passim.  
See Table 2.
200. See Table 2. Valued Rent GD130 1667-1682.
201. See Figure 1, Table 2. Valued Rent GD130 1667-1682.  
Ochterlony in Warden, Forfarshire, ii, 252-78, passim.
202. Ochterlony in Warden, Forfarshire, ii, 252-78. See  
Table 2.
203. See Table 2. Valued Rent GD130 1667-1682.

204. Ibid. et Ochterlony in Warden, Forfarshire, ii, 252-78. See Figures 1, 3 4, and 5.
205. SRO GD16/26/85, SRO GD16/29/140/Box 2/7, SRO GD16/31/317.
206. SRO GD16/29/140 Miscellaneous Estate Accounts 1660-9 passim.  
SRO GD16/26/8, SRO GD16/26/59 Letters of Robert Hamilton  
SRO GD16/26/85 passim. Letters of Thomas Ogilvy.
207. Stuart, Reg. Pan., xxxix-xl.
208. Stuart, Reg. Pan., xxxviiiif.
209. SRO GD188/2/5 passim. See also SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/10.
210. SRO RH15/37 passim.
211. SRO RH15/37/171.
212. SRO RH15/37/194, SRO RS35/2 fo 216 8.12.1664.  
SRO RS35/2 fo 364 1.12.65 et SRO RS35/1-RS35/8 passim.
213. SRO RS3/1, RS3/61 passim. See Figure 6.
214. Ibid.
215. Ibid.
216. Ibid.
217. Ibid.
218. Ibid.
219. SRO RS35/1-RS35/8, passim.
220. Vide infra et Hume Brown, Scotland 77, Hume Brown Early Travellers, 19.
221. SRO RS35/8, SRO RS3/1-RS3/61 passim. Vide infra.
222. See Figures 7, 8a, 8b and 8c.
223. Ibid. See below, chapter on landed business.
224. Ibid.
225. L. Glassey - The Lawyer, The Historian and the Glorious Revolution. In E. Attwooll (ed.) - Perspectives in Jurisprudence (1977), 160-175.

226. R. Chambers - Domestic Annals of Scotland (3 vols.) (1859), ii, passim. Vide infra, chapter on landed business.
227. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim. SRO GD16/31/68, SRO GD16/50/37, SRO GD45/14/81, SRO GD16/50/40, SRO GD16/50/49, passim. Vide infra chapter on landed speculation.
228. J. Thirsk (ed.) - The Restoration (1976), passim.
229. Vide Infra. This was true of the gentry and the aristocracy. The example of the Guthries quoted in the text can be reinforced by that of the Erskines of Dun. See V. Jacob - The Lairds of Dun. (1931), 207, 213f.
230. A. Everitt - Change in the Provinces: the Seventeenth Century (1972), 6.
231. Vide infra.
232. SRO GD16/34/46, SRO GD16/34/82 passim.  
Wilson, Airlie, i, 289 and ii, 3f.
233. SRO GD188/25/5, SRO GD188/33/10, SRO GD188/27/8.
234. Vide infra.
235. Edward in Warden, Forfarshire, ii, 234-52. See also the muniments of the major families in the Scottish Record Office.
236. Vide infra.
237. Warden, Forfarshire, i, 263-444 ii, 1-43. He gives a larger number of historic families, twenty one in all (loc. cit.) but not all of them relate to the post-Restoration period and of those which do some became extinct or were only of marginal importance during that era.
238. Millar, Glamis, xvff.
239. Fraser, Douglas, ii, 449f, 591.
240. Millar, Glamis, xix, et passim.
241. Valued Rent GD130 1667-1682. See Figures 3 and 4.
242. Fraser, Douglas, ii, 591f.
243. Fraser, Douglas, ii, 445f.
244. Ibid.
245. Ibid.

246. SRO RS35/1-RS35/8 passim et SRO RS35/7 fo 396 15.6  
1682, SRO RS35/5 fo 69 20.6 1672.
247. Fraser, Douglas, ii, 455f.
248. Ibid.
249. Millar, Glamis, xv.
250. Millar, Glamis, xv-xvi.
251. Ibid.
252. Millar, Glamis, passim.
253. Millar, Glamis, xvi-xvii.
254. J. King Hewison - The Covenanters (1913) 2 vols. ii,  
266.

J.R. Elder - The Highland Host of 1678 (1914), 40,  
137. The latter author quotes Kirkton and Wodrow who  
stated that Strathmore and Airlie at the disbanding of the  
Highland Host sent home money "not in purses, but in  
bags and great quantities".

255. Wilson, Airlie, ii, 84. See also SRO GD16/26/55. The  
Letters of Sir David Ogilvy of Clova.
256. D. Ross - Class Privilege in Seventeenth Century England.  
History, Sept. 1943, xxviii, No. 108, 148-155.
257. Wilson, Airlie, ii, 84. See also SRO GD16/29/140/Box 2/  
Bundle 3. Miscellaneous Estate Accounts 1670's,  
passim.
258. Millar, Glamis, xiii.
259. SRO RS35/1-RS35/8, passim.
260. Lindsay, Lives, ii, 127-8. His mother gave Colin the  
third Earl of Balcarres some advice concerning ordering  
his affairs based mainly on the adages that "The good  
man orders his affairs with discretion, - it's the  
diligent that's the only person fit for government",  
and "it's the hand of the diligent maketh rich". Even  
she, however, a contemporary not really involved in the  
administration of property, seemed to see only practical  
matters such as knowledge of rights, accounts and  
positions of property as major concerns of the superior.  
Those ideas were increasingly behind the times. The  
factor or chamberlain (often the same person) increasingly  
became responsible for such matters and advised the  
superior as well as implementing the policy with which  
the latter was more and more concerned.



261. See Figure 4.
262. Wilson, Airlie, i, 289.
263. SRO GD16/34/46 20.10 1660, SRO GD16/34/82 passim.
264. Wilson, Airlie, i, 288-9. SRO GD16/26/55, The Letters of Sir David Ogilvy of Clova, passim.
265. Millar, Glamis, 4.  
Wilson, Airlie, ii, 4.
266. Wilson, Airlie, i, 268-73, SRO GD16/26/55, SRO GD16/41/500, SRO GD16/29/131. The Letters and Accounts of Sir David Ogilvy of Clova.
267. Ibid.
268. Ibid.
269. Ibid.
270. Ibid.
271. Ibid.
272. Ibid.
273. SRO GD16/31/70, SRO GD16/31/213, SRO GD16/26/55.  
See Figure 5 and Table 2.  
Ochterlony in Warden, Forfarshire, ii, 266-7.
274. Wilson, Airlie, i, 273.
275. SRO GD16/26/55, SRO GD16/41/500, passim.
276. SRO GD16/31/94, SRO GD16/31/70, SRO GD16/31/80, SRO GD16/31/92, et SRO GD16 passim.
277. SRO GD16/26/55, SRO GD16/34/46, SRO GD16/34/82.
278. SRO GD16/29/140/Box 2/Bundle 3. Miscellaneous Estate Accounts 1670's.
279. SRO GD16/26/85, SRO GD16/26/147, SRO GD16/31/143, SRO GD16/26/157, SRO GD16/26/156.
280. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
281. SRO GD16/26/164. Although this letter is dated 20 October 1691, as are most others dealing with 'improvement' on Airlie estates dated the 1680's or 1690's, it refers to earlier arrangements so the second half of the 1670's or 1680's are likely periods.

282. SRO GD16/29/140 passim. Miscellaneous Estate Accounts.
283. Ibid et SRO GD16/26/164, SRO GD16/26/156,  
SRO GD16/26/157, SRO GD16/31/143, SRO GD16/26/147.
284. SRO GD45/14/106, SRO GD45/14/162, SRO GD45/14/177,  
SRO GD45/14/122, SRO RH15/82 passim.
285. Stuart, Reg. Pan. passim.
286. Stuart, Reg. Pan. xlii-xlvi. See Table 3.
287. Stuart, Reg. Pan. xliii.
288. Stuart, Reg. Pan. xlv.
289. Stuart, Reg. Pan. xliv.
290. Stuart, Reg. Pan. xlvi.
291. Stuart, Reg. Pan. lx.
292. Stuart, Reg. Pan. passim.
293. SRO GD45/14/163, SRO GD45/18/42-103, SRO GD45/14/162,  
SRO GD45/14/122.
294. Ibid.
295. Stuart, Reg. Pan. passim, SRO GD45/14/163, SRO GD45/18/  
42-103, SRO GD45/14/162, SRO GD45/14/122.
296. Millar, Glamis, passim.
297. SRO GD45/14/163, SRO GD45/18/42-103, SRO GD45/14/169,  
SRO GD45/14/122.
298. SRO GD45/14/162, SRO GD45/14/177, GD45/14/122,  
GD45/17/521, GD45/17/577, GD45/17/596, passim.
299. SRO GD45/14/163. See also SRO GD45/18/42-103, passim.
300. Fraser, Southesk, ii, 345-365.
- They were Sir John Carnegie of Ethie, afterwards  
Lord Lour and Earl of Ethie and Northesk 1579-1667.  
David 2nd Earl of Northesk 1667-79.  
David 3rd Earl of Northesk, 1679-88.  
David 4th Earl of Northesk, 1688-1729.
301. Fraser, Southesk, ii, 361. SRO GD130/Box 6/Bundle 10,  
passim.
302. Ibid.
303. SRO GD130/Box 6/Bundle 10, Bundle 13.
304. Ibid.
305. Ibid.

306. Ibid.
307. SRO GD130/Box 10/Bundle 7.
308. Ibid.
309. SRO GD130/Box 6/Bundle 13 23.9.1676 and following letters.
310. Ibid.
311. Ibid.
312. SRO GD130 passim.
313. Fraser, Southesk, ii, 137-162. They were as follows James the Second Earl of Southesk (1658-1669) succeeded by his son Robert as third Earl of Southesk (1669-1688) who in turn was followed by his son Charles as fourth Earl (1688-1699).
314. Ochterlony in Warden, Forfarshire, ii, 252-78, passim. See Table 1 and Figure 4. Fraser's explanation (See Fraser, Southesk, i, xxi-xxii) would make one believe that the Southesks were much stronger in Forfarshire than they in fact seem to have been.
315. Vide supra Figure 5, Table 2. See also SRO RS35/1-RS35/8, passim.
316. Fraser, Southesk, passim.
317. There may possibly have been more involved in his absence than the Revolution settlement. For another possible reason see Gilbert Burnet - History of His Own Time (1839 edn.), 154.
318. Fraser, Southesk, ii, 162.
319. Valued Rent GD130 1667-1682. See Table 1, Figures 3 and 4.
320. Fraser, Southesk, ii, 162 et passim. See Figure 3.
321. For this see inventory of Southesk Papers N.R.A. Survey 792.
322. Fraser, Southesk, passim.
323. Warden, Forfarshire, i, 367.
324. Warden, Forfarshire, i, 368.
325. Ibid.

326. SRO GD16/29/140. Miscellaneous Estate Accounts, passim.  
Stuart, Reg. Pan. xliv f.  
Ochterlony in Warden, Forfarshire, ii, 258-72.
327. SRO GD16/26/156, SRO GD16/26/157, SRO GD16/26/147,  
SRO GD16/31/143, SRO GD16/26/164, passim.
328. J. Buchan, Montrose (1949), passim.  
Warden, Forfarshire, ii, 4.
329. Warden, Forfarshire, ii, 4.
330. Warden, Forfarshire, ii, 4-5.
331. Warden, Forfarshire, ii, 26-7.  
The Scottish Family of Gray (1914) passim.  
SRO GD18/6/2149.  
Peter Gray - The Descent and Kinship of Patrick, Master of Gray (1903), passim. SRO GD18/6/2150.
332. Ibid.
333. The Scottish Family of Gray, (1914) passim.  
SRO GD18/6/2149, SRO GD18/6/2150.  
P. Gray, The Descent and Kinship of Patrick, Master of Gray (1903), passim.
334. SRO RS35/1-RS35/8, passim.
335. Lindsay, Lives, ii, passim.
336. Warden, Forfarshire, i, 329-331.
337. Warden, Forfarshire, i, 331.
338. Ibid.
339. Ibid.
340. Ibid.
341. Ibid.
342. Ibid.
343. Valued Rent GD130 1667-1682. See Table 2, Figures 5 and 3.

344. A. Jervise, The History and Traditions of the Land of the Lindsays in Angus and Mearns (1882), passim. Hereafter Jervise, Lindsays.
345. Lindsay, Lives, ii, 253.
346. Ibid.
347. Lindsay, Lives, ii, 255.
348. Ibid.
349. Lindsay, Lives, ii, 257.
350. Lindsay, Lives, ii, 258-9.
351. Lindsay, Lives, ii, 259.
352. Ibid.
353. J. Thirsk (ed.) - The Restoration (1976), passim.
354. Vide supra et Table 3.
355. Ibid.
356. SRO RS35/1-RS35/8, passim.
357. Ibid et vide Figures 7, 8a, 8b and 8c.
358. Ibid.
359. Edward in Warden, Forfarshire, ii, 234-52, passim.

PROBLEMS OF ESTATE

ADMINISTRATION

c. 1660 - 1690

The majority of Forfarshire estates coped reasonably well with the problems of the Commonwealth period,<sup>1</sup> although a legacy of dislocation<sup>2</sup> and poor communications<sup>3</sup> needed to be remedied. During that period landowners considered themselves to have been very harshly treated by the government.<sup>4</sup> They felt that their properties were overvalued and that they were paying too much in taxation<sup>5</sup> and as late as December 1659 they petitioned General Monck for some remission of their dues, assuring him of their loyalty and peacefulness.<sup>6</sup> Some medium-sized properties already on the margin of profitability, could not radically increase productivity or employ campaigning factors to make them more efficient. Neither could they sell off some of their pendicles as major estates could to sustain them in economic depression<sup>7</sup> and therefore they sought government help to stave off ruin.<sup>8</sup> Many properties had also suffered because they had not been rigorously controlled.<sup>9</sup> This was the case with the Bonitoun estates in the late 1640's.<sup>10</sup> The superior was a minor<sup>11</sup> and his tutors were suspected of malpractice and of allowing estate management to fall into the hands of dishonest stewards.<sup>12</sup> Another major problem at that time was that as well as trying to overcome economic difficulties, estates had frequently to support an extended family. The superior was expected to be the supplier of family spiritual and physical needs<sup>13</sup> as well as providing accommodation in times of crisis.<sup>14</sup> Profitability could only be achieved if dependence on estates decreased and expectations were lowered. Relatives near and distant may

have been valuable in particular instances. However, the land carried many more burdens than it had to and one major post-1660 objective was to reduce them.

These pre-Restoration problems were compounded by the absenteeism of superiors on manoeuvres and army affairs.<sup>15</sup> In general Forfarshire landowners were committed to the cause of the Stuarts<sup>16</sup> and their involvement with that cause before 1660 meant absence and some diminution of authority then and after the Restoration.<sup>17</sup> This was specially so where a family had properties in more than one area and particularly true of some of the major families such as the Airlies,<sup>18</sup> the Panmures<sup>19</sup> and the Guthries.<sup>20</sup> Their efforts to re-establish their authority caused, for as much as a decade and a half after 1660<sup>21</sup> disruptions of public order and dislocations of estate management. With the re-establishment of monarchical government and the conventional social order, the status quo was considered important<sup>22</sup> and most Forfarshire landowners strove to regain what had been theirs before the troubles. Absentee ownership or superior neglect had other equally deleterious, if less noticeable, effects. Estate personnel and servants were liable to disregard their duties.<sup>23</sup> Tenants became unco-operative, demanding and unruly through no longer being controlled by the superior, not having their dues punctually collected or their grievances listened to.<sup>24</sup>

The immediate reaction of Forfarshire landowners to the situation they found after 1660 was to seek the support of



the government as repayment for earlier loyalty. To this end, a number of the Forfarshire nobility were in the south shortly after the Restoration pledging allegiance to the King<sup>25</sup> and canvassing aid.<sup>26</sup> The Scots in general, or possibly the Forfarshire men in particular, however, were not popular in London,<sup>27</sup> a complaint which occurs in George Lord Brechin's letters to his father.<sup>28</sup> The hostility to the Panmures in particular may have been because their properties had weathered the Commonwealth so well<sup>29</sup> or because their loyalty was suspect<sup>30</sup> while the personal debts of the Scots, in particular of Lord Ogilvy, may have turned people's faces against them. Ogilvy had no immediate notion of returning to Cortachy,<sup>31</sup> however, only his wife's death bringing him back to Scotland.<sup>32</sup> Brechin, on the other hand, doubtless sensing the futility of putting his case to unsympathetic ministers and feeling the hostility of London noted that he was "never more tired of a place"<sup>33</sup> though his original plans for leaving went awry.<sup>34</sup> Nevertheless, on his departure he expected the Earl of Kinghorn to leave for Scotland with him<sup>35</sup> along with his brother, Henry Maule of Balmakellie,<sup>36</sup> the first Earl of Airlie<sup>37</sup> and other members of the Forfarshire aristocracy who were in the south at that time.<sup>38</sup> Hostility to them and the refusal of their requests for aid made their positions difficult. More than Brechin must have been anxious to leave London although Lord Ogilvy's reasons for remaining there, with grave difficulties at home,<sup>39</sup> are not hard to find. Just as his stay was longer than that of his colleagues<sup>40</sup> his aims were different.<sup>41</sup> They appear to

have been more of a social than a business nature.<sup>42</sup> Many of the Scots in the south must also have been having personal financial problems<sup>43</sup> forcing them to cut short their stay. Ogilvy's debts were numerous and legendary in the south,<sup>44</sup> Kinghorn had a budget to adhere to<sup>45</sup> and Lord Brechin was certainly in financial straits by the end of his visit.<sup>46</sup> He wrote to his father that he was afraid he would be "werie scarce of monie before my waie:comcing notwithstanding of a considerable sume I took up of my owne besides the mony I gott from your L."<sup>47</sup> Nevertheless, despite such difficulties, he wanted to remain until he could leave with the whole Forfarshire contingent possibly as a sign of protest at the government's refusal to recognise their case and their general mistreatment. Their protest had as little effect as their claims, however. The government remained intent on solving southern difficulties first, and on the problems of the Exchequer,<sup>49</sup> rather than giving subsidies to landowners.

Whether the sovereign was as adverse to the needs of the Forfarshire aristocracy as some of his ministers and some parts of London and court society is unclear. He was certainly ungrateful and unmindful of the help his cause had been given by them before 1660.<sup>50</sup> He knew, however, that his new government had little to worry about from even dissatisfied royalists and concentrated on more contentious issues,<sup>51</sup> while Scottish affairs were handled in a most dilatory fashion.<sup>52</sup> Lord Brechin naively attributed government apathy to English jealousy of the security of Panmure and other Scottish properties.<sup>53</sup> That reason,

however, although partially relevant, was scarcely the whole story. Various references were made to government policy on the treatment of those who had collaborated during the Commonwealth<sup>54</sup> and this clearly contained the seeds of many of the Forfarshire landowners difficulties in impressing on the government the extent of their problems. The Airlies had never been tainted with compliance,<sup>55</sup> The Panmures, on the other hand, had been in a peculiarly ambiguous position before 1660.<sup>56</sup> What smacked of duplicity was not looked on favourably by those who had suffered more than Forfarshire landlords. Brechin gave the arguments and proposals for supposed future government policy on collaborators with alacrity and skill.<sup>57</sup> He optimistically noted that a distinction would be made between his family's passive obedience to Commonwealth authorities for the sake of self preservation<sup>58</sup> and those more guilty by reason of active collaboration.<sup>59</sup> That distinction was lost on the government, however, for it did nothing to help any landowner. Uncertainties about government policies after the Restoration, its ignoring of the entreaties of Forfarshire landlords and the changed economic and political environment were initially forces which adversely affected the administration of estates. Landlords expected a higher level of government participation in their affairs than would be countenanced after 1660. When that did not occur they undertook, almost obsessively, the re-establishment of their rights and the recovery of their pre-1660 positions.

If Forfarshire landlords received no government assistance for their properties they had one major advantage. The inherent level of chaos in estate administration<sup>60</sup> was the opposite of Forfarshire's political position in the post-Restoration era.<sup>61</sup> The major landlords had the shire under tight control<sup>62</sup> and, particularly at times of national crisis, were concerned that social order was not disrupted.<sup>63</sup> Even where it was they were anxious to prove that the trouble was not indigenous but in fact had been imported, usually from Fife.<sup>64</sup> It was not for nothing that the Earls of Airlie and Kinghorn were used by the government as part of the occupying forces to settle the south west after the dislocations caused by religious troubles.<sup>65</sup> Forfarshire was a reservoir of loyalty, peace and conformity. Religious problems caused little trouble there between 1660 and 1690, only breaking the surface in 1685.<sup>66</sup> Significantly they occurred on one of the most settled and prosperous estates in the shire, those of the Earl of Panmure<sup>67</sup> and involved one of the most successful of contemporary factors, John Maule, in their opposition.<sup>68</sup> Writing to the third Earl of Panmure from Both on 15 April 1685 the factor informed him that all his own tenants, those of his wife and his two brothers, the lairds of Kelly and Ballumbie, were "frie of Conventicalls".<sup>69</sup> He had enquired widely among the tenantry whether or not any of them had been present at a conventicle on the lands of Brightie.<sup>70</sup> None of them, however, "neither old nor young gryt or small"<sup>71</sup> had been there, for "ther is non of yor Lops tenents that In Clynes

that way."<sup>72</sup> The factor was pleased with his own diligence and the passivity of his charge. Nevertheless, despite his own perspicacity and doubtless that of others like him,<sup>73</sup> notably on the Southesk estates,<sup>74</sup> the deactivation of conventionalism was not everywhere so effective. In a postscript to his letter of mid April 1685 Maule noted that many prisoners had been carried to Forfar and Dundee for their attendance at conventicles.<sup>75</sup> He voiced his own opinion of the captives and doubtless ministered to the attitudes of his superior when he said that they were "most part of them poor sillie bodies and Ignorant."<sup>76</sup> The insignificance of religious non conformity in post-Restoration Forfarshire was not uniform. Neither was its control. As a problem of any dimensions in the landed sector, however, it seems to have emerged very late in that epoch and then to have been speedily eliminated. Forfarshire landed society was too well accustomed to peace and stability to allow any social or religious dislocation to continue long to disrupt its peace, too well controlled for lack of convention to go unnoticed.

Peace and conformity therefore, were undoubted advantages in Forfarshire landed society but there were many problems. One of the major ones was the recovery of property or property rights which had been lost or questioned as a result of the Civil War. This may have consisted of a major expanse of territory in general dispute, as in the case of Montreathmont Moor,<sup>77</sup> or the physical reduction of a family's properties.<sup>78</sup> The conservative reaction after 1660 included

the re-establishment of the landed rights of the major families to their previous extent. The Airlies and Panmures, for example, were concerned for their property inside and beyond the shire.

In the case of the Panmures this concern was expressed in particular over the Keepership of the Great Park of Eltham gifted to them by Charles I in 1629 for their service to himself and his father.<sup>79</sup> Their estates in Forfarshire and Aberdeenshire<sup>80</sup> had remained relatively intact between 1640 and 1660 though additions of less antiquity and of greater distance from their centre of power were easily taken from them. If English rights had been lost, however, rather it was the rights of Arbroath Abbey acquired from the Earl of Dysart in 1642<sup>81</sup> which were most troublesome. The old Earl wished to convey those rights to his son Lord Brechin<sup>82</sup> though this could not be done until the King and his Scottish ministers ratified it. Brechin's search for ratification at the end of 1660, was fruitless.<sup>83</sup> His efforts did indicate, however, the importance of the establishment of the earlier status quo. The King was scarcely five months returned to his throne and Forfarshire landlords wanted the restoration of former rights and the consolidation of previous holdings. Those aims presented very considerable problems for major landlords.

The Panmure search for the reassertion of their rights was assisted by Robert Innes, the son and successor of Alexander Innes of Blairtoun.<sup>84</sup> He was, like his father and

uncle, indeed most of his family,<sup>85</sup> deeply involved in the business of the Earls of Panmure and in the maintenance of that family's properties. The position of his own family demonstrates how close the relationships of those who managed landed business and their employers could be.<sup>86</sup> For example, most members of the Innes family were creditors of as well as managers for the Panmures,<sup>87</sup> though apparently only from about the end of the 1670's.<sup>88</sup> Certainly they were not short of work. Problems connected to landed rights continued throughout the post-Restoration period although they were especially strong in the 1670's and are exemplified in the activities of Robert Innes.

He was not an estate factor like his father but an Edinburgh lawyer<sup>89</sup> doing much the same work for the Panmures as James Carnegie of Balnamoon did for the Airlies.<sup>90</sup> He was involved in Panmure problems over the lands of Both, Crafts and Milntown of Conon in 1673,<sup>91</sup> territories in Arbroath and following year,<sup>92</sup> a decree of removing against the laird of Grange, presumably a Durham, in late 1680,<sup>93</sup> and some rivalry over the teinds of Muresk and the patronage of Abershirdon.<sup>94</sup> Compared with the extent of Panmure interests, however, their legal and estate difficulties were minor,<sup>95</sup> the settled condition of their properties enabling them to weather any storms. Squalls were not unknown, however, and the superiority of Crafts Both and Milntown of Conon were in dispute in 1673,<sup>96</sup> Panmure's adversary not being named by Innes.<sup>97</sup> The latter had only

heard the Earl mention his rights in those territories<sup>98</sup> and though that was enough for him<sup>99</sup> he advised his superior to provide the original dispositions given to his father or grandfather<sup>100</sup> "wch will be either a charge and seasing in favours of the disponer" or else a comprising.<sup>101</sup> All this took place while Innes was negotiating with others involved in the case<sup>102</sup> no doubt in the hope of an out of court settlement. Practical advice and negotiation were two of the main functions of the legal agent of a major landlord.

The disputes concerning the lordship of Arbroath were the most serious encountered by Robert Innes and those in which the Earl of Panmure took the greatest interest.<sup>103</sup> Those lands had originally been given to Panmure's grandfather<sup>104</sup> but evidently in the mid 1670's there had been some questioning of them by the laird of Meldrum and Lord Pittreichie. The former had made a deal with Pittreichie to give up his feu duties but needed various legal documents to satisfy him which Innes specified to his superior.<sup>105</sup> Panmure, however, appears to have been somewhat lethargic in providing them, justifiably fearing some diminution of his rights.<sup>106</sup> Between July 1674 and November 1675 family lands not included in the Lordship of Arbroath which were in that regality were brought into the dispute.<sup>107</sup> The original problem had a chain reaction which, given the bewildering complexity of landed rights,<sup>108</sup> must have been a major fear of landowners and a reason for their conservatism in tenurial matters as well as their anxiety to maintain tight control of their properties.



A less complex landed problem was the rights to the teinds of Muresk, part of the fruits of Arbroath lordship and, according to Innes, the undoubted right of his superior.<sup>109</sup> The writer had been given a charter by the master of Balmerino which had been granted to the late Lord Balmerino by the Marquis of Douglas.<sup>110</sup> There was, however, some deviation from traditional legal practice in the document which made the conveyancing vulnerable.<sup>111</sup> The teinds in question, "were not disposed with an alternative as is ordinary To be holden of the disponent or from him of the immediat Superiors But allaner of the Marquis of Douglas Hamiltowne."<sup>112</sup> Douglas land in Forfarshire had been successively alienated and reorganised after 1660 because of the economic difficulties of that family<sup>113</sup> but clearly the principals were so keen on disposing of their property for salvation that certain legal requirements were overlooked. Innes was in no doubt, however. The third Earl of Panmure, "being now Lord of the Erected Lordship of Aberbrothock who coming in vice and place of the Marques of Hamiltoune is undoubted superior of these Teynds,"<sup>114</sup> had the right to settle any disputes which arose. For example he could settle the laird of Fotheringham's questioning<sup>115</sup> of Balmerino's rights to dispose of the teinds of Muresk by granting the latter a precept of clare constat.<sup>116</sup>

Two other problems exercised Innes in the 1680's, a process of removing in late 1680<sup>117</sup> and a question of patronage in December 1683.<sup>118</sup> Of these difficulties very little is known but it is noticeable that by the 1680's Innes was no longer

attempting to re-establish Panmure hegemony as he had been in the 1670's. By the later period he was concerned with problems related to the fruits of land, the rights of titulars of teinds and tenants. The first part of the superiority of the third Earl of Panmure had been spent in confirming his rights and thereafter less fundamental internal disputes were dealt with. Clearly men like Robert Innes of Blairtoun and for the Airlie Estates James Carnegy of Balnamoon<sup>119</sup> had considerable influence in landed affairs. As well as helping the solution of legal problems they moulded the opinions of their superiors and must be considered partially responsible for the tenor of estate policy. Family vigilance with legal reinforcement was the only way to maintain landed rights. The employment of men like Innes,<sup>120</sup> Carnegy<sup>121</sup> and James Leslie<sup>122</sup> suggests that landlords, by eliminating any legal basis for landed problems or challenges to their rights, wished to make their families and properties as secure after 1660 as they had earlier been.

One of the most contentious problems of landed rights in Forfarshire between 1660 and 1690 was the difficulties of proprietors on Montreathmont Moor.<sup>123</sup> In this matter the Northesk and Southesk families were particularly involved against a variety of gentry adversaries such as Guthrie, Pitmowies, Balgays, Inverichtie, Melgund, Flemington, Auldbar and Archdowie and their tenants who, it was alleged, had pulled heather and pastured their cattle on the moor.<sup>124</sup> The maintenance of such rights was difficult where open environments like Montreathmont Moor were concerned<sup>125</sup> and

where rights were not clear cut. However the extent of the legal problems caused by such minor infringements demonstrates how seriously such matters were considered.<sup>126</sup>

Presumably because of the consolidation of Airlie territory,<sup>127</sup> problems of landed rights did not predominate in their affairs. Rather family and internal estate problems caused them difficulty. The major incident where this was not so concerned the rights to the teinds of Cassaltoune and Inglistoune.<sup>128</sup> This problem perplexed James Carnegy of Balnamoon in the early 1670's<sup>129</sup> along with the related and much more serious difficulties between the Airlie and Balmerino families.<sup>130</sup> These had occurred because of the activities of Lady Marion Ogilvy who attempted to relieve her husband, the senile Lord Couper, of his property on his deathbed.<sup>131</sup> His conveyance of his estates to her was set aside by a judgement of the Court of Session in 1671 as a result of an action of reduction by her stepson,<sup>132</sup> who was trying to retrieve family fortunes.<sup>133</sup> Airlie, however, refused to accept that judgement and tried to retain some Balmerino property. The difficulties he caused thereby were compounded by the apparent lack of official documents,<sup>134</sup> Airlie's unwillingness (some must have felt suspicious unwillingness) to appear in court,<sup>135</sup> the pressures being applied by Airlie creditors,<sup>136</sup> the vested interests of the Lords of Session<sup>137</sup> and the difficulties over the issue of bonds and their acceptance.<sup>138</sup> An atmosphere of distrust pervaded the whole of the case between the two families.

For example, although James Carnegy of Balnamoon showed the President of the Court of Session Lord Gosford and Lord Balmerino that he had all relevant legal documents,<sup>139</sup> "Their positive answer was that nothing could be done nor would be done till your heercoming."<sup>140</sup> Airlie, however, believed the trouble was principally that Balmerino, justifiably, did not trust him,<sup>141</sup> and could not see how his presence would lead to a solution.<sup>142</sup> He was very conscious of the loss he was suffering through the delayed settlement, yet short of personal attendance "if ther be ani thing els which in reason can be demanded of me that I am obleiged to give me notec therof and I shall be readie to performe it."<sup>143</sup> Airlie rights could clearly not be sustained and he was fighting a losing battle. Nevertheless, even after the adverse judgement of 28 June 1671,<sup>144</sup> he continued to wrangle about which property rights had been conveyed to his widowed daughter and which had not. There had been much animosity and the attempted separation of interests proved complex, a situation which was not improved by the succession of the new Lord Balmerino who was aware of the rights of his family<sup>145</sup> and intent on reducing the burden of debt on his estates.<sup>146</sup>

Airlie family relationships<sup>147</sup> were also a cause of troubles in the matter of their rights to the teinds of "Casaltoune and Inglistoune"<sup>148</sup> which resulted in litigation in the early 1670's. The second Earl of Airlie seems to have been the titular of those commuted teinds and Lord Balmerino

had money available to pay him his dues in late August 1673.<sup>149</sup> The rights had previously been held by the Balmerino family<sup>150</sup> but presumably because of its decline, or possibly as a heritage of Marion Ogilvy's marriage,<sup>151</sup> they became Airlie property. The arguments over their payment were caused firstly by the problem of their ownership and secondly by the exertions of the new Lord Balmerino on behalf of his estates. Since that superior was obliged to dispose of most of his property,<sup>152</sup> he wished to retain as much of its fruits as he could.<sup>153</sup> The Airlie case for payment was unsuccessfully argued,<sup>154</sup> not because it was inherently defective but because of the prejudices of the judge. The Lord President, who knew of Airlie's debts,<sup>155</sup> not only refused to hear anything about payment to him of the teinds of Casaltoune and Inglistoune,<sup>156</sup> but for his contumely in suggesting that he should be paid "fleue in such heat till he boith Spaik malishiusloe of your lo and acctit prejudiciall to your interist."<sup>157</sup> The Lord President also "caused arrest that monie in Balmerinos haind at ye instanc of ye Lords of ye Ssessione for sum deonis your lo is oven them out of ye Lordship of Arbroith."<sup>158</sup> Before title was legally established all interested creditors had to be satisfied. Airlie debts<sup>159</sup> jeopardised the accumulation of further rights beyond their lands in the north of Forfarshire<sup>160</sup> and put paid to any profit from the teinds of Casaltoune and Inglistoune in the early 1670's.

In the task of recovering their rights and re-establishing estate productivity the major landed families were also hampered by their own characters and difficulties within their

families. This was nowhere more evident than among the Airlies. Of the three male members of that family after 1660,<sup>161</sup> all had different characters<sup>162</sup> affecting the administration of their properties. For example, the relationship between the first Earl and his successor was not good in the early 1660's for a number of reasons.<sup>163</sup> The father and son had much different temperaments, the older man being a "capable man of business"<sup>164</sup> while Lord Ogilvy was tardy and negligent.<sup>165</sup> Although the latter was middle aged at the Restoration,<sup>166</sup> he was more interested in London and court life than in the decline of his patrimony. Additionally the first Earl was ill,<sup>167</sup> illness of principals being an important element in the difficulties of some Forfarshire estates,<sup>168</sup> and beset by problems which he felt his son should be dealing with. He expected to enjoy the fruits of his work in his old age<sup>169</sup> but "be ye Contrair (wher as I sould have lived in quyitnes) I am Continuwally vexed"<sup>170</sup> with the results of his heir's negligence. The son did not return home to Cortachy from London with his father<sup>171</sup> and was heedless of all entreaties to get him to return,<sup>172</sup> only coming north when his wife was dying.<sup>173</sup> There is some reason for believing,<sup>174</sup> indeed, that he only left London when his credit was no longer good<sup>175</sup> and that in addition to his neglect his estates suffered by the personal debts he had accumulated.<sup>177</sup> The Airlie tragedy after 1660 was that unlike the Panmures or the Southesks,<sup>178</sup> the personality difference of incumbent and superior was extreme enough to cause management problems. Even after his return Lord Ogilvy was more recalcitrant in

in the performance of his responsibilities.<sup>179</sup> At the death of his father and later his mother, for example, he seems to have been elsewhere<sup>180</sup> leaving the burden of family responsibility to his younger brother Sir David Ogilvy of Clova.<sup>181</sup> The latter's extant correspondence<sup>182</sup> suggests that he was of similar personality to his father and, at least initially, would have made a better superior than his brother.<sup>183</sup> However about 1673 or 1674 Clova was manoeuvred out of family estate administration by an insecure and suspicious brother anxious to exert independent authority and total control.<sup>184</sup> That decision was ill-judged and to his own and his property's detriment.<sup>185</sup> Jaundiced family relationships and their effects lasted for at least twenty years after the Restoration on Airlie estates, even the women of that family being drawn into them.<sup>186</sup> Not only the relationship between a superior and his heir was important but all of those in the superior's family which, if badly managed could have adverse effects on estate efficiency.

If there was disharmony among the Airlies that was not a problem among the Panmures.<sup>187</sup> Lord Brechin went to London at the Restoration more at the instigation of his father than on his own initiative.<sup>188</sup> The closeness of the two men<sup>189</sup> is in contrast to Airlie relationships and an indication of the continuous policy on the Panmure properties<sup>190</sup> and their development.<sup>191</sup> Lord Brechin saw the major family problem as the procrastination of the government in appointing Scottish

ministers<sup>192</sup> demonstrating his urgency to return to normal. He at least was doing something to expedite family business and remove some of the hindrances which afflicted landed society.

Personal relationships within the Panmure and Airlie families therefore did have effects on estate performance but neither family was troubled by succession difficulties which were problems of a much more destructive kind. Disputes in succession were rare occurrences presumably because of the legal safeguards surrounding that topic. When disputes did arise, however, difficulties were the inevitable result and in the case of the Northesks<sup>193</sup> were responsible for almost the total ruin of that family and their estates.<sup>194</sup> The problem in their case was particularly acute because it lasted from the 1670's to the 1690's.<sup>195</sup> It began with the Countess and her favourite son, Alexander Carnegie of Kinfauns, conspiring to ruin the rightful heir and take over family property from him.<sup>196</sup> This was done by Kinfauns taking advantage of the hospitality of the superior of the family at a considerable cost<sup>197</sup> and, with his mother's help, trying to acquire the rights of the barony of Erroll,<sup>198</sup> the flower of Northesk territory. Thereafter his interests grew<sup>199</sup> with increasingly adverse results on family property. The disputed superiority, family strife, estate disruption and the ensuing lengthy legal cases<sup>200</sup> caused resources to be wastefully spent and bankruptcy to be imminent by the late 1680's and early 1690's.<sup>201</sup>



Even when succession was assured and stable, a change of superiority could cause difficulties.<sup>202</sup> Tenants and estate personnel who had earlier known with whom they were dealing had to become accustomed to the characteristics of a new lord. Added to this the prevalent practice at the Restoration among some superiors, notably Airlie,<sup>203</sup> Panmure<sup>204</sup> and Francis Guthrie of that Ilk,<sup>205</sup> of giving management experience to eldest sons by granting them de facto control of their patrimony before de jure authority, although calculated to ease the transition between superiorities, only led to confusion.<sup>206</sup> This was especially the case when there were misunderstandings, personality differences or hostility between members of the one family.<sup>207</sup> Responsibility without superiority only increased uncertainty, largely the opposite effect to what was intended.

Some of the most illuminating observations of the first Earl of Airlie suggest that around 1660 he considered himself mainly a titular superior<sup>208</sup> and that his son Lord Ogilvy was the real property manager.<sup>209</sup> The former, for example, at that time no longer gave instructions but offered advice which he did not necessarily expect to be taken.<sup>210</sup> The laird of Clova, Ogilvy's brother, also considered him the superior of family properties after 1660.<sup>211</sup> However, the weight of Lord Ogilvy's duties before his succession proved a disincentive to him causing him to neglect his patrimony with consequent insecurity, disruption and decline. These effects were most noticeable on Airlie Banffshire properties

where they were compounded by Ogilvy's prolonged absences.<sup>213</sup> George Maule, Lord Brechin had similar duties to Ogilvy.<sup>214</sup> There were differences, however, which made him more successful. The Panmure estates were in comparatively good economic order after the Restoration and could probably suffer an inexperienced hand better than those of the Airlie family.<sup>215</sup> Brechin's legal succession was much closer<sup>216</sup> and most of the superiors of those estates followed a continuous policy.<sup>217</sup> However, probably most significant of all, there was little, if any, family dissension among the Panmures and certainly none between incumbent and heir.<sup>218</sup> The period of the death or incapacity of an old superior and the succession of his heir was vital on major estates.<sup>219</sup> The prolonged period of uncertainty in Airlie business between 1660 and 1666 demonstrated how destructive it could be. Its effects were moderated in Panmure affairs by a family policy to landholding and development<sup>220</sup> rather than piecemeal evolution by individual superiors. They, and possibly the Southesk family,<sup>221</sup> however, were alone in the early part of the post-1660 period in estimating the significance of continuity so highly. The superiority was still considered of more importance than the property.<sup>222</sup>

As well as problems which were basic to the security of landed families and their property, Forfarshire estate owners also had to face practical problems in the administration of their estates of which financial ones were the most widespread after 1660.<sup>223</sup> The gentry were unquestionably the main

debtors in landed society with tenants, clergy and other gentry as creditors,<sup>224</sup> although the nobility also sought backing and were second to the lairds in the frequency of their borrowing.<sup>225</sup> The financial activity of the major landlords, however, was not uniform.<sup>226</sup> For example, the early to middle 1670's, a period of financial stringency in Forfarshire generally<sup>227</sup> was particularly difficult on Panmure properties.<sup>228</sup> The financial demands of the Dowager Countess of Panmure on John Maule the Panmure factor at that time, difficulties with creditors and the pressures of taxation, all accentuated the problems he had to face in the management of property. One other element which may have aggravated the situation was that Maule was a family steward<sup>229</sup> rather than the factor of a single superior,<sup>230</sup> and was subject to competing demands for money, time and loyalty.

Financial difficulties from whatever source, were the bane of most factors lives and their arbitrariness a considerable problem. Lady Jean Campbell<sup>231</sup> the Dowager Countess of Panmure had ordered Maule to collect money left to her in her husband's will<sup>232</sup> which had not been confirmed.<sup>233</sup> The factor, probably illegally, had collected 3000 marks Scots<sup>234</sup> and sent it to her in three equal amounts by the Dundee post.<sup>235</sup> That was not enough for the Dowager Countess,<sup>236</sup> however, and she continued to ask for more. Maule assured her that in Dundee a considerable amount remained unpaid and that as soon as 1000 marks Scots of it was collected he would dispatch it to her,<sup>237</sup> though he was not clear what extreme financial needs the widow had. Possibly she believed that

if her award was not collected it would be irretrievably lost. Maule did everything he could to satisfy her demands. Few escaped his collections but the adverse effects such unplanned and unlooked for measures had on landed society may be gauged from the factor's intention to "hold courtis in the ground to try what money I can gitt in amongst the tenentis."<sup>238</sup> Securing finance in landed society was difficult at best<sup>239</sup> but large, unexpected demands caused even greater problems. They adversely influenced what plans factors had for the rationalisation of their charges and the designs tenants had on the development of their property. The Panmures had financial problems other than those caused by the will of a deceased superior. John Maule held a debt of £309 Scots<sup>240</sup> owed by his superior to Lord Balmerino<sup>241</sup> which he could not fully repay. It was made more urgent by Balmerino's own need to pay his proportion of the five term's taxation in the parish of Monifieth.<sup>242</sup> He was also involved, however unwillingly and superficially, in the complex debts of the laird of Grange.<sup>243</sup> Financial problems were disruptive and time consuming and particularly troublesome when, in the case of the Panmure properties, they unexpectedly entered an otherwise progressive and well managed landed environment.

Airlie financial difficulties were more complex and serious, and much better documented, than most. Before his death in 1666<sup>244</sup> the aged first Earl of Airlie made no secret of the fact that he felt his son's negligence was principally

to blame,<sup>245</sup> along with his taste for high living<sup>246</sup> and the consequent crippling burden of debt,<sup>247</sup> for the poor performance of family properties and their financial predicament. Airlie correspondence immediately after 1660, indeed, dwelt a great deal on the latter aspect of estate ownership.<sup>248</sup> The first Earl felt that certain types of estate revenue should be applied to specific ends<sup>249</sup> and that in dealings with tenantry, particularly financial dealings, punctuality, exactness and probity were the sine qua non of good estate practice.<sup>250</sup> His general advice seems essentially to have been that with a minimum of application, and moderation in demands and appetite, family property would virtually run itself.<sup>251</sup> He also considered the Banffshire fishings one of the most profitable, if mismanaged, sectors of family interest,<sup>252</sup> the southern estates being more directly orientated to agriculture.<sup>253</sup> The latter, however, did not escape the high lighting of Lord Ogilvy's financial misdemeanours<sup>254</sup> and estate problems consequent upon them. Apparently some Airlie tenants there, particularly in the parish of Lentrathen, had not paid their grassums<sup>255</sup> because they had not been discharged of previous payments.<sup>256</sup> That was bad enough but the first Earl also considered that grassums were being unpunctually collected and wrongly used.<sup>257</sup> His opinion was that they were spent simply to satisfy the personal debts of Lord Ogilvy and finance his stay in London.<sup>258</sup> He did not "sie any of it imployed for payment of annual rents to creditors"<sup>259</sup> which in his

opinion was the use in which "it sould only have beine employed."<sup>260</sup> Such remarks give some indication of the primitive, if neat and effective, accounting system which applied on the Airlie properties before about 1666 and the immensity of the accounting change initiated by Thomas Ogilvy.<sup>261</sup> The remainder of the first Earl's advice concerned Lord Ogilvy's creditors and his absences.<sup>262</sup> Those to whom Ogilvy owed money "ar extremly urging and I have no way to satisfie them in your absence,"<sup>263</sup> particularly one Mr. John Rattray who appears to have been threatening registration.<sup>264</sup> Because of such problems Sir David Ogilvy of Clova was delegated to go south to entice his brother home<sup>265</sup> or at least persuade him to break his silence and establish some regularity of communication<sup>266</sup> on estate affairs. The enticement worked in reverse,<sup>267</sup> however, and for some time neither son took any notice of family business.<sup>268</sup> Unnecessary expenditure and general financial ineptness and neglect before and after Lord Ogilvy's succession to his estates led them to the brink of bankruptcy.

Most landed problems, especially the financial ones, were intensified by improbity in estate administration. This was a particular burden for those with territory outside Forfarshire<sup>269</sup> although even on estates inside the shire dishonesty existed.<sup>270</sup> It was most damaging, however, on the Airlie Banffshire estates in the late 1650's and first half of the 1660's<sup>271</sup> and was a major cause of the difficulties

of those properties. The first Earl of Airlie had warned his son in late 1660 that Robert Hamilton his factor did "not much truble himselff in ye cairfull manageing of your aiffairs thair."<sup>272</sup> He had admitted, however, that laxity was not universal for "alexr Tod and Williame Wilsone (ye kenners off your salmond fishings) hes bein cairfull in doing their dewties."<sup>273</sup> The outright dishonesty of the factor, rather than mismanagement or the taking of perks, was responsible for the condition of those estates. Hamilton was a Banff merchant<sup>274</sup> and Airlie steward until 1665.<sup>275</sup> Although Lord Ogilvy had been warned often enough of his misdemeanours,<sup>276</sup> they were not proved until after the factor's death.<sup>277</sup> His blatant transgressions consisted of not keeping accurate accounts,<sup>278</sup> evidently preferring to communicate such information in letters.<sup>279</sup> He dealt with unauthorised merchants with whom the Ogilvy family could not agree,<sup>280</sup> almost totally disregarded the administration of estate sectors outwith fish production<sup>281</sup> and, a charge which his wife vigorously denied,<sup>282</sup> dealt in Airlie produce and materials for his own benefit.<sup>283</sup> The appointment of Thomas Ogilvy as his successor about 1665 or 1666 eradicated improbity and improved the administration of Airlie estates,<sup>284</sup> while his early priority of landed estate business demonstrated the degree of his predecessor's obsession with fish.<sup>285</sup> Corruption on Airlie estates, however, was a much more insidious force than Hamilton's clear neglect and chicanery. Evidently, from what later happened, factorial improbity was all but a universal feature of those estates. It was promoted by the original apathy of the superior and encouraged

by the fact that Hamilton, though detected, had gone unpunished. Such practices were difficult to eradicate unless by a degree of application which the second Earl of Airlie appeared, for most of his early career, not to have.

The most illusive dissimulation, showing how deeply dishonesty had penetrated and how long it continued after 1660, was that perpetrated by James Ogilvy of Stronend. He was an Airlie chamberlain in Forfarshire<sup>286</sup> and had earlier been the tenant in Stronend.<sup>287</sup> His mistakes were mainly accounting foibles<sup>288</sup> and he was discovered,<sup>289</sup> advised what his errors were and how they should be corrected.<sup>290</sup> There was no question of his dismissal, however, a course which was rarely taken.<sup>291</sup> Factors had great scope for cheating their superiors since they made up their accounts two or three years after the crop and year being accounted for.<sup>292</sup> One who took only moderate advantage of his position could be considered a valuable addition to any estate. The necessity to balance an annual charge and discharge two or three years later naturally lent itself to abuse. If the abuse can only be proved in a small number of instances it seems likely it was widespread. This was particularly true on the Airlie estates where the initial neglect of the superior after the Restoration<sup>293</sup> combined with the dislocation which had gone before,<sup>294</sup> was sufficient to infect a considerable number of estate personnel and personal servants with chicanery.<sup>295</sup>



The laird of Clova, who had been responsible for family properties when his brother and father were in the army,<sup>296</sup> and had as much experience as anyone of the difficulties posed by untrustworthy delegates, was of the opinion that Airlie servants were "werie debeest".<sup>297</sup> He advised his brother to think seriously of dismissing existing servants and taking on new ones<sup>298</sup> though whether the action was to be wholesale is unclear.<sup>299</sup> Certainly he thought that the proportion of trustworthy to untrustworthy servants was much too low and should be improved.<sup>300</sup>

As well as a lack of supervision, other elements were important in the disaffection of Airlie personnel. Their treatment, salaries and conditions left a great deal to be desired although this was more true of the lower echelons of the servant group than of major estate personnel such as factors, chamberlains and estate officers. They could largely make their own career, and in some cases salary, for they had a level of independence which other personnel had not. They were also in demand and could bid up their fees and conditions, an option not open to minor household servants. However, although different conditions applied to the various levels of servants their improbity on the Airlie estates in the post-Restoration period until at least well into the 1670's<sup>301</sup> was all but endemic. At all levels it involved more than simply the perks of the job. It was a conscious, premeditated misuse of resources. The Airlie estates, possibly by repute, attracted servants

who on appointment became almost criminal. The incidence of pilfering, disobedience and dissatisfaction on both sides was clearly very high.<sup>302</sup> Even Airlie's severe brother, David Ogilvy, realised that much of the difficulty was caused by the wrong people in the wrong jobs,<sup>303</sup> and that modification rather than replacement was probably the answer. Reliable servants were at a premium in the 1660's and 1670's. This fact led to those who were honest, like David Curbeth<sup>304</sup> and James Both<sup>305</sup> being overworked and either leaving, if that was possible,<sup>306</sup> or being less efficient than they might have been.

Although the chicanery in Airlie administration was by far the worst in Forfarshire after 1660, those estates were not alone in suffering the depredations of officers. In such an extensive organisation as the estate<sup>307</sup> some dishonesty had always to be expected but at least major officers had to be trusted. They, however, were generally the most gravely at fault and it is not unreasonable to assume that they infected the remainder of those involved in estate administration. A decree exists in an action between the Earl of Kinghorn and Patrick Oliphant, whose brother George had been the Earl's factor.<sup>308</sup> Evidently the former suspected some improbity of George Oliphant and wished him to account for sums of money he had received,<sup>309</sup> managing to control the effects of dishonesty by attention to his affairs and taking legal action against the culprits. Such perspicacity was not widespread, however. The dishonesty of factors and servants, if not universally serious, was

more common than has previously been appreciated and was a considerable problem for those superiors in Forfarshire who left it unchecked.

The related problems of finance and dishonesty may have been the most widespread in Forfarshire but troubles with tenants contained the seeds of potentially the most destructive element in all the difficulties of landed society. Unruly tenants, or those who felt their rights had been infringed, caused internal problems which could easily multiply. Such problems, however, were obviously related to estate conditions and relationships since between 1660 and 1690 tenant troubles were primarily experienced on the Airlie and Kinghorn estates. The latter's main difficulties were financial and legal which estate policy could readily tackle,<sup>311</sup> but he also had some troublesome tenants notably one James Lindsay who disputed his wadset of the lands of Coull.<sup>312</sup> Wadsets, indeed, were one of the most contentious issues in landed circles.<sup>313</sup> They were awarded individually and their consequent diversity caused discontent, some tenants feeling that their rights were less beneficial than those of others. The trouble they caused was sufficient reason for the small number awarded<sup>314</sup> and must have been equally influential in turning landlords against any voluntary modification of tacks or amelioration of tenant conditions. However, considering the poor condition of Kinghorn estates after 1660,<sup>315</sup> tenant unrest did not affect their performance adversely suggesting that it was not an overwhelming problem if promptly and properly tackled.

Airlie problems with tenantry were the most extreme in Forfarshire ranging from the complex rights of wadsetters to simple administrative errors prompting an adverse tenant reaction. The first Earl of Airlie at Cortachy wrote to his son in London in 1660 that certain tenants, particularly in Lentrathen parish, had not paid their grassums<sup>316</sup> because they had not been discharged for earlier payments.<sup>317</sup> Some tenants were clearly as fastidious as superiors in their accounting methods and could refuse to pay their dues if they had not been discharged for what they had already paid. Airlie tenants had not been, "altho they have compleitly payed yat girsone many yeirs agoe."<sup>318</sup> Evidently it was common practice for tenants to pay more than one grassum, have their tacks renewed and remain in possession of the same piece of land for a considerable period. Their complaints had therefore to be listened to. They had rights as well as duties and if the former were transgressed the latter were not performed, with little fear of dispossession.

If Airlie difficulties with tenants in Forfarshire were relatively simple, problems in Banffshire were complicated by mal-administration over a long period.<sup>319</sup> In one area in particular, Bogmuchils, tenant unrest was less the problem than tenant poverty<sup>321</sup> and the consequent possibility of wholesale quitting of holdings. Thomas Ogilvy worked to recoup estate losses and tenant relationships<sup>322</sup> and seemed to succeed where the negligence of his predecessor<sup>323</sup> had only reinforced tenant difficulties. The problem was singular. The land had to be kept in occupation by indebted

tenants who appeared incapable of making their holdings pay.<sup>324</sup> The officer responsible for the property, who would be judged on its performance, was responsible not only for placating tenants but for clearing accounts with them. The situation was as much an illustration of tenant status<sup>325</sup> as of their problems and those of the estates whose land they worked.

Airlie tenant problems were almost always peaceful<sup>326</sup> although even then they were considered serious defects of estate practice necessitating change. The second Earl of Airlie was advised in 1666, for example, that "ther ar some of your tennants growne so consetid yt they threttin to give ower ther rowmes,"<sup>327</sup> and that they should be replaced.<sup>328</sup> However it was felt that for the sake of future security only tenants who were known to the superior should be replacements.<sup>329</sup> Such leasing policies and problems had a long history on the Airlie estates and after 1660 affected the highest and lowest levels of the tenantry. At that time discontent found its most vocal expression among a certain group of Airlie tenants who were also his creditors, the wadsetters. These were Alexander Lindsay in Rottal,<sup>330</sup> James Arrot in Inverqueich<sup>331</sup> and mainly John McComie or McIntosh of Fortir,<sup>332</sup> the legendary "McComie Mor" of Glenisla.<sup>333</sup> Certainly Airlie troubles with the latter were the most disruptive of any on his estates, McComie battling with the Airlies for most of his life.<sup>334</sup> His misdemeanours included murder, trespass, collaborating with the occupying forces during the Interregnum

and disputing the rights of the Airlie family to territory around Fortir.<sup>335</sup> The latter dispute was central to the problem between the two along with the fact that McComie had a large following in the north of Forfarshire<sup>336</sup> and could have acted as a focus of discontent. That was serious enough but there were also local difficulties, McComie squabbling with the neighbouring family of Farquharson of Brochderg over the rejection of a marriage proposal<sup>337</sup> in which the second Earl of Airlie appears to have had a hand. McComie must have felt at most a law to himself in the isolation of Fortir, able to take more rigorous action to secure himself than those in central positions within reach of the superior's authority. Certainly by 1673 his depredations had reached such a peak that it was Airlie's brother's opinion that for fear of him tenants would not lease or keep Airlie forests in north Forfarshire.<sup>338</sup> He also felt that legal action should be taken for preserving Airlie woods and preventing McComie cattle pasturing in their glens.<sup>339</sup> The difficulty, however, was getting McComie to recognise the law, ensconced as he was in one of the most inaccessible parts of Airlie domains.<sup>340</sup> There he had successfully avoided capture, had controlled his followers and used Airlie property illegally for more than a decade.<sup>341</sup> At that time McComie had only another three years to live<sup>342</sup> although after his death his sons were almost as intransigent and just as bent on illegality as he.<sup>343</sup> They appear, however, not to have been as adamant or charismatic as their father. Eventually Fortir was returned to Airlie suzerainty,<sup>344</sup> although that may have been as much the

result of the re-establishment of Airlie control<sup>345</sup> as of the changing personalities of the lairds of Fortir.

Among the Ogilvys the McComie Mor was seen as something of an eccentric, always protesting that his rights were being infringed and taking every opportunity to harangue any member of the Ogilvy family he came across. Writing from Kinnordie on 21 March 1673<sup>346</sup> Sir David Ogilvy informed his brother that "Johne Maccommie came of twesdays night to glen Isla and ranted owt in the old way."<sup>347</sup> By that time the second Earl appears to have advised James Carnegie of Balnamoon, his legal agent<sup>348</sup> and nephew,<sup>349</sup> to proceed at law against McComie in consultation with the laird of Clova<sup>350</sup> whose estate experience was being misused in family and legal matters in Edinburgh.<sup>351</sup> The strength of Airlie resolve in 1673 to settle the McComie business may be gauged by Clova's comment that he and Carnegie<sup>352</sup> would decide "what is ye fittest way to caich him."<sup>353</sup> Legal remedies were all very well when rights were being infringed but Clova could clearly see that a practical solution had also to be put into effect. Airlie influence had to be maintained by the presence of the superior and a demonstration of commitment. He felt that a fortnight's stay in the area by Airlie would be enough to engender some tenant support<sup>354</sup> or else "yowr glen Is Like to Lay west this yeire,"<sup>355</sup> McComie influence would become all the stronger<sup>356</sup> and those with tacks of Airlie lands in the area would "make that same wse they did formerlie."<sup>357</sup> Fortir's problems were not simply a conflict of personality between superior and tenant or a question of family rights

and tenant disruption. All tenants in Fortir had been infected by the heritor's demeanour and disobedience, and land use adversely affected. That, as much as any disruption of the peace or personal conflict was responsible for the Ogilvy initiative. The troubles with McComie are a clear example of the need to control major tenantry. Disobedience, disruption and disenchantment were contagious. The concern of the Ogilvys with the peace and stability of the Airlie estates was no theoretical concept for the benefit of those properties. Their hegemony was in virtual eclipse in the 1660 to 1676 period in the northernmost part of their Forfarshire domains and while there was physical disruption in any area it was felt likely that it would spread to other family properties. Without submission and obedience no substantial landed property could effectively function. Anything else, with the inflexible administrative structure that existed, particularly on the Airlie estates,<sup>358</sup> put too great a strain on it and threatened to destroy it.

If McComie's activities broke the peace those of James Arrott in Inverqueich to improve his rights did not, but were clearly seen by his superior as equally responsible for undermining his position. Tenant discontent was mainly economically based<sup>359</sup> and prompted by the tack conditions they saw around them as well as by estate relationships and what they considered to be their own rights.<sup>360</sup> That group was increasingly growing in awareness of its rights between 1660 and 1690 and this and the landowners' recognition of it is not an inconsiderable feature of the landed development of Forfarshire.<sup>361</sup> The peaceful aspect of the Panmure estates at that time was partially a result of this recognition,



along with the settling of tenant leases within defined parameters and the evolution of estate policy on such matters. On the other hand the piecemeal and limited solutions used on the Airlie estates to settle tenants discontented with their tacks was characteristic of the lack of an estate leasing policy. The negotiations of the Panmure factor John Maule for tacks of property at Calwossie in Carmyllie<sup>362</sup> and in Carlungie<sup>363</sup> were a model of how such things should be handled, and his intention to maintain uniformity of tacks<sup>364</sup> an ideal for the maintenance of estate peace and security. The Airlie estates had no such policy applied or intended. Tenants realised it and some, like the tenant in Inverqueich, tried to exploit it for their own advantage.

James Arrott leased Inverqueich and Cult in Alyth from the Earls of Airlie from the 1640's until at least the first half of the 1670's<sup>365</sup> and appears to have been influenced by the disruption of the McComie Mor in the mid 1660's to seek improved tack conditions and the settlement of outstanding grievances.<sup>366</sup> McComie was clearly not only in contention with the superior<sup>367</sup> but by his example had managed to spread tenant discontent throughout Airlie domains.<sup>368</sup> It is hardly suprising that because of their contagious nature such troubles were deeply feared. Troubles with tenants of long standing such as McComie and Arrott, indeed, situated on the periphery of Airlie domains<sup>369</sup> where the superior's authority was weakest,<sup>370</sup> must have lent force to the arguments for estate consolidation and centralised control.<sup>371</sup>

Yet despite all Arrott's complaints, his troublesome location where it would have been easier to have a settled, contented tenant, Airlie steadfastly refused to improve his tack conditions.<sup>372</sup> His reluctance was based on more than conservatism or ignorance or Arrott's plight in comparison with other tenants.<sup>373</sup> He considered Arrott disloyal and inefficient.<sup>374</sup> He was an unsuccessful estate officer and creditor,<sup>375</sup> having unlawfully invaded the property of the Dowager Countess of Airlie to recover annual rent due to him by the second Earl.<sup>376</sup> Even if frustration and disappointment prompted Arrott's actions, and he felt that holding his properties for two decades allowed him some freedom of action, Airlie as a new superior, could not condone illegality or threats to his authority by granting Arrott's wishes and adamantly refused to change his position.<sup>377</sup> Improvements in tenant conditions were achieved through merit and the goodwill of the superior. In Arrott's case these seemed not to exist. From his succession, if not before, Airlie's dissatisfaction with the Inverqueich tenant grew<sup>378</sup> but no matter how discontented, vociferous and troublesome the latter became the superior would not give way, doubtless hoping to make his position increasingly untenable.

It was in his capacity as an employee of the Airlies that Arrott created most discontent. He was over-indulgent with an Airlie debtor Robert Malcolme of Myllehaugh<sup>380</sup> while being adamant for repayment of "my ounelittle particular"<sup>381</sup>

even though he noted that his request was "not so reasonabill as I sould wishe be reassone I know your la stands in much neid of money."<sup>382</sup> As officer the Inverqueich tenant was dilatory and ineffective. His tractability in the debts of others and his resolve in debts owed to him created great dissatisfaction in his superior. His involvement with merchants to whom produce was sold was scarcely any happier. He freely admitted that he had "not takine paines"<sup>383</sup> to see how the Dowager Countess's produce was selling in the market or to improve sales. Such remission, even if only temporary, was unforgivable in the tenant-officer. He was eventually forced into action by the prospect of the entire crop he was trying to sell rotting away,<sup>384</sup> and the refusal of merchants and other tenants to have anything to do with it.<sup>385</sup> Doubtless with the exhortations if not threats of Lady Airlie<sup>386</sup> to move him, Arrott finally sold the best of the crop to Patrick Crocket<sup>387</sup> although he could only get ten marks the boll for it.<sup>388</sup>

Probably Arrott's inefficiency would have been noticed less if he had not caused trouble trying to improve his own rights and invading Airlie property or if his own tenants had not complained against him. The latter centred on a question of land revaluation and the enmity it caused.<sup>389</sup> Arrott had been involved in that issue with one David Donald.<sup>390</sup> His tenants, according to him motivated by "base malice,"<sup>391</sup> had "hudglie cryed owt upon"<sup>392</sup> him "that they war hudglie wronged by david donald"<sup>393</sup> and him. All Arrott's kindnesses,

credit and favours to the Airlies, along with his hopes of making "your la famillie the grytest under King Charles,"<sup>394</sup> were as nothing compared to the fact that he was dissatisfied with his own rights and had prompted tenant discontent. Stability was one of the most important elements in the life of any estate<sup>395</sup> and Arrott had ruptured that to his own detriment.<sup>396</sup>

Arrott's failure to improve his conditions may not have been all his own fault, however. He may well have been discriminated against. The new superior, the second Earl of Airlie, had a favourite in John Ogilvy in Burnsyd<sup>397</sup> who questioned Arrott's administration of his property and his land valuation.<sup>398</sup> Arrott insisted that the valuation had been carried out according to the superior's instructions<sup>399</sup> and that it could not be reversed "without ane gryt reflectione one your honor and crydit qlk is ane thing your lo hes gryt reasone to look to."<sup>400</sup> Equity and conscience had been served, and the original valuer was not only willing to lose some of his own means to sustain the arrangement he had made but also "to fforfat my lyffe and my ffortioun"<sup>401</sup> in defending his decisions. Airlie, however, gave a hearing to "idell speiches"<sup>402</sup> and sustained Ogilvy against Arrott whose position became entirely untenable. Additionally when the collector for the shire changed around 1667 or 1668, the new valuation was withdrawn.<sup>403</sup> Arrott than found himself with less influence on the new collector than he had previously<sup>404</sup> the new official being prone, like the superior, to favouritism.<sup>405</sup> Arrott was being attacked

on two fronts and could not command the support of his superior. The situation was further confounded by charges of undue influence with officials<sup>406</sup> and sympathy with Papists.<sup>407</sup> Eventually, despite Arrott's threat to quit his possession if the superior decided against David Donald and himself,<sup>408</sup> and his warning that such a decision would act as a precedent<sup>409</sup> the case was decided in favour of his opponents.<sup>410</sup> The time taken to come to that decision, the confusion involved and the hostility caused indicated how disruptive such affairs could be and how deeply they could affect the tenant body.

Arrott's discontent increased. After what he considered to be years of being discriminated against and futile arguments he resolved in April 1670<sup>411</sup> "to be no longer in this conditione I am into anent your lo particular and myne."<sup>412</sup> He had then been a tenant of Airlie for thirty years<sup>413</sup> and listed all the wrongs he considered had been done to him.<sup>414</sup> Despite these he noted "leat me tell you give I had bene rewardet according to my deserwingis or had gottine the promises performed your father and mother did often tymes mak to me and in particular your mother anent ane weadset and once your selff ther need it no such meiting to have beine."<sup>415</sup> What concerned him most was that after thirty years he was still considered a moveable tenant rather than a wadsetter, "qlk is against all your promises,"<sup>416</sup> and holding his lands disadvantageously so that he became impoverished.<sup>417</sup> He admitted some culpability for his own position however. He confessed that if he had been "ane sharpe mettelt man as I sould have beine"<sup>418</sup> he would have

had "as ampill ane weadset as anie in the ground has and beine in grytes favore this day with you and your mother then I am and frie off this trobill I am now put to."<sup>419</sup>

His remarks suggest that he was the exception among Airlie tenants around Alyth not only in not having an advantageous tack but also in not being sharp witted. The tenant's view of his own group was that what advantages they had received they had achieved by their discontent rather than been freely given and that they were an astute group very aware of their tenurial status. Tenant discontent, if a serious landed problem, clearly paid dividends in some cases but only where the improvement granted was to the superior's as well as the tenant's advantage.

The advantages of improved conditions in the form of a wadset over other types of tenure were not merely a matter of prestige for Arrott. The wadset was granted by the Airlies in lieu of payment of a debt, as a reward for service or simply to tenants of long standing, all of which conditions the Inverqueich tenant satisfied. Since, however, he had no legal claim and had dissatisfied his superiors, he had to rely on their conscience and fairness though unfortunately his pleas for justice fell on deaf ears. Over the 1662 to 1674 period the Airlies proved themselves disloyal, insensitive and unsympathetic to an old tenant and retainer<sup>420</sup> who was trying to establish himself on equal terms with fellow tenants in the same area. Their obstinacy must itself have had an adverse reaction among tenants.

There were other elements bearing on Arrott's tenure of Inverqueich and Cult, however, which he thought should influence the second Earl in granting him a wadset. By 1670 he had become a substantial creditor of the Earl and felt that the security he was offered not only for the principal sum owed but also for his annual rent was inadequate. He noted that on such terms he would find it difficult "to continue such ane sowme as ye rest me upon annuall and such ane slender suretie as I have."<sup>421</sup> Secondly he had held his land of his superiors "in such times as I did beir it and at such ane deir rate"<sup>422</sup> that he considered his devotion deserved some reward. Thirdly he was convinced of the essential inequality of his position in comparison with other Airlie tenants.<sup>423</sup> Despite his dissatisfaction and his constant pressure for improvement, all Arrott received were "delaters and delays"<sup>424</sup> from the second Earl and his mother. Even by the middle of the 1670's the position had scarcely improved. By that time, however, it became clear that more than just a tack improvement and a financial deal were involved. The tenant was afraid that if the business was not settled while the Dowager Countess was alive "God knowis how I will be used be your two sones."<sup>425</sup> She was obviously more favourably disposed to Arrott<sup>426</sup> than the second Earl who seems to have given an indication that old retainers would not necessarily receive favourable treatment merely because of length of service. Arrott certainly expected "ane hell upon earth"<sup>427</sup> if left at the mercy of the second Earl of Airlie and his brother. He considered that his condition had been no more

considered by those two "than I had beine ane turk."<sup>428</sup>  
Little time was lost on feelings spared in making it known  
that former servants were not highly regarded especially  
an unsuccessful one who could not "in ane honest way command  
meat to my mouthe nor clothes to my bak."<sup>429</sup>

If dissatisfaction had done little to improve Arrott's  
position, disclosure of his alleged accounting irregularities<sup>430</sup>  
in the mid 1670's made any tack improvement virtually  
impossible.<sup>431</sup> The Airlie case against the tenant, however,  
by that time had taken on the aspect of a witch hunt. Clearly  
both the tenant and the superior had some right on their  
side and the former deserved some improvement in his  
conditions for length of occupation if nothing else. Arrott  
was of the opinion that the accounting allegations were  
unjustified and that it was simply another ruse to discredit  
him.<sup>432</sup> He averred that it had been the intention of the  
Airlies over the three decades he had been their tenant  
"to destory my stak (sic) be countis and reakningis."<sup>433</sup>  
He was "content tue ansuer anie ane off yow in reassone"<sup>434</sup>  
for, he affirmed, "there was never ane groat off it gathered  
under anie of you but I sall mak it owt that I have losed  
the equivalent of it in your ground."<sup>435</sup>

Arrott, even although he failed in his task, is a good  
example of a tenant seeking to secure his rights in the  
face of the apathy and excuses of his superior and the troubles  
it caused. Doubtless the situation he found himself  
embroiled in was more common than has so far been proved,



namely the dissatisfaction of a new lord with old retainers and his imposition on them of out of date tacks with disadvantageous conditions.<sup>436</sup> That could not be done unilaterally however, without increasing unrest. Tenants such as Arrott in Inverqueich and their methods and demands are an indication that such activities were no longer acceptable. They were an aware and dynamic part of the tenant group which foreshadowed an end to the imposition of the landlord's will on the landed sector and may be considered an important force in the traditional "pre-improvement" era. Without those trends improvement itself might have been later and less thoroughly pervasive.

Two Airlie tenants, therefore, considered their rights so significant after 1660 that they had been prepared to take action to have the defects in their positions recognised. Arrott and McComie may have been the only two who caused Airlie trouble on any major scale but they were by no means alone in their discontent. Airlie's brother Sir David Ogilvy, writing to the superior from Cortachy<sup>437</sup> informed him that he had been told by James Ogilvy, probably of Stronend and Airlie factor in Forfarshire, that tenants were not only threatening to quit their holdings but were very vocal and sure of their rights,<sup>438</sup> a situation he found most objectionable.<sup>439</sup> The dislocation of Arrott and the laird of Fortir was only the tip of an iceberg of discontent. Nor were they alone in the causes of their dissatisfaction. Alexander Lindsay at the Mill of Rottwall was also in search of above average conditions

in his lease.<sup>440</sup> His position is less clear than that of Arrott or McComie but the Airlies were obviously having problems in particular with wadsetters,<sup>441</sup> discontent which infected virtually the whole of the tenant body.<sup>442</sup> Despite such troubles, however, few tenants were removed from their possessions, and certainly none of those who complained about their conditions were. Indeed it seems to have been estate policy to placate those who felt they had major grievances rather than remove them. The McComies retained their possession of Fortir despite being branded as rebels and murderers;<sup>443</sup> the heirs of James Arrott became the lairds of Inverqueich<sup>444</sup> and the Lindsays became the heritable proprietors of Rottall.<sup>445</sup> Tenants had much to gain from pursuing their rights. From the evidence which is available those who did in the long run achieved gentry status. A combination of custom, apathy and a desire for stability made superiors err on the side of caution and grant better leases than had been sought. Tenurial improvement was achieved primarily through vocal tenant discontent and the reconciliation of superiors to improved tack conditions by their need for the occupation of their property and security.

The landed property of the gentry was beset by similar problems to that of the aristocracy. For them, however, financial and family difficulties predominated. One major gentry estate beset by financial problems and radically improved by the attentions of a factor was that of the Guthrie family. Their major properties were in the parishes of

Guthrie and Muirhouse.<sup>446</sup> When Francis Guthrie of that  
Ilk died around 1664<sup>447</sup> his estates were close to financial  
and administrative chaos with a poor administration,<sup>448</sup>  
tenants quitting holdings,<sup>449</sup> family illness<sup>450</sup> and  
considerable amounts of estate revenue mortified by previous  
heritors.<sup>451</sup> Problems were compounded by payments being  
made to personnel who made little or no contribution to the  
family estates,<sup>452</sup> unsatisfied creditors and, worst of all,  
by an estate successor who was a minor.<sup>453</sup> Tutors were  
appointed including William Gray of Hayston,<sup>454</sup>  
John Pitcairne<sup>455</sup> and James Guthrie of Conosyth.<sup>456</sup>  
In 1664 they named Henry Lindsay of Cairne, a cousin of  
Guthrie,<sup>457</sup> as factor and the improvement was almost  
immediate.<sup>458</sup> He was given extensive jurisdiction covering  
not only Guthrie Forfarshire properties but also their  
estates in Northern Ireland.<sup>459</sup> The latter had been without  
a factor since the death of Robert Buchanan in 1658<sup>460</sup> and  
evidently had been under the control of a number of  
vociferous tenants.<sup>461</sup> As well as insisting on a consolidated  
administration the tutors kept tight financial control of  
Lindsay asking for annual accounts,<sup>462</sup> and in general were  
conscientious in their tasks as overseers.<sup>463</sup> All  
John Guthrie had to do on reaching majority and taking control  
was to continue in the vein his tutors had begun.

The gentry also had problems caused by inter-family strife  
which in turn affected estate performance. John Guthrie of  
that Ilk was a much more assiduous estate superior than his  
father<sup>464</sup> and this appears to have benefitted his property.<sup>465</sup>

In another ancient shire family, the Woods of Bonitoun, the opposite was the case.<sup>466</sup> Although their decline was partially because of the different opinions and activities of father and son<sup>467</sup> in their case it was the former who was interested in his estates and the latter who was not. Sir John Wood of Bonitoun implemented some improvements to his properties<sup>468</sup> in the hope that his son James would succeed him and continue that policy.<sup>469</sup> The latter, however, was too interested in a military career and life beyond the estate of which he was heir to commit himself to its administration.<sup>470</sup> That, combined with the attentions of unco-operative creditors<sup>471</sup> was enough to depress the Bonitoun estates almost beyond saving.

Other major problems for gentry estates were their upkeep of an extended family and of an urban connection which contributed nothing to them but was simply an outlet for resources. The Woods<sup>472</sup> and the Guthries<sup>473</sup> are good examples of the former. The latter problem was more insidious. It was one of the features of the gentry after 1660 that sons moved into towns to take up professional occupations.<sup>474</sup> That was all very well if others such as fathers or brothers were left to manage the estate.<sup>475</sup> However, if successors simply left with no-one to take over or help the superior, and consequently gained little experience of estate management, the effects could be disastrous.

Gentry properties also had difficulties with dishonesty. For example Guthrie Irish estate administrators were suspected of chicanery in the late 1650's and early 1660's.<sup>476</sup> Thereafter the management of those properties, along with family estates in Forfarshire, was undertaken by the laird of Cairne,<sup>477</sup> unquestionably a beneficial change. However, even Cairne's administration is suspect. His accounts were made up three or four years after the year and crop involved<sup>478</sup> and yet were models of accuracy, the charge almost always exceeding the discharge.<sup>479</sup> Undoubtedly there was some financial movement between years necessary to achieve the desired effect. Lindsay Cairne's position highlights this, but other factorial accounts are much the same,<sup>480</sup> though completed less far ahead.<sup>481</sup> This would suggest that a level of dissimulation, if not dishonesty, was necessary for any estate steward. He had to deal with estate realities rather than simply policies and had to ensure, for his own sake if nothing else, that his charge was seen in the best light. If criminal activity on the Hamilton scale was rare in estate management it is obvious that in Forfarshire in the mid seventeenth century a certain level of duplicity was endemic. Such concealment and poor communications made proper policy decisions impossible to take and the development of estates slower than it need have been.

A solution to, or at least the neutralisation of, the problems which beset Forfarshire estates was necessary before any developments could take place on them. In some

instances, however, solution and development were achieved in the one action. For example much chicanery in estate administration was eliminated by improved accounting and financial control. It is therefore often difficult to be sure of cause and effect. What is certain is that on Forfarshire estates after 1660 all available internal and external forces from the government in London to the estate factors were mobilised in the attempt to remove obstacles in the way of a return to the status quo, giving superiors their former position and authority. The most important promoters of this reaction, however, were the estate superiors themselves. With the return of political stability and their occupation of their properties they saw for themselves the extent of the decline in their estates and realised that such deterioration could not continue. Consequently they became involved in the retrieval of their earlier situation. Their actions increased security and confidence, and made the landed sector more vital. This, combined with the new economic environment after 1660, gave the evolution of Forfarshire estates an important impetus. Even when the general economic situation weakened, estate developments, which were as much a result of the elimination of landed problems as of any conscious desire for improvement, progressed in a variety of ways.

FOOTNOTES

1. SRO GD188/2/5, SRO GD45/14/122.
2. SRO GD188/2/5, SRO GD188/27/7, SRO GD16/26/8,  
SRO GD16/26/59, SRO GD16/26/85.
3. SRO GD16/34/46, SRO GD16/34/22.
4. SRO GD188/31/15/9 1.12.1659.
5. Ibid.
6. Ibid.
7. C.H. Firth (ed.) - Scotland and the Protectorate  
1654-9 (SHS 1899) *passim*.  
  
T. Keith - The Economic Condition of Scotland under  
the Commonwealth and Protectorate. Scot. Hist. Rev.  
1908, v, 273-84.
8. SRO GD16/29/140/Box 2/Bundle 2 1670-80, SRO GD16/26/59,  
SRO GD16/26/85.
9. This was as true of aristocratic as of gentry  
property. SRO GD16/26/59, SRO GD16/26/85.
10. SRO GD188/33/10/17 17.11.1649.
11. Ibid.
12. Ibid.
13. SRO GD188/33/10/21.
14. Ibid et SRO GD16/31/252.
15. Wilson, Airlie, ii, 22f.  
Millar, Glamis, xvif.  
Fraser, Southesk, 137f.  
Stuart, Reg. Pan. xliif.
16. Ibid.
17. SRO GD45/14/118.
18. SRO GD16/31/317.
19. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/17/508.
20. SRO GD188/2/5.



21. W. McCombie Smith - Memoir of the Family of McCombie (1887), 48f. Hereafter McCombie Smith, Memoir.
22. J. Thirsk (ed.), The Restoration (1976) xif et passim.
23. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/31/143, SRO GD16/26/55.
24. SRO GD16/26/55, SRO GD16/26/59, SRO GD16/26/70.
25. Millar, Glamis, xvi, SRO GD45/14/110, SRO GD16/34/46, SRO GD16/34/82, SRO GD16/26/55.
26. SRO GD16/26/55, SRO GD16/34/82, SRO GD16/34/46.
27. SRO GD45/14/110.
28. Ibid.
29. SRO GD45/14/122, SRO GD45/14/162, Stuart, Reg. Pan. xliif.
30. Stuart, Reg. Pan. xliiif.
31. SRO GD16/26/55, SRO GD16/34/82, SRO GD16/34/46.
32. Wilson, Airlie, ii, 86.
33. SRO GD45/14/110/3 4.8.1660.
34. SRO GD45/14/110 passim.
35. SRO GD45/14/110/4 11.8.1660.
36. Stuart, Reg. Pan. xl, SRO GD45/14/110/1 30.6.1660.
37. Wilson, Airlie, i, 281, ii, 84-6.
38. Ibid et Millar, Glamis xvi, SRO GD16/34/46, SRO GD45/14/118.
39. SRO GD16/26/55, SRO GD16/34/46, SRO GD16/34/82.
40. Wilson, Airlie, ii, 84.
41. SRO GD16/26/55 passim.
42. SRO GD16/26/55, SRO GD16/34/82, SRO GD16/34/46.
43. Millar, Glamis, passim.  
Wilson, Airlie, ii, passim.
44. SRO GD16/31/91, SRO GD16/26/100, SRO GD16/31/80, SRO GD16/31/92-3.

45. Millar, Glamis, xvif.
46. SRO GD45/14/110/4,11.8.1660.
47. Ibid.
48. Ibid.
49. H. Roseveare, The Treasury 1660-1870 (1973), 21f.  
Hereafter Roseveare, Treasury.
50. Wilson, Airlie, passim.  
Stuart, Reg. Pan, xlf.
51. R.S. Rait, The Parliaments of Scotland (1924),  
75-94, 498f.
52. SRO GD45/14/110 passim.
53. Ibid.
54. Ibid.
55. Wilson, Airlie, passim.
56. Stuart, Reg. Pan, xl-xliii. While the son was  
fighting for the King his father was on his Forfarshire  
estates contributing to royal coffers and being  
fined by the Commonwealth government.
57. SRO GD45/14/110 passim.
58. Ibid.
59. Ibid.
60. Vide infra.
61. ex SRO GD188/34/5, SRO GD188/3/3/4.
62. Ibid.
63. SRO GD45/14/163 passim.
64. Ibid.
65. J. Elder, The Highland Host of 1678 (1914), 137 et  
passim.  
SRO GD16/34/42.
66. SRO GD45/14/163.
67. Ibid.

68. Ibid.
69. SRO GD45/14/163, 15.4.1685.
70. Ibid.
71. Ibid.
72. Ibid.
73. NRA 792 Southesk Papers, Deed Box 4, Bundle Southesk Correspondence; Letter from Lord Carnegy to the Earl of Southesk 2.4.1685.
74. Ibid.
75. SRO GD14/163 15.4.1685.
76. Ibid.
77. SRO GD130/Box 6/Bundle 13 et passim.
78. SRO GD45/14/166, SRO GD45/14/122, SRO GD45/14/162 et vide infra.
79. Stuart, Reg. Pan, xxxix.
80. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/163.
81. Stuart, Reg. Pan, xl.
82. Stuart, Reg. Pan, xxxviii-xliii.
83. SRO GD45/14/110.
84. SRO GD45/17/508, passim.
85. Ibid.
86. Ibid.
87. Ibid et SRO GD45/17/521, SRO GD45/17/596, SRO GD45/17/650, SRO GD45/17/691, SRO GD45/17/639, SRO GD45/14/166.
88. Ibid.
89. SRO GD45/17/508, passim. A History of the Society of Writers to Her Majesty's Signet (1890), 108.
90. SRO GD16/31/213, passim.
91. SRO GD45/14/166, 15.10.1673.
92. SRO GD45/14/166, 17.6.1674.

93. SRO GD45/14/166, 4.11.1680.
94. SRO GD45/14/166, 23.12.1683.
95. Vide infra.
96. SRO GD45/14/166, 15.10.1673.
97. Ibid.
98. Ibid.
99. Ibid.
100. Ibid.
101. Ibid.
102. SRO GD45/14/166, 17.6.1674.
103. Ibid, et Stuart, Reg. Pan. xxxviif.
104. SRO GD45/14/166, 17.6.1674.
105. SRO GD45/14/166, passim.
106. SRO GD45/14/166, 17.6.1674.
107. Ibid.
108. SRO GD45/14/166, passim.
109. SRO GD45/14/166, 23.12.1683.
110. Fraser, Douglas, iii, 445f.
111. SRO GD45/14/166, 23.12.1683.
112. Ibid.
113. Fraser, Douglas, iii, 445f.
114. SRO GD45/14/166, 23.12.1683.
115. Ibid.
116. Ibid.
117. SRO GD45/14/166, 4.11.1680.
118. SRO GD45/14/166 23.12.1683.
119. SRO GD16/31/213.
120. SRO GD45/14/166.

121. SRO GD16/31/213.
122. SRO GD16/41/546.
123. NRA 792 Southesk papers Bundles 16-25, Deed Box Number 4, Bundle Southesk Correspondence.  
SRO GD130/Box 6/Bundle 13 et passim.  
SRO GD188/1/6, SRO GD188/1/7.
124. NRA 792 Southesk Papers Bundles 16-25, 1677-85.
125. Warden, Forfarshire, 168f et passim.  
Fraser, Southesk, xxif et passim.
126. NRA 792 Southesk Papers Bundles 16-25 Deed Box Number 4, Bundle Southesk Correspondence.
127. Wilson, Airlie, i, 227f et vide supra.
128. SRO GD16/31/213 passim. See especially letter dated 24.8.1673.
129. SRO GD16/31/213.
130. Ibid.
131. Millar, Glamis, 3.  
W. Fraser, The Elphinstone Family Book (1897), 130.  
Hereafter, Fraser, Elphinstone.
132. Ibid.
133. Fraser, Elphinstone, 130.  
Millar, Glamis, 117.
134. SRO GD16/31/213.
135. Ibid.
136. Ibid.
137. Ibid.
138. Ibid.
139. SRO GD16/31/213, 24.11.1671.
140. Ibid.
141. Ibid.
142. Ibid.

143. Ibid.
144. Fraser, Elphinstone, 132.
145. SRO GD16/31/213 n.d.
146. Ibid.
147. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/55,  
SRO GD16/26/85, SRO GD16/31/213.
148. SRO GD16/31/213, 24.8.1673.
149. Ibid.
150. Fraser, Elphinstone, ii, 127.
151. Ibid.
152. Ibid.
153. Ibid.
154. SRO GD16/31/213.
155. SRO GD16/31/213, 24.8.1673.
156. Ibid.
157. Ibid.
158. Ibid.
159. SRO GD16/29/140 passim.
160. See Figure 4 above.
161. Wilson, Airlie, ii, passim.
162. SRO GD16/26/55, SRO GD16/34/82. SRO GD16/34/46.
163. Ibid.
164. Wilson, Airlie, i, 275.
165. SRO GD16/26/55, SRO GD16/34/46, SRO GD16/34/82.  
Wilson, Airlie, ii, 4.  
Millar, Glamis, 4.
166. Wilson, Airlie, ii, 3.
167. Wilson, Airlie, i, 288. SRO GD16/26/55, passim.

168. This seems to have been especially true of the Guthrie estates and of their Irish holdings in particular. SRO GD188/2/5.
169. Wilson, Airlie, i, 227f, 268.
170. SRO GD16/34/46, 10.10.1660.
171. Wilson, Airlie, i, 281.
172. SRO GD16/26/55, SRO GD16/34/46, SRO GD16/34/82, passim.
- Wilson, Airlie, ii, 86, notes that he was "deaf to all entreaties to come north for his own particular affairs."
173. Wilson, Airlie, ii, 86. She was the eldest daughter of George, First Lord Banff Op.cit. ii, 15.
174. Millar, Glamis, 4.
- Wilson, Airlie, ii, 4.
175. SRO GD16/31/80, SRO GD16/31/177.
176. Ibid.
177. Ibid.
178. Fraser, Southesk, 137f.
- Warden, Forfarshire, i, 366f.
179. SRO GD16/26/55.
180. Ibid.
181. Ibid.
182. Ibid.
183. Ibid.
184. Ibid.
185. Ibid.
186. The second Earl of Airlie's relationship with his mother seems to have been intermittently very poor. The laird of Clova seems to have acted as an intermediary between them. See SRO GD16/26/55, SRO GD16/31/500.
187. SRO GD45/14/163, SRO GD45/14/122, SRO GD45/14/162.
188. SRO GD45/14/110.

189. Ibid.
190. Stuart, Reg. Pan, xliiif, SRO GD45/14/166,  
SRO GD45/14/163.
191. Ibid.
192. SRO GD45/14/110/1, 30.6.1660.
193. Fraser, Southesk, 361f, SRO GD130/Box 6/Bundle 13.
194. Vide infra.
195. SRO GD130/Box 6/Bundle 13 et passim.
196. Fraser, Southesk, 361f.
197. SRO GD130/Box 6/Bundle 13 et passim.
198. Ibid.
199. Ibid.
200. Ibid.
201. Ibid.
202. Vide supra.
203. SRO GD16/34/46, SRO GD16/34/82, SRO GD16/34/46.
204. SRO GD45/14/110.
205. SRO GD188/24/2.
206. SRO GD16/34/46, SRO GD16/34/82, SRO GD16/26/55.
207. Ibid et SRO GD188/20/5, SRO GD130/Box 6 Bundle 13,  
et passim.
208. SRO GD16/34/46, SRO GD16/34/82.
209. Ibid.
210. Ibid.
211. SRO GD16/26/55.
212. SRO GD16/34/46, SRO GD16/34/82.
213. SRO GD16/26/59, SRO GD16/26/85.
214. SRO GD45/14/110.



215. SRO GD16/29/140, 1660-80, passim, SRO GD16/34/82.
216. Stuart, Reg. Pan., xliii-xliv.
217. Stuart, Reg. Pan., passim.
218. SRO GD45/14/110.
219. SRO GD188/2/5, SRO GD188/25/5.
220. Stuart, Reg. Pan. xliiif, SRO GD45/14/122, SRO GD45/14/162.
221. Fraser, Southesk, 349f.  
Warden, Forfarshire, i, 366f.
222. Edward in Warden, Forfarshire, ii, 234-52.
223. Vide infra.
224. Ibid.
225. Ibid.
226. Ibid.
227. Vide infra et SRO GD16/29/140. Airlie Miscellaneous Estate Accounts, passim.
228. SRO GD45/14/163, 28.2.2672.
229. SRO GD45/14/163, passim.
230. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/166, SRO GD45/17/508.
231. Stuart, Reg. Pan., xliv.
232. SRO GD45/14/163, 28.2.1672.
233. Ibid.
234. Ibid.
235. Ibid.
236. Ibid.
237. Ibid.
238. Ibid.
239. On this see also the position of the Guthrie estates before and after the Restoration. SRO GD188/32/10, SRO GD188/27/7, SRO GD188/32/9.

240. SRO GD45/14/163, 28.2.1672.
241. Fraser, Elphinstone, ii, 127. He notes that John third Lord Balmerino had succeeded to his father's estates in 1670 and found them encumbered with debt because of the amounts of time and money his father had spent "in the public service."
242. SRO GD45/14/163, 28.2.1673.
243. Ibid.
244. Warden, Airlie, i, 288-289.
245. SRO GD16/34/46, SRO GD16/34/82.
246. Wilson, Airlie, ii, 83f.
247. SRO GD16/29/140, Airlie Miscellaneous Estate Accounts, *passim*.  
SRO GD16/31/92, SRO GD16/31/93, SRO GD16/31/80,  
SRO GD16/34/82.
248. SRO GD16/34/46, SRO GD16/34/82.
249. SRO GD16/34/46, 20.10.1660.
250. Ibid.
251. SRO GD16/34/46, SRO GD16/34/82.
252. Vide infra.
253. SRO GD16/34/46, 20.10.1660.
254. Vide supra.
255. SRO GD16/34/46, 20.10.1660.
256. Ibid.

SRO GD16/29/140/Bundle 2 *passim* n.d. Notes of grassums in Lentrathen.

SRO GD16/29/140/Box 3/Bundle 1/1366. Ane not of the grassum bands given off to tarfeachie upon the 23 day of Juni 1682 years for payment of corn and fodder bought be him from Jon Watson in boig for the Earl of Airly use.

SRO GD16/29/140/Box 2/Bundle 3/18 1679.  
SRO GD16/29/140/Box 2/Bundle 3/17 4.10.1679.  
SRO GD16/29/140/Bundle 5 1657.

257. SRO GD16/34/46 20.10.1660.
258. Ibid.
259. Ibid.
260. Ibid.
261. SRO GD16/29/140/Box 2/7, SRO GD16/26/85.
262. SRO GD16/34/46 20.10.1660. Lord Ogilvy seems to have been in debt throughout Forfarshire and in London.
263. SRO GD16/34/82 19.3.1661.
264. Ibid.
265. Ibid.
266. SRO GD16/34/82, SRO GD16/34/46, SRO GD16/26/55.
267. SRO GD16/34/82, 20.7.1663.
268. SRO GD16/26/55.
269. SRO GD16/26/8, SRO GD16/26/59, SRO GD188/2/5, SRO GD45/14/162.
270. SRO GD16/31/143, NRA 885 Strathmore Papers Box 28/Bundle 5, 25.2.1667.
271. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/26/55.
272. SRO GD16/34/46 20.10.1660.
273. Ibid.
274. W. Cramond, Annals of Banff (2 vols. 1891-3), ii, 330. Hereafter, Cramond, Annals.
275. SRO GD16/26/85.
276. SRO GD16/26/55, SRO GD16/34/46, SRO GD16/34/82.
277. SRO GD16/26/85.
278. SRO GD16/29/140/Bundle 2, SRO GD16/26/59, SRO GD16/26/8.
279. SRO GD16/26/8.
280. SRO GD16/26/55.
281. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85.

282. SRO GD16/26/85 passim.
283. Ibid, et SRO GD16/26/59.
284. SRO GD16/26/85.
285. Ibid.
286. SRO GD16/31/143.
287. SRO GD16/26/55, 24.1.1666.
288. SRO GD16/31/143, SRO GD16/29/140/Box 2/Bundle 3.
289. Ibid.
290. Ibid.
291. I.D. Whyte, Agrarian Change in Lowland Scotland in the Seventeenth Century. Unpub. Ph.D thesis, University of Edinburgh, 1974, 41.
292. SRO GD16/29/140/Box 2/7, SRO GD188/27/7-8.
293. Wilson, Airlie, ii, 4.  
SRO GD16/34/46, SRO GD16/34/82, SRO GD16/26/85.
294. SRO GD16/26/55.  
Wilson, Airlie, passim.
295. SRO GD16/26/55.
296. Wilson, Airlie, i, 268-73.
297. SRO GD16/26/55, 26.9.1666.
298. Ibid.
299. Ibid.
300. Ibid.
301. SRO GD16/31/143, SRO GD16/26/55.
302. SRO GD16/26/55, passim.
303. Ibid.
304. SRO GD16/26/55, 26.9.1666.
305. SRO GD16/26/55, 2.12.1671.
306. SRO GD45/18/1570.

307. I.D. Whyte, Agrarian Change in Lowland Scotland in the Seventeenth Century. Unpub. Ph.D. thesis, University of Edinburgh, 1974, 40. Hereafter, Whyte, Agrarian Change.
308. NRA 885 Strathmore Papers Box 28/Bundle 5 25.2.1667.
309. Ibid.
310. Whyte, Agrarian Change, 41.
- M. Plant, The Domestic Life of Scotland in the Eighteenth Century, (1952), 159-177.
- M. Plant, The Servant Problem in Eighteenth Century Scotland, Scot. Hist. Rev. xxix No. 2, 150.
311. Millar, Glamis, passim.
- SRO RS35/1-RS 35/8, passim.
- NRA 885 Strathmore Papers, Vol. II.
312. NRA 885 Strathmore Papers Box 27/Bundle 12.
- Millar, Glamis, 13.
- The latter notes that the tenant was Robert Lindsay.
313. Vide infra.
314. SRO RS 35/1-RS 35/8, SRO RS3/1-RS3/61, passim.
315. Millar, Glamis, passim.
316. SRO GD16/34/46, 20.10.1660.
317. SRO GD16/29/140/Bundle 2, passim, n.d. Notes of grassums in Lentrathen.
- SRO GD16/29/140/Box 3/Bundle 1/1366. Ane not of the grassum bands given off to tarfeachie upon the 23 day of Juni 1682 years for payment of corn and fodder bought be him from Jon Watson in boig for the Earl of Airly use.
- SRO GD16/28/140/Box 2/Bundle 3/18 1679  
SRO GD16/29/140/Box 2/Bundle 3/17 4.10.1679.  
SRO GD16/29/140/Bundle 5 1657.
318. SRO GD16/34/46, 20.10.1660.
319. Ibid.
320. SRO GD16/26/59, SRO GD16/26/85, passim.

321. Ibid.
322. Ibid.
323. SRO GD16/26/85.
324. SRO GD16/26/59.
325. SRO GD16/26/85, SRO GD16/26/59.
326. SRO GD16/26/55.
327. SRO GD16/26/55, 24.1.1660.
328. Ibid.
329. SRO GD16/26/55, 4.3.1668.
330. SRO GD16/26/55, passim.
331. SRO GD16/29/140/Box 2/Bundle 3/48, SRO GD16/27/70,  
SRO GD16/31/194, SRO GD16/26/70.
332. SRO GD16/41/443, SRO GD16/41/474, SRO GD16/41/457,  
SRO GD16/41/425, SRO GD16/41/448, SRO GD16/41/597,  
SRO GD16/41/465, SRO GD16/41/424, SRO GD16/41/433,  
SRO GD16/41/466.
333. McCombie Smith, Memoir, 48f.
334. Ibid.
335. Ibid et vide Footnote 332.
336. McCombie Smith, Memoir, 48f.
337. Ibid.
338. SRO GD16/26/55, 20.5.1673.
339. Ibid.
340. McCombie Smith, Memoir, 48f.
341. Ibid. See Footnote 332.
342. McCombie Smith, Memoir, 77.
343. McCombie Smith, Memoir, 77f.
344. McCombie Smith, Memoir, 79.
345. SRO GD16/26/55, passim.
346. SRO GD16/26/55, 21.3.1673.

347. Ibid.
348. SRO GD16/31/213, passim.
349. Wilson, Airlie, i, 273-4.
350. SRO GD16/26/55, 21.3.1673.
351. SRO GD16/26/55 - Clova's letters tell some of the story of the breakdown of the relationship between the brothers.
352. SRO RH15/56.
353. SRO GD16/26/55, 21.3.1673.
354. Ibid.
355. Ibid.
356. Ibid.
357. Ibid.
358. For some aspects of the development of Airlie management see SRO GD16/26/59, SRO GD16/26/85, SRO GD16/26/147, SRO GD16/31/143.
359. SRO GD16/26/70, SRO GD16/26/55, SRO GD16/34/46, SRO GD16/34/82.
360. Ibid.
361. Ibid et G.P. Gooch, English Democratic Ideas in the Seventeenth Century (1898), 115-6.
362. SRO GD45/14/163, 5.1.1675.
363. SRO GD45/14/163, 9.5.1685.
364. SRO GD45/14/163, 5.1.1675.
365. SRO GD16/26/70.
366. SRO GD16/31/194.
367. McCombie Smith, Memoir, 48f.  
SRO GD16/26/55.
368. SRO GD16/31/194.
369. Vide supra.

370. SRO GD16/31/194, SRO GD16/29/140/Box 2/Bundle 3/48.
371. SRO GD16/26/70.
372. SRO GD16/26/55, SRO GD16/26/20, SRO GD16/29/140  
1660-70, passim.
373. SRO GD16/26/70, SRO GD16/31/194.
374. Ibid.
375. Ibid.
376. Ibid.
377. Ibid.
378. Ibid.
379. Ibid.
380. SRO GD16/26/70, 3.3.1662.
381. SRO GD16/26/70, 15.12.1663.
382. Ibid.
383. SRO GD16/26/70, 22.10.1663.
384. Ibid.
385. SRO GD16/26/50, 15.12.1663.
386. She was, like some other Airlie wives, a very  
determined and capable woman. See SRO GD16/26/19.
387. SRO GD16/26/70, 15.12.1663.
388. SRO GD16/26/70 18.1.1664.
389. SRO GD16/26/70, 23.2.1674.
390. SRO GD16/26/70, n.d.
391. Ibid.
392. Ibid.
393. Ibid.
394. SRO GD16/26/70, 23.2.1674.
395. SRO GD16/26/55, passim.
396. Note for example the case of Robert Hamilton the Airlie  
factor in Banff SRO GD16/26/8, SRO GD16/26/59.



397. J. Meikle, The History of Alyth Parish Church (1933),  
129. Hereafter, Meikle, Alyth.
398. SRO GD16/26/70, 13.5.1667.
399. Ibid.
400. Ibid.
401. Ibid.
402. Ibid.
403. SRO GD16/26/70, n.d.
404. Ibid.
405. Ibid.
406. SRO GD16/26/70, n.d.
407. Meikle, Alyth, 99.
408. SRO GD16/26/70, 20.8.1667.
409. Ibid.
410. Ibid.
411. SRO GD16/26/70, 28.4.1670, et passim.
412. SRO GD16/26/70, 28.4.1670.
413. Ibid.
414. Ibid.
415. Ibid.
416. Ibid.
417. Ibid.
418. Ibid.
419. Ibid.
420. SRO GD16/26/70, passim.
- M. Plant, The Servant Problem in Eighteenth Century  
Scotland, Scot. Hist. Rev. xxix, No. 2, 150.
421. SRO GD16/26/70, 28.4.1670.
422. Ibid.

423. Ibid et SRO GD16/26/70, 23.2.1674. He compared himself in particular with David Donald of Shangie who in the 1660's had been responsible with Arrott for land valuation and whose stock with the second Earl appears to have rapidly increased.
424. SRO GD16/26/70, 28.4.1670.
425. SRO GD16/26/70, 23.2.1674.
426. Ibid.
427. Ibid.
428. Ibid.
429. Ibid.
430. Ibid.
431. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85.
432. SRO GD16/26/70, 23.2.1674.
433. Ibid.
434. Ibid.
435. Ibid.
436. SRO RS35/1-RS35/8, passim.
437. SRO GD16/26/55, 24.1.1666.
438. Ibid.
439. The laird of Clova's autocratic and unsympathetic view of tenantry on which, among other matters, he was at odds with his brother may be found in his extant letters. See SRO GD16/26/55, SRO GD16/41/500 passim.
440. SRO GD16/26/55, 24.1.1666, SRO RS35/1 fo 318, 20.12.1663 et SRO RS35/1-RS35/8, passim.
441. SRO GD16/26/55, SRO GD16/34/46, SRO GD16/34/82.
442. Ibid.
443. McCombie Smith, Memoir, passim.
444. SRO RS35/7 fo 360 3.3.1682, SRO RS35/7 fo 356 29.2.1682  
SRO RS35/7 fo 359 3.3.1682.

445. SRO GD16/29/140, 24.2.1683.
446. SRO GD188/32/9, SRO GD188/32/10, SRO GD188/32/1.
447. Ibid.
448. SRO GD188/2/5, SRO GD188/27/7, SRO GD188/27/8,  
SRO GD188/24/2.
449. Ibid.
450. Ibid.
451. Ibid.
452. Ibid.
453. SRO GD188/25/5.
454. SRO GD188/32/10, SRO GD188/32/11.
455. Vide infra et SRO RS 35/1- RS35/8, RS3/1-RS3/61.
456. SRO GD188/32/11, SRO GD188/32/10, SRO GD188/27/7.
457. Ibid.
458. Ibid.
459. SRO GD188/2/5.
460. Ibid.
461. Ibid.
462. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/10.
463. Ibid.
464. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/9,  
SRO GD188/32/10.
465. SRO GD188/25/5, SRO GD188/33/1, SRO GD188/20/5,  
SRO GD188/24/2.
466. SRO GD45/21/1, SRO GD45/21/2, SRO GD45/21/3,  
SRO GD16/31/252, SRO GD16/26/103.
467. Ibid.
468. SRO GD45/21/1.
469. SRO GD16/31/252, SRO GD16/26/103.

470. Ibid.
471. SRO GD45/21/1, SRO GD45/21/2, SRO GD45/21/3.
472. SRO GD16/31/252, SRO GD16/26/103, SRO GD45/21/1.
473. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/9.
474. SRO RS35/1-RS35/8, passim, SRO RH15/56, SRO RH15/52, SRO GD16/31/213.
475. This seems to have been the case with Robert Innes of Blairtoun WS. He was the legal agent of the Earl of Panmure and although his property was not in Forfarshire one of his brothers seemed to be left with the task of managing family properties. See SRO GD45/14/166, SRO GD45/17/508, SRO GD45/13/122, SRO GD45/14/162, SRO RH15/82. It seems also to have been true of the family of William Gray of Hayston the sheriff clerk of Forfar whose son Michael Gray of Turfbeg, unlike his brothers William of Innerichty and George of Halkerton did not play a significant part in family business. See SRO RS35/4 fo 82, 1.12.1668, SRO RS35/6 fo 89 15.3.1676, SRO RS35/6 fo 90, 15.3.1676.
476. SRO GD188/2/5.
477. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/10, SRO GD188/32/11.
478. SRO GD188/27/7, SRO GD188/27/8.
479. Ibid.
480. SRO GD16/29/140/Box 2/7, SRO GD16/31/143, SRO GD45/14/163.
481. Ibid.

ESTATE DEVELOPMENT IN  
FORFARSHIRE 1660 - 1690

In seeking solutions to their existing problems after 1660, superiors of Forfarshire properties thus considered the physical development of their estates. There was little distinction in this between gentry and aristocratic superiors or the type and size of estate. In Forfarshire after 1660 property development was universal although in individual cases the time scale involved was uneven. In this respect while the Airlie and Guthrie estates improved their efficiency after the mid 1660's,<sup>1</sup> it is clear that Panmure properties maintained a level of continuous development second to none in Forfarshire.<sup>2</sup> Northesk properties, on the other hand, declined in the late 1670's and 1680's<sup>3</sup> along with those of the Woods of Bonitoun.<sup>4</sup> Whether aristocratic or gentry, estates were subject to economic fluctuations which affected them in a variety of ways.<sup>5</sup>

One of the most significant elements in the development of Forfarshire estates after 1660 was the increasing interest of superiors in their property and their exercise of centralised control. This was particularly the case on those properties which were in poor condition such as the Guthrie estates. The noticeable change in the composition of that family's muniments after the early 1660's signified a change widespread in Forfarshire.<sup>6</sup> Estate and personal correspondence decreased while the incidence of estate and legal documents grew.<sup>7</sup> This was probably a result of the rationalising activities of John Guthrie's curators<sup>8</sup> after

his succession in May 1665.<sup>9</sup> There was also a withdrawal of interest in the family's Irish estates and a decline in tenant correspondence,<sup>10</sup> signifying the importance of central Forfarshire estates. Francis Guthrie had been placating creditors since the early 1650's<sup>11</sup> and as a result the family properties he left were less encumbered by debt, if not by business commitments, than they might otherwise have been.<sup>12</sup> His successor John Guthrie of Guthrie was a more authoritarian personality than his father,<sup>13</sup> a trait which helped him in the centralised control of his property. He was also more interested in his estates than his father had been and was more vigorous and able than the older man.<sup>14</sup> John Guthrie was very largely the epitome of the new breed of estate owner in the peaceful post-Restoration period, committed, directing and aware. Although continuity of estate policy was vital,<sup>15</sup> the position and attitude of the superior was crucial to property development.

After Guthrie's succession<sup>16</sup> a conscious effort seems to have been made to reduce the control of extra estate forces, particularly the urban legal one exercised by James Guthrie.<sup>17</sup> Before about 1665 the latter had an influential position in Guthrie estate affairs not only as an adviser and agent but also as a controller and financier.<sup>18</sup> He was, in fact, making decisions and having them implemented by the superior.<sup>19</sup> In several areas of estate business the power of decision was all but removed from the

estate superior. It is scarcely surprising that with the employment of curators and the different personalities of Francis and John Guthrie, that changes were made,<sup>20</sup> returning some power, which had earlier been dissipated, to the control of the superior.

By the late 1670's and early 1680's John Guthrie had reversed the lethargy of his father and his disposal of control to extra estate forces.<sup>21</sup> He also steered an evolutionary course requiring and receiving strict observance from his factor, and did his best to eliminate what might jeopardise that. If in pre-Restoration times some of the Forfarshire gentry had been interested in religious and political matters, after 1660 they were principally concerned with the maintenance of peace and stability, the security, occupation, productivity and development of their properties, their financial integrity, the continuation of their families and the exercise of a greater measure of centralised control.<sup>22</sup>

Not all landowners were successful in such aims, however. Even late in the post-Restoration period some superiors were still attempting to establish central control by any means in their power. On the Airlie estates, for example, the direction of the superior was exercised, over distant estates in particular, by the sending of young plants and seeds from the home estate and issuing directives on their cultivation. Patrick Lawson, an Airlie factor in Banffshire



in the late 1680's and early 1690's,<sup>23</sup> was planting seeds and trees under the instructions of his superior on what seems to have been newly tilled land<sup>24</sup> which he had just enclosed.<sup>25</sup> The material he had available for planting was inadequate to the ground he had broken and Lawson sought material from a central reserve in Cortachy, the seat of his superior in Forfarshire. Even if the factor only used Forfarshire supplies in emergencies, a measure of centralised control still existed which was increased by the superior's planting directives to his northern estate factor.

The appointment of dependable factors was instrumental in the development of estates belonging to both aristocrats and lairds. Especially in the cases where factor and superior were of like mind,<sup>26</sup> the estate in question could hardly fail to develop. For example the partnership between John Guthrie of that Ilk and his factor Harry Lindsay of Cairne<sup>27</sup> was a model of how the factor-superior relationship could improve estates.<sup>28</sup> No less so were the relationships on the Panmure estates between the Innes family and the superiors<sup>29</sup> and the energetic John Maule and the Earls of Panmure.<sup>30</sup> Just as important were the factorships of Thomas Ogilvy on the Airlie Banffshire estates<sup>31</sup> and James Ogilvy of Stronend in northern Forfarshire, at least for the first part of his career.<sup>32</sup> In all such appointments, however, the attitude of the superior was fundamental. He had to acknowledge the work of trustworthy factors as his authoritative delegates and give them the

support they required. He also had to recognise that the implementation of the factor's work, such as the keeping and presentation of annual accounts, was significant in the management of property.<sup>33</sup>

The latter, the keeping and presentation of accounts, was basic to any estate development for progress had to be monitored and areas where change was necessary noted. Part of the reason for the success of the Panmure estates in Forfarshire was the explicit and accurate accounting system which their factors followed.<sup>34</sup> With the employment of new accounting systems on the Guthrie<sup>35</sup> and Airlie<sup>36</sup> estates after the mid 1660's the whole tenor of estate policy and evolution altered. In accounting terms the period of the Commonwealth and Protectorate had been one of great dislocation on a majority of Forfarshire properties. Matters changed only slowly after 1660<sup>37</sup> but with the increasing stability brought by peace and the changes in superiorities<sup>38</sup> alterations were accelerated. Accounting procedures were revised on Guthrie properties at the instigation of the tutors of John Guthrie, a minor.<sup>39</sup> The tutors were at least partially the salvation of those properties, not only for what they themselves did but also for their education of the new superior<sup>40</sup> as to what he should expect of his estate officers. Guthrie tutors took their appointment seriously and obliged estate officers to perform effectively.<sup>41</sup> From about 1663 a new rule was applied and yearly accounts were expected to be presented and authorised.<sup>42</sup>

If the Guthrie estates were fortunate in the appointment of perspicacious tutors, no less so were they in the employment of Henry Lindsay of Cairne as factor.<sup>43</sup> His period of office covered the 1660's and most of the 1670's.<sup>44</sup> As well as demonstrating the advantages of accurate accounts he also showed the benefits of a continuous policy,<sup>45</sup> an important feature in the development of Forfarshire estates after 1660.<sup>46</sup> Lindsay of Cairne's accounts are exemplary<sup>47</sup> though it could easily be argued that there was no reason why they should not be since they were retrospective, being made up some three years after the year and crop being accounted for.<sup>48</sup> His success, however, at least among contemporary estate officers appears to have been unquestionable. The greatest single comment on that success was that in the face of all the applications for the factorial position on the Guthrie family's Irish estates after Robert Buchanan's death<sup>49</sup> those estates were consolidated under Cairne's control.<sup>50</sup>

By the late 1660's and early 1670's the accounts of Henry Lindsay show that tenant debts in kind on Guthrie estates were a considerable problem.<sup>51</sup> They connoted poor productivity, inefficiency, bad weather conditions or an understanding superior or a combination of them. What must have been clear was that efficient management and accurate accounts were inadequate to the problems of gentry estates. Much deeper change was needed. The rental was lowered by 1678<sup>52</sup> doubtless in the hope of reducing financial

and accounting pressures on the Guthrie estates but seems not to have helped.<sup>53</sup> In 1678, for one of the few recorded times in his accounts, the laird of Cairne's discharge exceeded his charge.<sup>54</sup> In other words he spent more on the maintenance of the Guthrie family and its lands than they produced. With all the problems facing him from about 1663<sup>55</sup> Lindsay of Cairne had been able to balance expenditure and revenue,<sup>56</sup> yet in 1678 he could not.<sup>57</sup> By that time accounts had more than their earlier superficial significance. They were used by superiors to gauge profitability, and as a means of direction and control.<sup>58</sup>

If Guthrie estates in Forfarshire were in difficulty that was not allowed to interfere with normal estate production, oversight and maintenance. The painstaking Lindsay accounts show that the production of bear and meal remained much the same throughout the 1660's and 1670's.<sup>59</sup> What altered was the amount of produce which was sold to merchants.<sup>60</sup> Even as early as 1664 Lindsay's accounts showed some improvement in estate performance.<sup>61</sup> Production had increased and more of it reached market.<sup>62</sup> Sales were being maximised and expenditure minimised on matters not closely connected to estate development.<sup>63</sup> Quality of produce remained suspect, however.<sup>64</sup> Eighty three bolls and two firlots of bear which grew on the Eastertoun of Guthrie had to be sold at a low price since they had been "blasted on the ground no other merchant wold accept therof at any other pryce".<sup>65</sup> Through his accounts the

factor's administration of the Guthrie estates showed significant improvement throughout the post-Restoration period.<sup>66</sup> He had increasingly extensive relationships with merchants throughout his period of office enabling him to move produce to market quickly and efficiently.<sup>67</sup> His considerable feat of being able, almost invariably, to balance accounts such that his charge always exceeded his total discharges,<sup>68</sup> however, is somewhat suspicious when it is remembered he was working in retrospect.<sup>69</sup> He may initially have considered the accounts to his superior purely cosmetic. This would explain their optimistic picture when the estates were not performing all that well.<sup>70</sup> He seems to have been using tenant rests to balance his accounts,<sup>71</sup> moving what was owed between one year and another<sup>72</sup> in order to make estate performance seem better than it was. What is clear is that while the estates were only moderately efficient the accounts which charted their progress were a model of efficiency. They were as much an example of what was hoped for as they were an annual catalogue and diary.

The intentions of the second Earl of Airlie must have been similar to those of the Guthrie tutors when he employed Thomas Ogilvy in Banffshire.<sup>73</sup> No suspicions of any kind attach themselves to his accounts, however.<sup>74</sup> He followed Robert Hamilton<sup>75</sup> who had been responsible for some dishonesty<sup>76</sup> and he could not afford any allegations of improbity. Certainly there were none. He was a model of

propriety and reforming zeal, settling Airlie affairs on his Banffshire properties on a base from which they could advance. His accounts, which survive in a complete state from about 1666 to about 1672,<sup>77</sup> detail not only estate finances but give a very good indication of the work of the factor and his duties in communicating with his superior at Cortachy and with all parts of the properties included in his remit.<sup>78</sup> The intentions of the superior for his Banffshire estates are quite clear from the accounts of the factor. Intention and execution are different things, however, and the latter required a committed and trustworthy factor.

If a good factor was the first step to improved estate management and performance, accounting rectitude was the next. That could not be entirely claimed for the accounts of James Ogilvy of Stronend<sup>79</sup> who was Airlie chamberlain in north western Forfarshire from about the succession of the second Earl until the 1670's.<sup>80</sup> He seems to have been appointed on the same type of factory as Thomas Ogilvy in Banff<sup>81</sup> but because of his geographical location was much more closely under the scrutiny of the second Earl.<sup>82</sup> As a result certain inconsistencies in his accounts were highlighted.<sup>83</sup> These were mostly inaccuracies in addition or omissions.<sup>84</sup> They were nothing in comparison to the defects of Robert Hamilton<sup>85</sup> but the fact that they were highlighted<sup>86</sup> after Stronend's accounts were painstakingly checked<sup>87</sup> demonstrates two things. Firstly the standard of

accuracy in accounting expected of estate factors was very high and secondly standards for Forfarshire estates appear to have been much more demanding than for outside properties. No similar investigations exist for Thomas Ogilvy's accounts although this may well have been because of the personal authority of the factor involved. The keeping and presentation of accurate accounts was an integral part of the evolution of the estates of Forfarshire landowners in the post-Restoration epoch. They were used to gauge not only the progress of a particular property but also the efficiency of its factor.

Another means of estate regeneration was through rebuilding and repair which became a continuous process on many estates. Its progress between the pre and post-Restoration periods indicated how important it was, the level of development involved and the condition of estates on which it was carried out. Rebuilding was not simply a post-1660 phenomenon, or purely dependant on good factorship. For example, although the administration and condition of Airlie Banffshire estates<sup>88</sup> removed from the centralised control of Cortachy<sup>89</sup> deteriorated considerably under the self-seeking Robert Hamilton before 1660,<sup>90</sup> he was responsible for building and renovation.<sup>91</sup> In late 1657 and early 1658 he sought the tolerance of stones he could use in dam building<sup>92</sup> and was at the same time repairing a stone pier which had been washed away.<sup>93</sup> Building for the fishings was unique on Airlie Banffshire estates<sup>94</sup> playing

as considerable a part in estate renovation as more truly landed developments did later.<sup>95</sup> The renewal of estate fabric, however, involved construction for more than the primary agricultural and fishing sectors.<sup>96</sup> Hamilton reported to his superior on 24 August 1658 that the mill of Banff was now rebuilt.<sup>97</sup> "I houp that your los will be plesed with the work. She hes gotten ane Newe outer wheill and all the bodie of the Mill is new she is ane greatt deall faster more ever she was."<sup>98</sup> Another aspect of estate development was the building and refurbishing of dwelling houses.<sup>99</sup> In 1659 the factor wrote that "Your lops house is almost all peynted and skleted and we have gotten ....<sup>100</sup> Water for dressing of the house."<sup>101</sup> Despite such activity before 1660 it is clear that it was much less intensive than what was to follow.<sup>102</sup> The pre-1660 period did demonstrate, however, that the factorial building remit covered virtually all aspects of estate life,<sup>103</sup> that the condition of fabric was poor before 1660 and that thereafter there was a great building resurgence culminating in the glowing reports of Edward and Ochterlony in the 1680's.<sup>104</sup> There were also a variety of speeds of development towards the general improvement of the 1680's and the position of the estate factor as builder and renovator was a crucial part of it.

Rebuilding and repair of fabric also took place on gentry estates after 1660 although it did not always have the same emphasis as that on aristocratic property. A renovation and estate building programme began on the



appointment of Henry Lindsay<sup>105</sup> to the factorship of the Guthrie estates in the early 1660's. It included at a basic level, the consolidation and physical measuring of property.<sup>106</sup> However, the major part of the building work which was taking place was of a much different type to that on other estates.<sup>107</sup> Repairs were made to the houses of "entering tenants"<sup>108</sup> in the early to middle 1660's.<sup>109</sup> A new tenant body was being encouraged to accept tacks and conciliated by the far-sighted factor<sup>110</sup> who was improving their living conditions.

Construction work in estate development followed a particular course. Projects intimately connected with primary production were tackled first. Thereafter domestic and secondary projects were undertaken and finally enclosing projects.<sup>111</sup> All, of course, were simultaneous in Forfarshire as a whole but had a particular priority. Personal comfort and appearance in almost all cases came before efficiency and productivity.<sup>112</sup> When Thomas Ogilvy succeeded as factor of the Banffshire Airlie estates in 1665<sup>113</sup> his first task was to review his predecessor's accounts which were found wanting.<sup>114</sup> That was not the only reason for dissatisfaction with him, however. Hamilton had been less than conscientious in certain aspects of his building work, probably having been too involved with the politics of the sheriffdom.<sup>115</sup> Ogilvy found his superior's house was in a poor state of repair "great parte of the roof of the hall ... which shall be presently gone."<sup>116</sup>

Equally "the chamber upon the stairhead and the low hall must be pairte taken down for the walls ar failed to the very foundation."<sup>117</sup> The maintenance of estate buildings and houses was a continuous problem. The late 1660's and early 1670's continued the period of construction on Airlie Banffshire properties. The factor contented himself with the maintenance and construction of major domestic and estate buildings<sup>118</sup> leaving peripheral construction to a later period. He reported on 4 September 1669 that "The found of your lo house shall be cleared on Monday and I am confident your lo hath ane good quantity of stones led for itt neither shall they leave leadding till your Lo be served."<sup>119</sup> The superior's comfort was not his only concern since "the last greatt wind did tirr a good quantity of your Lo house where I lived butt I have had the sklaitters att itt thes two days who have repaired itt again."<sup>120</sup> Winter, from about mid September until March was the period for building and related activities. Building in frost and snow, however, could not have augured well for the edifices build and their longevity. The harvest was more important in a pre-industrial economy than building activity. Its systematic, speedy collection and disposal was of first priority. In 1670 Ogilvy again agreed with men for the delivery of stones, a sizeable stock of which must have been maintained. "Butt as for lym I will nott adventure to bring home any till the dead of the winter pass for the last that was broughtt home last winter was only drownd and spoyled."<sup>121</sup> He also hoped that that when Alexander Robie and his two sons

had finished their work at the church which he estimated to be about New Year 1671<sup>122</sup> they would begin the second Earl of Airlie's own work.<sup>123</sup> Obviously meeting places, dwellings and areas used by the political and religious establishment were considered of vital significance by landowners and their delegates. Rebuilding and repair in the decade and a half after 1660 contained an element of the re-establishment of the status quo.

Simultaneous with Thomas Ogilvy's building in Banffshire was that of James Ogilvy of Stronend in Forfarshire.<sup>124</sup> He was another appointee of the second Earl of Airlie when he succeeded to his patrimony.<sup>125</sup> The work he undertook was much different to that in the north, however. The Forfarshire Airlie estates were in much better physical condition than their northern pendicles.<sup>126</sup> Ogilvy of Stronend undertook very little rebuilding<sup>127</sup> although maintenance was always an element in his work.<sup>128</sup> He principally concerned himself with keeping property in constant occupation and with tacks and rentals.<sup>129</sup> The same seems to have been generally true of John Maule the factor of the Earl of Panmure<sup>130</sup> whose properties were also in good condition.<sup>131</sup> Forfarshire estates managed to escape the worst destruction of the Interregnum. Those which had conscientious factors and superiors did better than others although those which had not, like the Airlie and Guthrie properties, undertook an adequate rebuilding programme after 1660 to maintain a basis for future development. Repair and rebuilding were more than

a practical necessity, they tended to be self-generating<sup>132</sup> and inspired confidence in the future evolution of an estate and the policies of its superior.

By the late post-Restoration era building activity on the estates of Forfarshire landowners outside that shire had become more diverse and more closely connected to agricultural production.<sup>133</sup> This reflected the desire of superiors and factors that such estates should not simply be subsidiary to the home property but be independently productive units.<sup>134</sup> This was obvious in most aspects of estate development at that period but particularly in building.<sup>135</sup> Just as Robert Hamilton had earlier done for the building of a pier,<sup>136</sup> James Lindsay cleared the land of stones and built dykes with them.<sup>137</sup> Lindsay was an officer under factor William Fyffe with whom he did not see eye to eye<sup>138</sup> and approached the superior rather than him when he wanted advice or information.<sup>139</sup> Enclosing land was not easy. Some neighbours such as Bailie Gordon were opposed to it.<sup>140</sup> Obstruction of that nature was not the most significant hindrance, however. The dykes which Lindsay wanted to build were made of stone with a foundation.<sup>141</sup> They had to be erected by skilled men and such labour was in short supply.<sup>142</sup> Indeed even when the foundations had been dug men could not be found to cart away the displaced earth.<sup>143</sup> Building progress was slow. In April 1686 the foundations had been dug outside the corn-yard dyke<sup>144</sup> while a year later "Yor Lo deiks is about the stable."<sup>145</sup> Lindsay was building stout walls outside the area traditionally enclosed

for safety and the preservation of crops. As well as shortages of labour and materials hindering him, however, so also did the competing uses for his materials. For example he was building and completed<sup>146</sup> simultaneously with his dyking, a stone house for one James Anderson.<sup>147</sup> There were even more serious problems. The unaccommodating Bailie Gordon complained that the earth which had been delved out of the dyke foundations was lying on his land hindering his own planting.<sup>148</sup> Although it was Lindsay's opinion that not "thri stolers of corne"<sup>149</sup> could be grown on the covered ground, Gordon refused to give it up<sup>150</sup> and threatened to take steps to recover his loss on another part of Airlie land.<sup>151</sup> The obvious technical difficulties of enclosure were relatively superficial when compared to the hostile attitudes of conterminous proprietors.

The 1680's was a period of considerable building activity directly related to agricultural production and improvement. While James Lindsay was building, the maligned William Fyffe was doing the same. He also was constructing stone dykes though they were mortared stone policy dykes rather than drystone field dykes. They were sturdy and clearly meant to last for he was employing masons.<sup>152</sup> Such building was given singular priority by the factor appearing to originate with the second Earl of Airlie. Writing from Cortachy on 15 March 1686 he ordered Fyffe to "keepe the Messons dilegent in topeing out of my dyks from my Lord Banffs Dovecoat to Robert Turners land."<sup>153</sup> Apparently Airlie

not only knew what lands he wanted enclosed and what type of dykes he wanted built but also which neighbours he wanted to exclude from his property. There had been more than an evolution of building on landed estates, there had been a development of interest. In the re-organisation of their estates Forfarshire landowners seem to have moved outwards. After their residences were satisfactory, and buildings such as church and mill in some state of repair, they took a greater interest in the productivity of their lands. From a comparison with the contemporary accounts of Forfarshire by Edward and Ochterlony,<sup>154</sup> it appears that holdings outside Forfarshire developed only marginally more slowly than those inside. If Forfarshire had to cope with less general destruction after 1660 than other areas in which its heritors had interests<sup>155</sup> and was more fruitful and resilient, it is clear that general development followed a broadly similar chronological pattern.

The extension of building interests on estates continued in the late 1680's and early 1690's. By that time however, the enclosing of newly broken land was involved,<sup>156</sup> along with the maintenance of existing enclosures and head dykes. The second Earl of Airlie was by then deeply committed to the development of his properties. His control was so strong, indeed, that masons would not continue building dykes until they had heard from him,<sup>157</sup> especially about those dykes built with lime.<sup>158</sup> The maintenance of erected boundaries was a constant preoccupation of estate personnel.

If they were not kept in a good condition they could simply be pushed over and disregarded. Writing to Airlie in late 1685 Patrick Lawson noted that the masons were busy "and heath doon with the head dyk and are begwne to the dyk that goes from the dowcott."<sup>159</sup> Progress was kept strictly in check since such tasks had to be done outwith the harvesting and growing seasons and were still considered subsidiary to the principal function of the land, the production of crops. That was a notion which was changing, however, as it was realised production could be boosted by enclosure. At the end of the following month work had to stop because of frost.<sup>160</sup> By that time the masons "ar com a good Lenth downe one it."<sup>161</sup> Horses were daily bringing stones to the dykes.<sup>162</sup> Urgency was clearly the rule on the estates for not only Lawson was involved in building but so also were Fyffe and Lindsay, sometimes simultaneously.<sup>163</sup> They were in some sense at the mercy of the building urge. The superior had committed himself to that trend and his officers only tried to direct it, often unsuccessfully. Lawson, for example, was content that dyking should go on apace.<sup>164</sup> The masons, however, were not satisfied with their directions, presumably afraid that the design or position of the wall would not suit the superior.<sup>165</sup> They told Lawson that his directives would not do<sup>166</sup> and "they will hear mor word from your Los before they begine with the high ell for the keeping will be all biged with Lym."<sup>167</sup> They were only trying to save money and effort for what they were building was high and solid. It would not do to have it wrongly placed or badly designed.

More than six years later when Lawson wrote to his superior<sup>168</sup> building remained a topic of considerable interest. It had obviously been a continuing process.<sup>169</sup> By that time, however, not only estate dykes were being considered but also "banffs dyk."<sup>170</sup> This seems to have been a burgh dyke built against the sea<sup>171</sup> and the factor was responsible for supervising the part Airlie had committed himself to. He wrote that "the masons is still att banffs dyk and as I wreat to your Los in my last it is verie steatlie now what is compleited of it."<sup>172</sup> The wall was imposing, much different to what Lawson was used to seeing and accustomed to supervising. Less than a week later the masons were still at the dyke<sup>173</sup> and although progress was reasonable,<sup>174</sup> there was a shortage of stones.<sup>175</sup> There was the foundation of an old dyke in the yard of Banff<sup>176</sup> and the intention was to use the stones in it for building. That could not be done independently, however, and Airlie had to "pwrchas leibertie to teak ym up."<sup>177</sup> The factor's opinion was that lifting the old foundations would "doe noe harm at anie Reat to anie thing with yt yeard."<sup>178</sup> Shortage of materials and the infringement of property rights were chronic problems in estate improvement and enclosure.

As well as the relatively simple construction of dykes more complex building was taking place in the late post-Restoration era. Previously estate houses had been repaired or constructed.<sup>179</sup> Town houses later became the subject of concern.<sup>180</sup> During the early 1690's one or more town houses in Banff belonging to the second Earl of Airlie



were being built.<sup>181</sup> He was informed on Monday 7 September 1691 that the work of that day "will copleitt all the backsyd of thee twm hows the scleating yrof and the lenth of the kitchin is alreadie seleated."<sup>182</sup> Building progressed reasonably well towards the end of 1691.<sup>183</sup> In the space of a week "the holl backsyd of the new hows is fullie scleated".<sup>184</sup> The slaters were then "busie att the forsyd yrof."<sup>185</sup> Possibly Lawson's concern for the town house was motivated by the fact that Airlie needed it to live in when he visited his northern properties. However, what is also significant is that by that period there were enough resources available for urban schemes to be undertaken and completed. The concern of the 1660's and early 1670's for the viability of Airlie estates<sup>186</sup> was by then unnecessary and schemes not intimately connected with production but with general estate appearance and condition could be undertaken.

There was therefore a thoroughgoing change after 1660 in the physical and administrative development of the estates of Forfarshire landowners. If the administrative evolution depended on the appointment of trustworthy delegates and accurate written records, the physical evolution, as well as being dependant on construction, was assisted by more truly agricultural developments. It is once more on the Airlie Banffshire estates where such development is most noticeable, presumably because they started from such a low base and were removed from centralised control. There was concern among estate officers that land should be fertilised at the traditional mucking time<sup>187</sup> and very considerable

amounts of muck and dung<sup>188</sup> were used on the Banffshire estates.<sup>189</sup> James Lindsay calculated that 865 leads of muck had been taken to Airlie lands in 1675,<sup>190</sup> though he in fact miscalculated by 200.<sup>191</sup> The amounts he used came not only from tenants great and small inside the Airlie estates who were paid in meal or in allowances at "count and reckoning"<sup>192</sup> but also from outsiders who had to be paid in cash. Lindsay informed his superior on 24 November 1675 that "I have to pay 9 lib for muck."<sup>193</sup> If an average price per lead of 4 or 4½ pence Scots is reasonably accurate<sup>194</sup> he was importing between 480 and 540 leads of muck into the southern Banffshire estates in the mid 1670's.<sup>195</sup> It is not certain whether these imports were to compensate for unpaid dues or were in addition to what was already being received.<sup>196</sup> It is certain, however, that considerable amounts of fertiliser from various sources were being used on the ground at least from the early 1670's.<sup>197</sup> The transportation of such quantities of fertiliser was not without its problems. Bailie Gordon, clearly an Airlie adversary in everything,<sup>198</sup> would not allow the officer to "lead muck to ye littell hough through the Loches the neirest way not Withstanding yr is a patant rod as was beffore."<sup>199</sup> If Lindsay was not permitted to use the "patant rod," "I must goe a myll about qlk ware ressonne that yowre lo showld have a pattent rod for leading muck or Warre<sup>200</sup> to your lands as formerlie was done."<sup>201</sup> Airlie was asked to write to Gordon to expedite the matter.<sup>202</sup> From an early period large quantities of natural fertilisers were being used to improve the productivity of estates.

Either all known fertilisers were being experimented with to improve arable production or as much ground as possible was being covered. In either case the activities of the Airlie officer demonstrate that significance was early attached to continued fertility as opposed to cropping to extinction.

Crop production was also the subject of restless experimentation among Forfarshire landowners in the post-Restoration period. The interest in building, planting of trees and ornamentation<sup>203</sup> was matched by a very considerable amount of activity in the purchase and planting of new types of seeds,<sup>204</sup> their culture at a central nursery and dissemination throughout the estates of the superior in question.<sup>205</sup> Most of the seeds seem to have been bought in Edinburgh<sup>206</sup> though they came from either England<sup>207</sup> or Holland.<sup>208</sup> They were garden seeds<sup>209</sup> or for planting in the yard,<sup>210</sup> but the presence among them of cabbage, peas, turnips and sainfoin<sup>211</sup> makes it clear that new vegetables and grasses were being introduced before their cultivation as field crops. Nor should it be imagined that only the 1680's were significant in this respect. Although that was certainly the most active period, seeds were being bought in Edinburgh in the early 1660's.<sup>212</sup> Just as earlier estate building had extended from the centre, from the superior's house to the head dykes of the estate,<sup>213</sup> the purchase and cultivation of seeds and the fertilising of considerable tracts of property may be seen as the extension

of the arable area of most properties. For example, in the second half of the 1680's land on the Banffshire estates of the Earl of Airlie which had previously been pasture had been ploughed and was being enclosed.<sup>214</sup> He was informed on the 29 December 1685 that "the plowing of the laye land withowtt the ward will be doone shortlie and is almost" (sic)<sup>215</sup> Not only was land previously used as pasture put to the plough, it was also done at a very unusual time, the depths of winter.<sup>216</sup> The winter was either very mild, there were considerable pressures on production or the factor had plans for a particular piece of land. At the end of the following month not only was the ploughing finished but stones were being carried to build a dyke around it.<sup>217</sup> Such extension of productive areas continued throughout the 1680's and into the 1690's,<sup>218</sup> and was a conscious policy within the landed sector. On October 20, 1691 the second Earl of Airlie informed his "Assured friend" James Lindsay that he should make a parcel of ground "as Smooth and without stones, and as open as possible for I will raise and Sow oats on it."<sup>219</sup> Thereafter he intended to see if he could grow hay on it.<sup>220</sup> The spirit of experimentation was fused with commitment to change which pervaded the whole of estate management and transformed development and production.

If arable area was being increased however, it is evident that in some instances available resources were not sufficient to plant it in the 1680's and 1690's, and that at that period estate management was further consolidated

by the strengthening of centralised control.<sup>221</sup> Young plants, presumably saplings, were sent from the Cortachy nursery to the Airlie Banffshire estates, and seeds and trees were ordered for them in Holland.<sup>222</sup> In early 1686 it was considered that newly tilled land would have to remain unplanted unless "yowr Los may helpe it owtt of your nwrserie . . . . and send them . . . . . with the first hors thatt coms over hier."<sup>223</sup> Not only indigenous material was relied on, however. The factor on the Banffshire estates obviously believed in diversifying. At the beginning of September 1691 a letter had been received "from daniell showing me yt he ordered my seeds and yor Los trees to com from holand."<sup>224</sup> Dutch influence on the estates of Forfarshire landowners in the 1680's and 1690's, if not earlier, must have been considerable. Although Airlie issued instructions on planting on his northern properties,<sup>225</sup> centralised control was qualified by a degree of independence since they had their own sources of supply. Completely separate development of pedicles of Forfarshire landowners, however, cannot be maintained. Different specialisations led to different problems and specific solutions although there appears always to have been enough common ground at least between separated mainland properties and between superiors and factors to promote joint development. Certainly increased interest by the superior could not but be profitable and some cross fertilisation took place.<sup>226</sup> However, it is apparent that if a measure of centralised control was

maintained over pendicles throughout the 1660 to 1690 period, their development followed an independent course reinforced by the evolution of the parent property.

Whereas arable influences were mainly indigenous with English and Dutch connections<sup>227</sup> those of a pastoral nature were overwhelmingly English.<sup>228</sup> The difficulties of transporting animals overseas clearly played their part in these influences compared with the relative ease of sending seeds or saplings.<sup>229</sup> It is, however, the earliness of the English influences in the pastoral sector which is most instructive. In 1657 along with other livestock stolen from the Earl of Airlie were "tuo young coves of ane ... English breid of Cattell at 30 lib ye peice."<sup>230</sup> Obviously even before the Restoration landowners realised the advantages of inter-breeding to improve their strains of livestock.<sup>231</sup> Possibly theft promoted the import of English cattle particularly in Airlie domains,<sup>232</sup> but the trade in them seems to have been relatively brisk<sup>233</sup> when they were available.<sup>234</sup> Such strains were not confined to aristocratic estates. The Woods of Bonitoun in the early 1690's had a number of English cattle on their properties.<sup>235</sup> In an account of Sir James Wood with the second Earl of Airlie "tuo English Coves and ane Bull"<sup>236</sup> which Airlie had sold him were valued at £120 Scots.<sup>237</sup> If the Airlie properties had earlier in the post-Restoration period been the subject of gross mismanagement and economic decline<sup>238</sup> by the Revolution a great change had occurred. By then those properties, along with other improvements,<sup>239</sup>

were the focus of the breeding and sale of English cattle.<sup>240</sup> New breeds were spreading throughout Forfarshire during the post-Restoration period having been introduced earlier. Even so the pastoral sector was of comparatively minor significance on Forfarshire estates between 1660 and 1690. However, the extent of its improvement throughout that era indicated the intentions of landowners for their properties and the development of mixed agriculture.

The development of Forfarshire landed property after 1660 can thus be considered in a number of ways. It was undertaken either to recoup earlier losses or was the natural process of evolution promoted by new political arrangements. The former appears to have been initially more likely with the latter succeeding it and accelerating development. Evolution was therefore in some measure promoted by outside forces. Whether or not it was accelerated by performance must remain something of a mystery although once it had been set in motion it was difficult to resist. Development was undertaken for more than its own sake, or for profit and efficiency, however. Through it the aim was to keep property in the hands of its traditional owners. Development itself was insufficient to achieve such an end. There had to be a change of attitude involving a reduction of dependence on rural estates and the re-investment of any profit in productive ends rather than in the maintenance of those who made little contribution to the

landed sector. Estate development in post-Restoration Forfarshire was part of a continuous process the intensity of which was increased by social changes involving marriage and kinship relations and alterations in the structure of indebtedness brought about by landed business including speculation. Those developments, along with the influence upon change exerted internally by factors and externally by merchants and lawyers, provided the **infrastructure** for future estate evolution.



FOOTNOTES

1. SRO GD188/33/10/26, 12.5.1660.
2. Ibid.
3. SRO GD188/34/5, SRO GD188/3/3/4, SRO GD188/33/10/25, 3.9.1686.
4. Ibid.
5. Ibid.
6. SRO GD16/29/140/Box 2/Bundle 2, 1670-80 et passim. SRO GD16/34/46, SRO GD16/34/82, SRO GD16/26/65.
7. Ibid.
8. SRO RS35/1-RS35/8, passim.  
J. Elder, The Highland Host of 1678, (1914), 137.
9. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/163.
10. Vide supra.
11. SRO GD45/14/110.
12. Stuart, Reg. Pan., xl ff.
13. SRO GD45/20/197, SRO GD45/20/198, SRO GD45/20/205.
14. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/803, SRO GD45/14/96, SRO GD45/14/108.
15. SRO GD45/14/199, 19.6.1684.
16. See Figure 6 above.
17. Ibid.
18. SRO GD188/27/8, SRO GD188/32/10, SRO GD16/29/140/Box 2/7.
19. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/163, SRO GD45/14/166.
20. SRO GD130/Box 5, Box 6, passim.
21. SRO GD188/26/55, SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
22. SRO GD188/27/7, SRO GD188/27/8, SRO GD16/29/140/Box 2/7.
23. Warden, Forfarshire, ii, 234-278.
24. SRO GD16/26/147/2, 31.1.1686.

25. Ibid.
26. SRO GD188/27/8, SRO GD188/32/10.
27. Ibid et SRO GD188/27/9, SRO GD188/32/11.
28. Ibid.
29. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/166.
30. SRO GD45/14/163.
31. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
32. SRO GD16/31/143, SRO GD16/29/140, passim.
33. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/9,  
SRO GD188/32/10.
34. SRO GD45/14/122, SRO GD45/14/162.
35. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/10,  
SRO GD188/32/11.
36. Millar, Glamis, passim.  
SRO GD16/29/140, passim.  
SRO GD188/2/4, 7.6.1649, 20.7.1649.  
SRO GD188/27/8.
37. Ibid.
38. Vide supra.
39. SRO GD188/27/8, SRO GD188/27/7, SRO GD188/32/10,  
SRO GD188/32/11.
40. Ibid.
41. SRO GD188/2/5, SRO GD188/33/10/21, 11.12.
42. SRO GD188/27/8.
43. Ibid et SRO GD188/32/10, SRO GD188/32/11.
44. Ibid.
45. Ibid.
46. Stuart, Reg. Pan., xlv-xlviii.  
SRO GD16/29/140/Box 2/7, SRO GD16/26/85, SRO GD16/31/143.
47. SRO GD188/27/8.

48. SRO GD188/32/10, 1667, Estate Accounts.
49. SRO GD188/2/5.
50. SRO GD188/32/9/21.
51. SRO GD188/27/8, SRO GD188/32/10, SRO GD188/32/11.
52. SRO GD188/27/8, 1678, Estate Accounts.
53. SRO GD188/27/8, passim.
54. SRO GD188/27/8, 1678, Estate Accounts.
55. SRO GD188/27/8.
56. Ibid.
57. Ibid et SRO GD188/32/10, SRO GD188/32/11.
58. SRO RS35/1-RS35/8. See chapter on landed business.
59. SRO GD188/27/8, SRO GD188/32/10, SRO GD188/32/11.
60. Ibid.
61. Ibid. On this see also the accounts of Thomas Ogilvy and James Ogilvy of Stronend.  
  
SRO GD16/29/140/Box 2/7, SRO GD16/31/143, SRO GD16/29/140 passim.
62. SRO GD188/27/8, 1664 Estate Accounts.
63. Ibid.
64. Ibid.
65. Ibid.
66. SRO GD188/27/8, SRO GD188/32/10, SRO GD188/32/11.
67. Ibid.
68. Ibid.
69. Ibid.
70. Ibid.
71. SRO GD188/32/10, SRO GD188/27/8 passim.
72. Ibid.
73. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
74. Ibid.

75. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/29/140, passim.
76. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
77. SRO GD16/26/85/Box 2/7.
78. Ibid.
79. SRO GD16/31/143, SRO GD16/29/140/Box 2/Bundle 3/7, SRO GD16/29/140/Box 2/Bundle 3/22, SRO GD16/29/140/Box 2/Bundle 3, 5.1.1672, SRO GD16/29/140, passim.
80. Ibid.
81. Ibid.
82. SRO GD16/29/140/Box 2/Bundle 3, 5.1.1662. Memorandum for Airlie 24 of Nov. 1671. Hereafter Memorandum.
83. Ibid.
84. Ibid.
85. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/29/140, 1660-70, passim.
86. Memorandum.
87. Ibid.
88. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
89. SRO GD16/31/143.
90. SRO GD16/26/8, SRO GD16/26/59.
91. Ibid.
92. Ibid.
93. SRO GD16/26/8/4, 23.12.1657, SRO GD16/26/8/5, 14.1.1658.
94. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
95. Ibid.
96. SRO GD16/29/59.
97. SRO GD16/26/59, 24.8.1658.
98. Ibid.
99. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85.

100. Here a word is obliterated.
101. SRO GD16/26/59, 25.8.1659.
102. Vide infra. Compare, for example, Hamilton's extant accounts and those of his successor in Banffshire Thomas Ogilvy.  
  
SRO GD16/29/140/Bundle 2, 1650-70, SRO GD16/29/140/Box 2/7.
103. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/31/143.
104. Edward in Warden, Forfarshire, ii, 234-52.  
  
Ochterlony in Warden, Forfarshire, ii, 252-78.
105. SRO GD188/27/8, SRO GD188/31/14/8, SRO GD188/31/14/10, SRO GD188/31/14/11, SRO GD188/31/14/12.
106. SRO GD188/27/8, 1663, Estate Accounts.
107. Vide Supra.
108. SRO GD188/27/8.
109. Ibid.
110. Ibid.
111. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/26/147.
112. Millar, Glamis, passim.
113. SRO GD16/26/85.
114. Ibid.
115. Cramond, Annals, passim.
116. SRO GD16/26/85, 6.2.1666.
117. Ibid.
118. SRO GD16/26/85. On this see also Thomas Ogilvy's accounts for the second half of the 1660's and the early 1670's, SRO GD16/29/140/Box 2/7. Here there is evidence of the maintenance of dykes but it is clearly not on the scale later attempted by Patrick Lawson, James Lindsay and William Fyffe.
119. SRO GD16/26/85, 4.9.1669.
120. Ibid.

121. SRO GD16/26/85, 2.10.1670.
122. Ibid.
123. Ibid.
124. SRO GD16/31/143.
125. Ibid.
126. Ibid.
127. Ibid.
128. Ibid.
129. Vide infra.
130. SRO GD45/14/163.
131. SRO GD45/14/122, SRO GD45/14/162.
132. Vide supra.
133. SRO GD16/26/147, SRO GD16/26/157, SRO GD16/26/156.
134. SRO GD16/26/164, SRO GD16/26/147.
135. Ibid.
136. Vide supra.
137. SRO GD16/26/74, 10.4.1686.
138. SRO GD16/26/74, SRO GD16/26/157. The trouble between the two men seems to have originated as a result of the succession to Thomas Ogilvy's position. Lindsay did not consider Fyffe fit to hold the position since he did not have wide enough experience of estate work "becaus hee is atowns (sic) bailzie" and was too concerned with urban problems. See SRO GD16/26/157, 12.4.1687.
139. Ibid et SRO GD16/26/74.
140. SRO GD16/26/74, 10.4.1686.
141. Ibid.
142. Ibid.
143. Ibid.
144. Ibid.
145. SRO GD16/26/157, 12.4.1687.
146. Ibid.

147. Ibid.
148. SRO GD16/26/74, 10.4.1686.
149. Ibid.
150. Ibid.
151. Ibid.
152. SRO GD16/26/156/3, 15.3.1686.
153. Ibid.
154. Warden, Forfarshire, ii, 234-78.
155. Vide supra.
156. SRO GD16/26/147.
157. Ibid.
158. Ibid.
159. SRO GD16/26/147/1, 29.12.1685.
160. SRO GD16/26/147/2, 31.1.1686.
161. Ibid.
162. Ibid.
163. Vide supra.
164. SRO GD16/26/147/2, 31.1.1686.
165. Ibid.
166. Ibid.
167. Ibid.
168. SRO GD16/26/147/3, 7.9.1691.
169. Ibid.
170. Ibid.
171. Ibid et Cramond, Annals, passim.
172. SRO GD16/26/147/3, 7.9.1691.
173. SRO GD16/26/147/4, 12.9.1691.
174. Ibid.
175. Ibid.



176. Ibid.
177. Ibid.
178. Ibid.
179. Vide supra et Warden, Forfarshire, ii, 234-78.
180. SRO GD16/26/147/4, 12.9.1691.
181. Ibid.
182. SRO GD16/26/147/3, 7.9.1691.
183. Ibid.
184. SRO GD16/26/147/3, 12.9.1691.
185. Ibid.
186. SRO GD16/26/140/Box 2/Bundle 2, 1670-1680.
187. SRO GD16/29/140/Box 2/Bundle 2, 15.1.1675. Ane note of ye muck received be James Lindsay. Hereafter Lindsay.
188. Ibid. The two were not necessarily the same although it is impossible to establish if they were used uniformly by estate officers. Dung seems to have been manure while muck appears to have been the various town wastes collected from Banff.
189. Lindsay, SRO GD16/29/140, passim. SRO GD16/26/157, SRO GD16/26/74.
190. Lindsay.
191. Ibid.
192. Ibid.
193. SRO GD16/26/61, 21.11.1675.
194. This price is based on Lindsay's own calculations of the money value of muck paid in 1674. See Lindsay.
195. Ibid.
196. Ibid.
197. Ibid. As well as town waste and manure seaweed was also being used. Vide infra.
198. Vide supra.

199. SRO GD16/26/74, 10.4.1686
200. Seaweed.
201. SRO GD16/26/74, 10.4.1686.
202. Ibid.
203. Vide supra et Edward in Warden, Forfarshire, ii, 234-52.
204. SRO GD16/29/140, passim, SRO GD16/26/147.
205. SRO GD16/26/147.
206. SRO GD16/29/140, passim. See particularly "New Garden Seeds Sold by Thomas Wyllie 1682".
207. Ibid.
208. SRO GD16/26/147.
209. SRO GD16/29/140, passim. Especially "New Garden Seeds Sold by Thomas Wyllie 1681".
210. SRO GD16/29/140/Box 2/Bundle 3 1680-1690. "Ane not of the Seeds yt is to be bought for the Earle of airlies use to the yeard of Cortachie this present year Janr 1683".
211. SRO GD16/29/140, 1680-90 passim. "New Garden Seeds Sold by Thomas Wyllie 1682".
212. SRO GD16/29/140/Box 3/Bundle 5, 4.3.1662.
213. Vide Supra.
214. SRO GD16/26/147/1, 29.12.1685.
215. Ibid.
216. Ibid.
217. SRO GD16/26/147/2, 31.1.1686.
218. SRO GD16/26/164, 20.10.1691.
219. Ibid.
220. Ibid et SRO GD16/26/147/3, 7.9.1691. Patrick Lawson informed his superior on this date that "Jams Lowie is dresing the Rowm within the great Rowm conform to your Los letter".
221. SRO GD16/26/147.
222. Ibid.

223. SRO GD16/26/147/2, 31.1.1686.
224. SRO GD16/26/147/3, 7.9.1691.
225. Edward in Warden, Forfarshire, ii, 234-52.
226. SRO GD16/26/147, SRO GD188/2/5, SRO GD45/14/163,  
SRO GD45/14/122, SRO GD45/14/162, SRO GD16/26/74.
227. For example some of the seed lists available were  
from England and if supplied from Edinburgh appear  
to have come originally from the south. See  
SRO GD16/26/147, SRO GD16/29/140, passim.
228. SRO GD16/29/140/Box 2/Bundle 3, 1680-89.  
SRO GD16/31/285, SRO GD45/18/705.  
SRO GD16/29/140/Box 2, 2.10.1689.
229. SRO GD16/26/147.
230. SRO GD16/27/63 1657.
231. R. Trow Smith, A History of British Livestock Husbandry  
to 1700 (1957), 224-9.
232. SRO GD16/29/140/Box 2/Bundle 1, 1666.
233. SRO GD16/29/131, 18.5.1693, SRO GD16/29/140/Box 2/31,  
2.10.1689.
234. See Robert Hamilton's opinion on this in August 1659  
SRO GD16/26/59, 31.8.1659 "Draweing oxen is extraordinarie  
deire be resane of the great Dearth that was amongst  
the Bestiall the last Winter".
235. SRO GD16/31/285.
236. Ibid.
237. Ibid.
238. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/26/55.
239. SRO GD16/26/147, SRO GD16/29/140.
240. SRO GD16/31/285, SRO GD16/29/140/Box 2/Bundle 3,  
1680-9.

MARRIAGE AND RELATIONSHIPS  
IN FORFARSHIRE LANDED  
SOCIETY 1660 - 1690

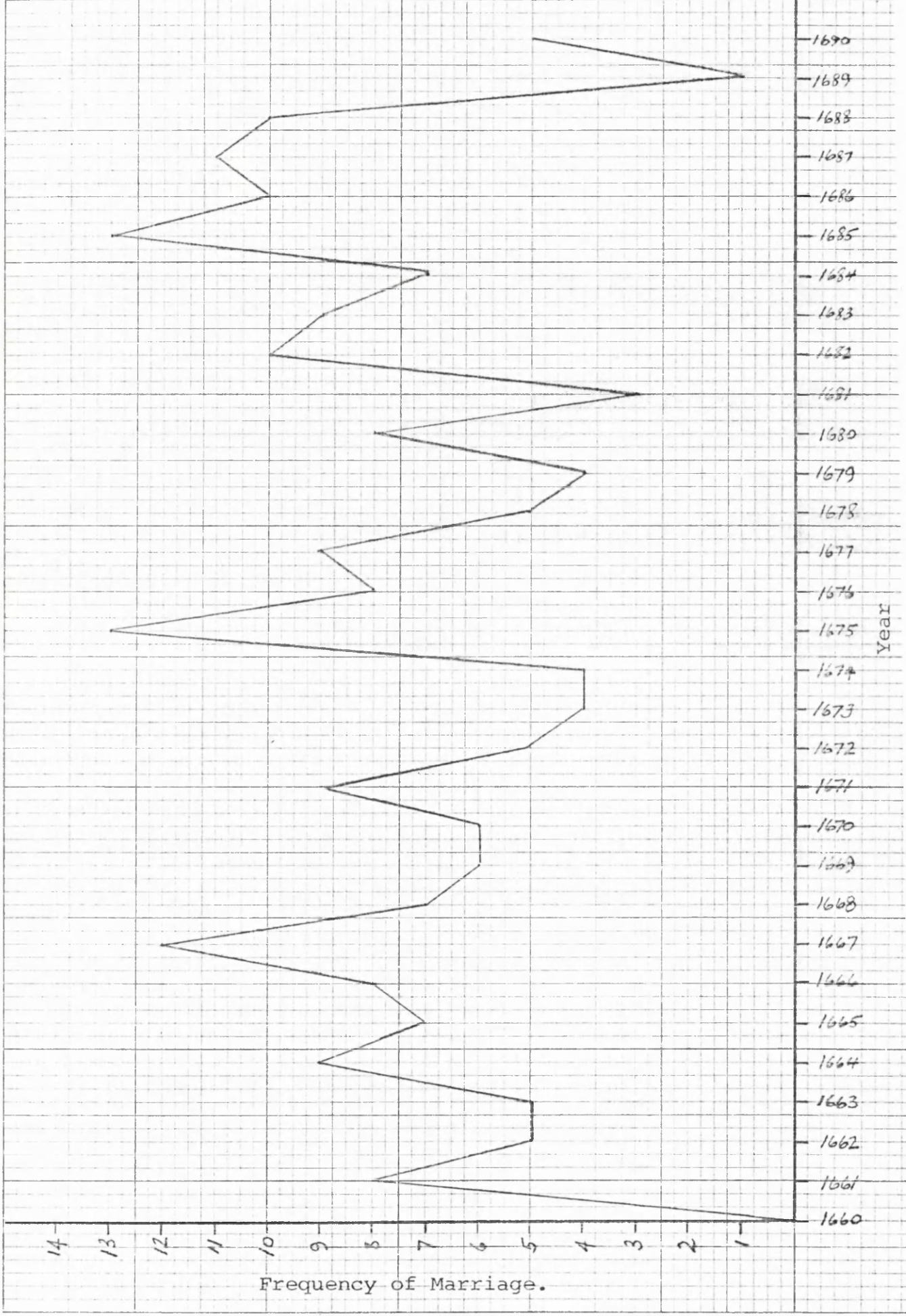
Of the social changes in the period which affected the development of Forfarshire properties, there were none more significant than those promoted by relationships. The latter were of three main types, those involving the nuclear family, the extended family and defined social groups such as aristocracy, gentry and tenantry. Assigning relationships to these categories, however, is not always easy, the same or a similar family name being no guarantee of connection.<sup>2</sup> As a result professional and craft group relationships can be more accurately reconstructed than close family connections. For example, particularly in the early post-Restoration period in the active<sup>3</sup> urban sector<sup>4</sup> the repetition of a family name was a notable aspect of the boundaries of those parcels of land being transferred,<sup>5</sup> especially in Dundee and Brechin.<sup>6</sup> Kinship, however, is not always mentioned or guaranteed although the practice connotated family and territorial closeness. Possibly because of proximity and shortage of space the nuclear family was more important in the towns and their associated territories than in the rural sector. There, relationships covered a much wider area and depended for support more on the social group than on family or relations. Relationships in general covered every area of landed society and every nuance of the family and the landed group.<sup>7</sup> Within the landed sector, however, the lairds retained an overall predominance in the force of relationships in their families and their own social group, that closeness being a gentry characteristic.<sup>8</sup> They were the most exclusive

group in Forfarshire landed society.<sup>9</sup> For example it is one of the features of marriages with attached landed bargains that the gentry predominate in them, particularly as partners for their own class.<sup>10</sup> Those beneath and above them in the social scale had wider, if less intensive, geographical and social connections.<sup>11</sup>

The origin of any interrelationship and a major force underpinning it was marriage, which was also a primary avenue of social mobility especially when Forfarshire landed society was stable to the point of rigidity grouped around the landed gentry.<sup>12</sup> The latter gave ground only in the most extreme of circumstances, robustly defending their social position even though their economic status and interdependence was steadily being whittled away.<sup>13</sup> The stability of landed society between 1660 and 1690 is evident in marriage contracts arranged during that period. Few merchants married into that sector<sup>14</sup> although clergymen were much more predominant.<sup>15</sup> Most significantly, however, the gentry tended to marry within their own group.<sup>16</sup> Intermarriage within what would now be considered socially and medically unacceptable limits was by no means uncommon as, for example, in the case of the Guthries of that Ilk<sup>17</sup> and a proposed union, which came to nothing, among the Leightons of Ulishaven.<sup>18</sup> Stability was increased by the fact that, except among nobility, few marriage partners came from outside Forfarshire,<sup>19</sup> the gentry and their social inferiors being particularly geographically restricted. Marriage carried the hopes of those who entered it for

succession, identity, socio-economic elevation and, not least, property itself. Registered contracts varied in frequency from 13 in 1675 and 1685 to two in 1689,<sup>20</sup> the average being around seven.<sup>21</sup> Peaks of activity were reached in the late 1660's, the mid 1670's and 1680's<sup>22</sup> although for the whole 1660 to 1690 era the general trend appears to have been upward.<sup>23</sup>

Marriage was vital to the maintenance of the status quo in landed society and to the protection of its constituent groups although it was very expensive. Female partners had to be provided with a tocher, which could be a great drain on family resources if a father had many daughters.<sup>24</sup> Sons also received money, property or both from their fathers.<sup>25</sup> Marriage was often the occasion for the settlement of family property on the heir<sup>26</sup> along with the payment of long standing debts.<sup>27</sup> The new couple must have, in some cases, acquired a considerable amount of property.<sup>28</sup> As well as such arrangements, wives were granted the liferent<sup>29</sup> of a part or the whole of their husband's property,<sup>30</sup> paid in money or kind.<sup>31</sup> That was more than a symbol of a husband's generosity, however. Just as the dowry was a call on the resources of a father,<sup>32</sup> so the liferent provision must have been a drain on the profits of the husband's estate.<sup>33</sup> Some women married because they themselves were in debt,<sup>34</sup> and this was possibly the reason for many second marriages. If women did not remarry, their position was generally related to that of their former husband. The widowed state, however, seems to have been a most precarious one and not one in



The Incidence of Marriages with attached Land Bargains in the General and Particular Registers of Sasines for Forfarshire 1660-1690. (fig.1)



which many were anxious to continue. That, along with the search by the gentry for capable, efficient women to be wives was as much an indication of the significance of marriage in Forfarshire landed society as anything. An estate owner needed a wife on purely administrative grounds. This, and traditional attitudes to property and succession, virtually made marriage a necessity.

The Forfarshire gentry were the most prominent group in the marriage contracts noted in the Registers of Sasines.<sup>35</sup> Their marriages in the three decades after 1660 were complex and extensive.<sup>36</sup> Some trends, however, may be clearly distinguished. Their predilection for partners from Forfarshire<sup>37</sup> was especially strong.<sup>38</sup> There was also a very definite geographical connection in their marriages.<sup>39</sup> They not only married within their shire group, almost without exception, but marriages tended to be between if not neighbouring families at least families in close proximity. Interfamily marriage, although not common, also took place<sup>40</sup> as among nobility.<sup>41</sup> There was also a definite marital connection between gentry and clergy.<sup>42</sup> The latter group, however, if it considered marriage into a gentry family desirable, seems also to have retained some exclusiveness, Isobel Thomson the daughter of the Reverend John Thomson marrying the Reverend John Fyffe minister at Ruthven.<sup>43</sup> Registered marriage contracts covered the whole of landed society urban and rural and not simply its upper echelons.<sup>44</sup>

However, the middle ranks of that society were disproportionately represented,<sup>45</sup> that being the sector which was most intimately connected with the land market.<sup>46</sup>

If the Forfarshire lairds were inclined to marry within their own group<sup>47</sup> that is by no means the end of gentry unions and relationships. In at least two cases the sisters of lairds married into other gentry families.<sup>48</sup> Bessie Campbell, the sister of George Campbell of Crunane in Glenisla,<sup>49</sup> married William Farquharson of Craignetie their marriage contract being registered on 10 September 1674.<sup>50</sup> Secondly Helen Spence, the sister of Nathaniel Spence of Lathalland,<sup>51</sup> was the widow of George Campbell eldest son of Alexander Campbell of Carsegowrie in mid 1680.<sup>52</sup> More significantly the gentry made decisive inroads into the tenant body. The daughters of tenants marrying lairds,<sup>53</sup> and the daughters of lairds marrying tenants<sup>54</sup> or their sons were the most common arrangements involving the two groups. There is also one example of a tenant, John Kid in Kirkinbus, marrying Margaret Mortimer the widow of John Mortimer the laird of Parkford,<sup>55</sup> a union which brought him the latter estate.<sup>56</sup> Obviously a gentry marriage was much to be desired even for a member of a gentry family who might not inherit the family estate but especially for a tenant, whose entry to that group was thereby assured.

The marital exclusiveness of the gentry was based on group and rural relationships. They left any connection outside those spheres to the last resort. Such unions did

occur, however. On 2 April 1678 a marriage contract was registered between a laird, James Farquharson of Kethick, and the widow of a maltman burgess Elspet Mitchell,<sup>57</sup> while about sixteen months later the second daughter of a laird, Catherine Watson,<sup>58</sup> married Thomas Watson, the son of a Dundee bailie.<sup>59</sup> Although the small number of gentry marriages outside the landed sector may be misleading, since there were probably more in which no landed bargain was involved, it is significant that the gentry behaved in this fashion when engaged in deals which affected their landed status.

Tenantry, though sometimes chosen by the gentry as partners,<sup>60</sup> chose their own marriage partners from a wider social circle than the lairds, particularly beyond the landed environment<sup>61</sup> in urban craft circles.<sup>62</sup> On 1st April 1668 the marriage of James Hutcheon, a glover in Kingoldrum, and Catherine Wilkie, daughter of Alexander Wilkie tenant in Clynes, was noted in the Particular Register of Sasines.<sup>63</sup> Eight years later another marriage contract was registered between Alexander Craig, a weaver in the Hill of Dundee, and Helen Nairn, the daughter of John Nairn in Finsgreen.<sup>64</sup> Obviously daughters were more at liberty to marry outside landed society than the male offspring of tenantry. The former, however, did not only marry into craft circles. On 7 July 1676 the terms of a marriage contract were registered in the Particular Register of Sasines between Helen Petrie, the daughter of George Petrie tenant

in Hioch, and John Anderson, younger portioner of Achranney.<sup>65</sup> Despite such examples, however, the frequency of tenants marrying into the urban sector, and whether it was greater than that practiced among the lairds, is unclear.<sup>66</sup>

The marriages of the inhabitants of towns had their own characteristics. The main ones were craft intermarriage<sup>67</sup> and geographical connection, namely partners coming mostly from the same town<sup>68</sup> and presumably from the same part of the town.<sup>69</sup> On 16 November 1664, a Brechin glover, John Langlands younger, married Marjorie Watt either the daughter or sister of another glover Alexander Watt,<sup>70</sup> the family relationship being uncertain.<sup>71</sup> The glovers were particularly active in the post-Restoration period in the marriage stakes. One for example, James Rattray, a Kirriemuir glover, married Catherine Ireland the daughter of a school-master the terms of the contract being registered in 1676.<sup>72</sup> Lairds and other members of gentry families also married town dwellers although it is noticeable that such arrangements were infrequent and towards the end of the post-Restoration epoch.<sup>73</sup>

If gentry marriages outside rural landed circles were not frequent, the penetration of landed society by those from outside was even less so. Problems of communication were at the heart of this landed characteristic which applied less to the aristocracy than to other groups.<sup>74</sup> Even when

outsiders did manage to infiltrate rural circles,<sup>75</sup> however, they were not always new to the landed sector. Different branches of the same family from different areas and groups intermarried,<sup>76</sup> crossing both the urban-rural and group divisions.<sup>77</sup> This was certainly the case when Thomas Watson, the son of Thomas Watson a Dundee bailie, married Catherine Watson, the second daughter of Robert Watson of Grange of Barry.<sup>78</sup> Any breakdown of exclusiveness of the Forfarshire landed sector and the groups which made it up was, however, purely superficial.

The Forfarshire nobility arranged some crucially significant marriages in the post-Restoration epoch demonstrating not only wifely qualities sought but also the attitudes to female partners. In two opposing instances the importance of a well chosen and diligent wife were made clear. Writing in 1687 the Earl of Strathmore pointed out that he had reason to be grateful for marrying his wife "who's care has been of her children and to stay at home and guide wtin the house her part".<sup>79</sup> On the other hand throughout some of the extant Northesk papers<sup>80</sup> the activities of Jane, Countess of Northesk in attempting to favour her son Alexander, the laird of Kinfauns,<sup>81</sup> in preference to her husband's successor<sup>82</sup> are elaborated.<sup>83</sup> Her efforts to add to the fortune of Kinfauns virtually ruined the family.<sup>84</sup> Mother and son were hated by the rest of the Northesks for bringing them so low<sup>85</sup> and even if they were unsuccessful in establishing Alexander as heir to the Earl of Northesk<sup>86</sup> the

subsequent litigation cost the family very dear.<sup>87</sup> Clearly these were extreme cases. Nevertheless they demonstrated what was desirable and unacceptable, the dangers inherent in an unfortunate marriage and the reason for circumspection by much of landed society. The Northesk family was by no means alone in being at the mercy of an able and unscrupulous woman. One of the features of the Airlie family throughout the second half of the seventeenth century was the ability and strength of character of the women in the family and the women they married.<sup>88</sup> These qualities were evident when Lord Couper married Marion, the third daughter and fifth child of the second Earl of Airlie.<sup>89</sup> He was eighty and she twenty six<sup>90</sup> and the union, entered against all advice,<sup>91</sup> was a disaster.<sup>92</sup> The young and wilful wife managed to have Couper's property conveyed to her before he died,<sup>93</sup> though ~~his~~ was later set aside.<sup>94</sup> Marriage could not be undertaken lightly when property was at stake, when commercial or political partners had to be placated, or when succession was important.

A wife, particularly in a rural context, married to an estate owner was as much a business partner as anything else.<sup>95</sup> In the majority of cases she had to be trusted with a share of responsibility. Her administration of the household was vital to family and estate welfare,<sup>96</sup> and her partnership with her husband had to be based on trust for she most likely knew all estate business and could use it for good or ill. A wife could increase or decrease her

husband's property and her children's patrimony, especially when, as was often the case,<sup>97</sup> she was granted the liferent of half her husband's estate. Equally she was often her husband's business manager when he was absent from his property<sup>98</sup> and the control of family affairs could fall into her hands for lengthy periods. The concern with marriage contracts,<sup>99</sup> their painstaking detail,<sup>100</sup> the participation of a wide spectrum of the families of the two principals in them<sup>101</sup> and the urge, particularly among the gentry, to marry within their own group<sup>102</sup> is hardly surprising.

In their marriages in the post-Restoration epoch the Forfarshire aristocracy were clearly concerned with succession but they also considered a wife an economic advantage for administering their home or homes.<sup>103</sup> Although the marriages of Kinghorn and Northesk were diametrically opposed,<sup>104</sup> the majority of Forfarshire nobility were fortunate in the wives they chose both in terms of political expediency and economic advantage. Most wives had some degree of administrative ability and could involve themselves in the management of family properties. One major difference between the unions of the aristocracy and those of the gentry appears to have been that the former, as well as drawing their wives mostly from the same class as themselves,<sup>105</sup> were not geographically restricted in their choice.<sup>106</sup> For example the second Earl of Airlie, when Lord Ogilvy, had married Helen Ogilvy the daughter of

George, first Lord Banff<sup>107</sup> and acquired extensive rights in Banffshire thereby.<sup>108</sup> Certainly there was a family connection in the marriage although whether it was undertaken for reasons of property and wealth as well as family politics is not clear.<sup>109</sup> There were too many factors surrounding it and bolstering it<sup>110</sup> for it to have been simply a love match. The family historian, however, treats it rather superficially.<sup>111</sup> Lady Ogilvy died in 1664.<sup>112</sup> Airlie's second wife, whom he married in 1669,<sup>113</sup> was Mary Marchioness of Huntly the widow of Lewis, the third Marquis of Huntly.<sup>114</sup> The union was less full of political and family overtones and was also more spontaneous than Airlie's first marriage.<sup>115</sup> His second wife was an altogether more able woman than Helen Ogilvy<sup>116</sup> and also brought to the administration of Airlie northern properties the factorship of Alexander Duff of Keithmore,<sup>117</sup> a valuable acquisition. After the death of his first wife the second Earl of Airlie was under the influence of two women, his mother<sup>118</sup> and his second wife.<sup>119</sup> While the former caused him considerable problems<sup>120</sup> the latter, after initial difficulties caused by her profession of Roman Catholicism<sup>121</sup> was of great assistance to him.<sup>122</sup> The men of the Ogilvy family from the Restoration to the beginning of the eighteenth century<sup>123</sup> were fortunate in the women they married. They were at once more ambitious, more rigorous and more decisive than their husbands.



If the second Earl of Airlie was restricted in his two marriages to partners from his own territories or from within the ken of his family, that was not true of the Earls of Panmure.<sup>124</sup> They married into powerful Scottish families.<sup>125</sup> They were anxious to maintain the influence of their family throughout Scotland and to retain political significance. This may have been responsible, along with their effective administration,<sup>126</sup> for the efficiency of their properties,<sup>127</sup> when their neighbours were in economic difficulties.<sup>128</sup> There is one further reason for that phenomenon. Whereas Airlie properties had only one effective superior between 1660 and 1690,<sup>129</sup> the Panmure estates had four.<sup>130</sup> All of them were more interested in their estates<sup>131</sup> than the second Earl of Airlie whose distaste for business was not unknown to his contemporaries.<sup>132</sup> The second,<sup>133</sup> third and fourth Earls of Panmure married respectively Lady Jean Campbell, the eldest daughter of John, Earl of Loudon the Lord High Chancellor of Scotland,<sup>134</sup> Lady Jean Fleming, the daughter of John Earl of Wigton<sup>135</sup> and Lady Margaret, the youngest daughter of the Duke of Hamilton.<sup>136</sup> More important than the succession of Earls and marriages, however, was the continuous Panmure family policy on estate efficiency.<sup>137</sup> Even so when James Maule of Ballumbie succeeded as fourth Earl in 1686 he was unmarried<sup>138</sup> and almost exactly a year later had arranged his contract of marriage.<sup>139</sup> He clearly saw the benefits of having a wife and family. That state must virtually have been expected of the superiors of major properties. If

celibacy was an acceptable state for the laird of Ballumbie it was obviously not for the fourth Earl of Panmure. Marriage and succession appear to have been more important to the Forfarshire aristocracy than to the gentry, almost in relation to the size of their property holdings. They had more to lose if their lines failed and needed fruitful and dependable wives as well as the reinforcement of political and economic alliances.

The marital arrangements of the Earls of Southesk<sup>140</sup> and the branches of that family in general<sup>141</sup> between 1660 and 1690 demonstrate the advantages and deficiencies of such unions in Forfarshire landed society at that period. They were clearly interested in maintaining family prestige through marriage<sup>142</sup> and paid very considerable tochers<sup>143</sup> to their female members on marriage to increase their attractiveness to powerful suitors. More important, however, were the marriages of the superiors themselves and the ability of partners. It can be inferred from the work of the historian of the Carnegies, William Fraser, that wives being infert in property was a reward for their being adequate partners,<sup>144</sup> as David the first Earl of Southesk had infert his wife in the Mains of Farnell.<sup>145</sup> If the inference is justified there seems to have been a move to make such infertment of female partners more formal as the century progressed. Very few sasines involving marriage contracts are without it in the post-Restoration period.<sup>146</sup> Wifely abilities were sought and paid dividends.

As well as desiring the daughters of powerful families for their wives,<sup>147</sup> the Earls of Southesk in at least one and possibly two instances realised one great fear of the nobility. This was that even marrying in the richest and most cautious of circumstances it was possible to get a bad wife.<sup>148</sup> The Carnegies of Northesk, and of Southesk<sup>149</sup> indeed, had more than their fair share of unfortunate marriages,<sup>150</sup> despite their great caution to maintain their immediate and extended family, their succession, their influence, properties and political importance.<sup>151</sup> All the planning in the world made no difference to the fact that two personalities clashed. In such a situation with wifely duties neglected, property could not fail to suffer.<sup>152</sup>

The Southesks also demonstrated that facility of the Forfarshire aristocracy for marrying into Scottish rather than local nobility,<sup>153</sup> a characteristic of Panmure unions.<sup>154</sup> However, the greater than average number of Southesk superiorities and corresponding marriages between 1660 and 1690,<sup>155</sup> did not benefit the estates of that family<sup>156</sup> as much as in the Panmure case,<sup>157</sup> and the personality and activities of female partners played a considerable part in this. The wife affected not only the family into which she married and her husband in particular, but also estate development and relationships. It is impossible not to be impressed, for example, by the influence of women on Airlie estates<sup>158</sup> but evidently they were by no means unique.

While the first Earl of Southesk married from within his own territorial circle<sup>159</sup> his successor, in his first marriage, did not. His first wife was Lady Mary Kerr, Lady Pitcur, the daughter of the first Earl of Roxburgh, Robert Kerr,<sup>160</sup> and his second Janet Adamson, of whom little seems to be known.<sup>161</sup> Those marriages were reasonably successful<sup>162</sup> as his father's had been<sup>163</sup> but that of the third Earl, Robert, was disastrous. Around 1660 he married Lady Anna Hamilton the daughter of the second Duke of Hamilton.<sup>164</sup> There were two sons of the marriage but it was not happy.<sup>165</sup> The reasons are not clear but incompatibility and financial troubles may be postulated. Although Anna was provided with a generous portion of £30,000 Scots,<sup>166</sup> she complained about financial matters.<sup>167</sup> Despite this disastrous marriage the continued association of the Hamilton family, one of the most powerful in Scotland, with the Forfarshire aristocracy says a great deal about the social and economic standing of the latter,<sup>168</sup> and their own desirability as partners. Charles, the fourth Earl of Southesk, succeeded in 1688 when he was 26 or 27.<sup>169</sup> He married Lady Mary Maitland in 1691<sup>170</sup> thus giving another example of the significance of a wife to the superior of a major estate. It would be most surprising if Lady Mary had no influence on her husband or his properties. She was a determined and self-assured woman<sup>171</sup> quarrelling with the other curators her husband had provided for his heir.<sup>172</sup>

The family history of the Carnegies makes light of their marital problems and their important personal, administrative, territorial and economic effects.<sup>173</sup> It is clear, however, that while the Southesks had not the advantages of a Kinghorn marriage,<sup>174</sup> or the vigour which superiority changes could effect,<sup>175</sup> or the problems of a Northesk in having a wife diametrically opposed to them,<sup>176</sup> they were not as fortunate as they might have been. The Southesk properties were extensive and rich,<sup>177</sup> however, and in spite of such difficulties and having to pay out crippling amounts of money in tochers,<sup>178</sup> they survived well enough for the fourth Earl to live in "considerable splendour"<sup>179</sup> at Kinnaird and Leuchars after the Revolution.<sup>180</sup> Their success was as much because of the administrative ability of the first Earl<sup>181</sup> and the natural fertility of the land as anything the second, third and fourth Earls of Southesk did.<sup>182</sup> Their family was also extensive in Forfarshire<sup>183</sup> and most of their property was controlled by family members.<sup>184</sup> This was another reason for their success. They were much more family orientated than any of the other Forfarshire aristocrats, only the Ogilvies bearing comparison with them in this respect.<sup>185</sup> This resulted in tight family control of estates without relying too greatly on outside assistance, and authority and loyalty based on consanguinity.<sup>186</sup> Even the occasional unfortunate marriage, self-willed wife or apathetic superior could scarcely disturb that. If one Countess of Southesk and one Countess of Northesk predominate as poor and dissatisfied wives, it is obvious that the

majority of others acted as stabilising influences on their partners, reducing their work load and taking over when they were absent.<sup>187</sup> Those were duties which have not always been considered important or with which wives have always been credited. The wife on a major estate was a decisive influence for good or ill.<sup>188</sup> That so many of them aided their husbands is a tribute to them considering their upbringing and education. On them and marriage were also based the relationships so intrinsic in the landed sector.

Marriage and family relationships mattered equally to the gentry. The Forfarshire gentry family contained most relationships necessary for its continued existence as a force in landed society. Significantly the offspring of lairds were almost always mentioned in transactions affecting their fathers. Usually the eldest son of the laird, designed the fiar of the estate, some other son, or in some cases a daughter or a brother was noted as the heir to the principal and was responsible for the continuation of any bargain made. Gentry successors were in fact being educated in the practice of group business. It is, for example, one aspect of deals involving gentry that the sons of lairds were left considerable financial burdens by their fathers which they then had to repay,<sup>189</sup> a means of continuing existing relationships. The closeness of the family relationship was also emphasised by the infighting of gentry scions in parcels of property. On

20 July 1664 Alexander Ogilvy the lawful son of David Ogilvy of Piersie and Catherine Weymes was sased in the whole lands of eastertown and westertown of Easter Glenquharity.<sup>190</sup> A month later James Ogilvy, the fiar of Newton, was sased in one seventh of the lands of Carbok of which his father was portioner.<sup>191</sup> In the early post-Restoration period lairds did not only favour their heirs or other sons as business partners, however. Nuclear connections went further than that. The heir of James Graham of Craig and later of Monorgund<sup>192</sup> in 1665 was his daughter Agnes<sup>193</sup> while Peter Lyon of Cossines and his younger brother John,<sup>194</sup> apparently acting as partners,<sup>195</sup> borrowed 500 marks Scots from one William Lindsay.<sup>196</sup> The whole gentry family not only incumbent and heir, was involved in its economic welfare.

Apart from such close family relationships,<sup>197</sup> the Forfarshire laird group was the most internally cohesive and outwardly consolidated in that shire.<sup>198</sup> They were involved in few peripheral landed activities such as being bailies or actornies.<sup>199</sup> They preferred deeper involvement in group and landed affairs, their main types of deal being financial and, more commonly, property disposition.<sup>200</sup> Any bargainers they appeared for tended to belong to their own group or were their social superiors,<sup>201</sup> a fact which increased their solidarity. However, their group relationships were made the more complex<sup>202</sup> by the fact that they made few deals inside their group in which no kinship

existed. Just as the Forfarshire lairds were the mainstay of landed business after 1660, their relationships, where they can be identified, were the lubricant of that business.<sup>203</sup>

One relatively simple example of the interconnection and interdependence of laird family and group relationships arose in early 1665.<sup>204</sup> On 30 January David Ogilvy of Newton of Glenisla was sased in the lands of Glenmarkie by James Farquharson of Kinneirs.<sup>205</sup> Ogilvy's wife was one Helen Farquharson, and although no relationship is mentioned between her and the conveyor of Glenmarkie doubtless one existed.<sup>206</sup> The relationship did not end there, however. Three days later David Ogilvy infeft William Farquharson of Craignetie in the land he had received from Farquharson of Kinneirs.<sup>207</sup> The laird of Craignetie was deeply involved in appearing at Dundee for the registration of other people's sasines<sup>208</sup> but no relationship between him and either Ogilvy's wife or the laird of Kinneirs is mentioned.<sup>209</sup> The Farquharsons were one of the smaller gentry families in Forfarshire and their relationships both nuclear and group make it clear that anyone like Ogilvy of Newton who infiltrated their family by marriage was expected to become a part of it rather than take its members into his own family. An even more complex relationship was that of Sir Gilbert Auchinleck of that Ilk, who was distantly related to his creditors the Woods and the Blairs through the marriage of his sister.<sup>210</sup> Group and family relationships within the Forfarshire gentry



involved both the very simple<sup>211</sup> and the very complex.<sup>212</sup> They were taken to the ultimate<sup>213</sup> in the gentry search for identity, solvency and status thereby giving that group unique and dynamic characteristics.

Tenantry were equally committed to the continuation of their families and properties. In their case, however, the nuclear family was mainly involved rather than the group. Tenant predilection for the former type of relationship was probably greater than for any other because their tenurial position was inherently less secure than that of the gentry. Parents, wives and daughters of tenantry were less involved in landed business than those of the latter groups, although they were occasionally favoured as heirs or infeft in parcels of land. In general tenant family relationships were closely focussed on the male successor. On 27 July 1664 John Scrymgeour senior sased his son John in the whole lands of Baldovie and Strickmartine comprehending the Kirkton of Strickmartine and Balmadoun.<sup>214</sup> The extent of the infeftment also makes it clear that there were those Forfarshire tenants who held large tracts of property and basically required only a change in the form of their tenure to become heritors. Some of them must have leased areas of comparable size to gentry holdings. However, the divergent nature, size and quality of their lands and the diversity of their group made them an amorphous constituent of Forfarshire landed society. They were therefore more dependent on direct family relationships than many others. About three months after Scrymgeour's sasine in favour of

his son, John Roder took over the lands of Middingstead in Kirriemuir from his father Christopher.<sup>215</sup> Those lands were much smaller than those of Baldovie and Strickmartine<sup>216</sup> though the emphasis of the tenantry on the maintenance of its properties within the family, as opposed to the group, was the same. In another instance, in mid 1665, John Erskine elder at Dunsmill irreversibly sold a tenement of land in Brechin to his son John.<sup>217</sup> The concentration of Forfarshire tenantry on their nuclear family was clearly shire-wide and related to property of all sizes and quality.

Where members of tenant families other than male heirs were involved in landed transactions it is noticeable that at once smaller parcels of land were involved and that they were in general situated in or close to urban areas.<sup>218</sup> On 15 July 1664 William Hendrie's tenement and rood of land were taken over by his son John and his wife.<sup>219</sup> The following month the parents of Andrew Auchinleck were sased in part of the fruits of the lands of Clepington in the barony of Dudhope<sup>220</sup> for a loan of £400 Scots to Viscount Dudhope.<sup>221</sup> The parents of a tenant were the remotest family relationship involved in that group's activities. It was impossible to focus attention solely on male successors. In late 1664 Janet Ramsay, as the heir of John Ramsay, was sased in four roods of Caldham by the Earl of Southesk.<sup>222</sup> It is not clear whether she was the wife, daughter or sister of John Ramsay<sup>223</sup> but it is noticeable as in the case of the parents of Auchinleck that an outside agency was involved. Presumably if that had not

been the case another, closer connection would have been chosen, if available. The female members of the Forfarshire tenant families were not well treated. They were considered only as a means of giving heirs. Only in the last resort, when male lines failed, were they considered capable of administering property. Presumably because of insecure tenure the tenant group was aggressively male orientated to the virtual neglect of the distaff side.<sup>224</sup> Provision for that side and the settlement of lands on it was left to other agencies.<sup>225</sup>

Tenant group relationships had another characteristic connected with security. Many had neighbours who had the same surname as themselves and were presumably related. Therefore a family could create a presence in a particular area. A bargain which demonstrated this was registered on 8 March 1665.<sup>226</sup> David Moor was sased in lands on the east of Kirriemuir by David Graham of Fintry.<sup>227</sup> One of his neighbours was his father Quintin,<sup>228</sup> both being clearly anxious to create a family presence around east Kirriemuir. They were doubtless also keen to increase the joint size of their landholding in the interest of efficient working, a kind of consolidation which was not uncommon in Forfarshire.<sup>229</sup> Another obvious feature of tenant group relationships was their connection with the gentry. Throughout the 1660 to 1690 period they increasingly became a focus of gentry credit.<sup>230</sup> They were, however, all but

incapable of taking advantage of that position to permeate gentry property in anything other than a reversible capacity.<sup>231</sup>

In the group relationship between lairds and tenants the former were always the controlling force. Only in a few individual credit arrangements like those of Colin Campbell of Lundie<sup>232</sup> was that trend reversed, and that was more through the ineptitude of the debtor than the influence of his creditors. If merchants, clergy and craftsmen were dynamic groups in Forfarshire landed society the tenants seem to have had neither their drive nor their opportunities. They were too closely associated with the one group.<sup>233</sup>

Tenants were also the neighbours of gentry and employed by them in various capacities.<sup>234</sup> David Carnegie and his wife Margaret Gibson were neighbours of Alexander Carnegie of Cookestone in Brechin,<sup>235</sup> though it is not known whether a relationship existed.<sup>236</sup> Where kinship probably was present was in another relationship of the two groups, where tenants were the bailies of the gentry. That office involved landed security and the implementation of bargains. In an overwhelming majority of deals those who were used as bailies were tenants related to the disposer.<sup>237</sup> It might therefore be thought that the relationships of the tenant and laird groups in post-Restoration Forfarshire were complementary. The evidence, however, does not bear that out. Whereas in financial deals the tenants supported the lairds, as a group they received little in return to help them progress to a more beneficial form of landholding. The emergence of some of their members depended more on

individual ability than on the group dynamism present in other sectors. The tenant family appears to have been a stronger influence than their diverse group. That family, however, was too restricted to be of much help for the economic and social advance they needed to make if they were to be on a par with other groups. The great advantage of tenants was their numbers. They were hindered by their insularity and by over dependence on their family rather than on a broader social base.

Possibly the single most important aspect of landed relationships between 1660 and 1690 was the position of the parish minister as a force in landed rather than purely religious matters. Some of these men, rather more wordly than their calling would suggest, were deeply involved in Forfarshire landed deals either as principals or as the relatives of principals.<sup>238</sup> It may not be going too far to suggest, indeed, that the peculiar characteristics of Forfarshire during the religious troubles of the post-Restoration epoch<sup>239</sup> were partially caused by the business involvement of its clergy. There are cases of ministers, the fathers or sons of Forfarshire lairds, being intimately involved in landed business for their own advantage rather than giving care and attention to the welfare of their flock.<sup>240</sup> For example John Johnstone of Wardmilne, the minister of Barry as well as a laird,<sup>241</sup> was a business partner of James Maule of Ballumbie, a future Earl of Northesk.<sup>242</sup> Dr. Alexander Edward, the minister of Erroll,<sup>243</sup> was the creditor of the Earl of Strathmore and took £240 Scots annual rent out of the lands of Balgillie,<sup>244</sup> and John Balvaird, the minister at Idvie,<sup>245</sup> was owed

800 marks Scots by Sir John Wood of Bonnyton.<sup>246</sup> Although not as extensive as their landed involvement, there is some evidence that clergy were also connected to the merchant sector. For example Alexander Edward younger, merchant in Dundee, was the father of Robert Edward minister at Murroes.<sup>247</sup> Doubtless the origins of some members of both groups in the gentry was responsible for that connection.<sup>248</sup> However, despite such wide-ranging activities and relationships, there never seems to have been any conflict of allegiance between their duties and other commitments in ministers minds. They were capable of accommodating all of them.

Although the Forfarshire clergy had extensive landed relationships and some contact with merchants, they tended unlike most other groups, not to be internally cohesive.<sup>249</sup> Some transactions of the Bishop of Brechin throughout the period did, however, favour other clergymen. In early 1674, for example, he conveyed Pitforthie to William Rait a minister at Dundee.<sup>250</sup> Nevertheless as a rule clerical relationships were with those beyond the group mostly with lairds as creditors and very often with related lairds.<sup>251</sup> Family relationships, indeed, were the most significant to them. Having a son who was a heritable proprietor seemed to be considered prestigious, a propertied position to be maintained by the clergyman. That anxiety for property may be seen from the evidence of daughters of ministers marrying gentry. In April 1678 Isobel Nevay, the daughter

of David Nevay minister at Glenisla, married David Farquharson of Kinneirs,<sup>252</sup> and early in 1690 Catherine Lyon, the daughter of John Lyon the minister at Tealing, was the wife of Robert Fletcher of Ballinscho.<sup>253</sup> Even where a father and son were both ministers and no gentry connection is evident, as in the case of James Thomson senior and junior the ministers at Kinnell,<sup>254</sup> transactions took place between them to maintain and reinforce any property influence they might have.<sup>255</sup> Their relationships, therefore, were not essentially clerical but infected by those of the land.

While parish clergy were family, gentry and credit orientated, the landed relationships of the Bishop of Brechin were largely based on the disposition of land to tenantry.<sup>256</sup> For example in July 1671 David, Bishop of Brechin alienated a tenement in favour of Robert Taylor<sup>257</sup> while about five years later his successor as Bishop, Robert, granted a tenement to John Spence a clerk in Brechin.<sup>258</sup> This difference between the clerical strata is a singular ambiguity. The higher level of church administration made deals with the lowest echelons of landed society while at parish level not tenantry but gentry were largely favoured by credit. It may be explained by the status of the Bishop as an administrator of church property though the number of charters of feu-ferme he gave would suggest a conscious policy of favouring tenants and some of his clergy.

The presence of the latter should not be allowed to cloud the issue and overshadow the predominance of tenants in episcopal business. There were only a few transactions between bishop and ministers. One deal was registered at Dundee on 14 September 1665 when James Carnegie the minister at Rogerstoun was sased in an acre of arable land by the Bishop of Brechin.<sup>259</sup> Most ministers, however, acted independently of other clergymen.<sup>260</sup> It is one aspect of this independence that ministers involved in financial deals between 1660 and 1690 were almost invariably creditors,<sup>261</sup> and the few who were debtors were lairds as well as ministers.<sup>262</sup> Their easy entry to gentry society in their capacity as churchmen, creditors and relatives gave them extra social leverage they scarcely needed given their economic position. They were virtually an independent source of finance for landed society and their personal and group relationships must be seen in that perspective. Their economic significance led to their permeation of the landed sector and increased their complex relationships with it.

In consequence ministers were more closely allied to landowning groups than the mercantile classes, even though on occasion clerical origins may have been in the latter. The merchants, indeed, were curiously isolated from both of those social groups, as emerges from an examination of the salient features of Forfarshire merchant relationships between 1660 and 1690. That group was poorly represented



in marriages into rural society.<sup>263</sup> In one case the minister son of a merchant father<sup>264</sup> married the daughter of a laird,<sup>265</sup> but this was the deepest mercantile involvement in the landed sector.<sup>266</sup> Virtually at every level the Forfarshire merchants failed to penetrate landed society.<sup>267</sup> The latter sector succeeded in keeping them at bay for long periods when they attempted financial infiltration.<sup>268</sup> Secondly merchants were interested more than any other urban group in making family deals. This concern with the nuclear family was reinforced by two facts. They appeared at Dundee more often for the registration of family sasines than the craftsmen<sup>269</sup> and disposed of their property reversibly rather than irreversibly.<sup>270</sup> The merchants thirdly, were more liable to infiltration from outside Forfarshire than any other group.<sup>271</sup>

The family relationships of merchant burgesses participating in landed deals between 1660 and 1690 were less restricted than those more deeply involved in the land. Such relationships were normally based on credit and the takeover of property though the male offspring of the merchant group, who did not always follow that profession, were more frequent participants in land deals than first generation merchants. On 8 November 1664 John Milne a merchant of Brechin was infeft in three roods of land by John Milne at the Mill of Rescobie.<sup>272</sup> No family relationship between the two is mentioned though there probably was one.<sup>273</sup> The Milne family was socially well advanced for

tenants in Brechin and its environs and Andrew Milne, the son of the tenant at the Mill of Rescobie,<sup>274</sup> a schoolmaster in the city,<sup>275</sup> consented to his father's alienation of land to the merchant. If no definite family relationship was mentioned in the case of the Milnes that was not so in the sasine registered in favour of the brothers Robert and Andrew Fraser.<sup>276</sup> They were the sons of Alexander Fraser a deceased merchant burghess of Dundee.<sup>277</sup> Although neither was mentioned as a merchant,<sup>278</sup> they were evidently using their father's wealth to buy into the landed sector. On 26 May 1665 James Robertson, a cordiner in Rottenrow sased them in six roods of land there.<sup>279</sup> The general influence of the merchant family in landed circles therefore was less pronounced than that of individuals. At least in the former sphere, however, it was a continuing phenomenon, emphasising the fact that the influence of merchants was more than purely transitory.

The group relationships of merchants were largely peripheral.<sup>280</sup> They appeared at Dundee for members of other groups though this did not occur often.<sup>281</sup> Their influence on relationships with other groups was therefore limited, as was that within their own group.<sup>282</sup> Since they had no deep group involvement in landed society their actions may be construed as awaiting the opportunity for infiltration. It was, however, no more than that.<sup>283</sup> If anything merchants lost ground in landed affairs between 1660 and 1690<sup>284</sup> or at best were marking time.<sup>285</sup> Mercantile dynamism and economic awareness have always been recognised

by the very nature of the profession.<sup>286</sup> The family participation in their affairs and their atrophied group influence have not. Examples of the latter two were given by two sasines registered on 8 December 1664<sup>287</sup> and 1 December 1665.<sup>288</sup> According to these William Rait a merchant burgess of Dundee appeared there for a relative of his, possibly his brother,<sup>289</sup> the Reverend Robert Rait minister at the church of Inverkeillor.<sup>290</sup> The Rait family<sup>291</sup> was clearly one which recognised the advantages of pooling resources, and the kinship aspect of group relationships may be noticed in their affairs, a merchant and a minister being involved in a family transaction. Also noticeable is one other element in merchant group relationships. Dundee merchants rather than those of the other major Forfarshire burghs participated most in landed affairs. There were those more intimately involved than William Rait and more group orientated, however. Patrick Bowar of Wester Methie, a merchant burgess of Dundee,<sup>292</sup> alienated a tenement to William Smith, another merchant, on 20 May 1665.<sup>293</sup> That can scarcely be called a new acquisition for the merchant group since it was granted by one member of the group to another. Merchants were scarcely increasing their holdings of territory after 1660.<sup>294</sup> They were partially responsible, however, for the administration and support of landed society.<sup>295</sup> That groundwork remained as a monument to their activity and itself an invitation to further infiltration when the time

was ripe.

The remaining urban groups with more than a quarter of landed transactions also had connections affecting the evolution of town lands and their territories. Although the significance of various craft groups in landed deals was different at various times throughout the post-Restoration period, the cumulative influence of the cloth trades in particular was considerable.<sup>296</sup> Bonnet makers in the Hill of Dundee were important in land deals in the first half of the 1660's<sup>297</sup> to be followed by glovers and tailors notably in and around Brechin.<sup>298</sup> This was in addition to the general if superficial significance of the weaving craft in that sector.<sup>299</sup> Some craftsmen<sup>300</sup> were also individually wealthy.<sup>301</sup> John Fyffe a glover in Brechin for example, disposed of fifteen and a third roods of land to John Gairner a wheelwright on 8 April 1665.<sup>302</sup> There were, therefore, inter-group associations, but the craft group to which he belonged was very significant to the individual craftsman often superseding his family connections. That importance was reinforced by financial introversion and intermarriage.<sup>303</sup> A large proportion of craft involvement in the landed sector concerned funding<sup>304</sup> and was rarely outside the craft group,<sup>305</sup> clothiers being most frequently represented.<sup>306</sup> Craftsmen also married within their own group<sup>307</sup> and alienated property to other burgesses.<sup>308</sup> They did, however, have some relationships outside their group. For example they appeared at Dundee

for the registration of the sasines of a wide variety of people. Such small scale landed activity covering all types of bargains and many relationships was an essential feature of Forfarshire society and the craft groups emergence as a significant force in the landed sector after 1660.<sup>309</sup> Those groups, particularly clothiers, were exerting pressure at the lower levels of that sector throughout the post-Restoration period. They seem not, however, like a few merchant burgesses, to have used their relationships to penetrate rural society though it is quite clear that some of them had the wealth to do that.<sup>310</sup> They found the urban landed environment secure if uninspiring.

In all classes of society such trends were virtually the same throughout the 1660 to 1690 period though some development is noticeable in certain sectors. It is apparent for example, that around the middle of the post-Restoration period kinship relationships were becoming increasingly strong.<sup>311</sup> The use of kin in landed bargains then covered all sections of landed society not only those areas in which it was traditionally predominant,<sup>312</sup> possibly because of the somewhat uncertain economic environment of the late 1660's and early 1670's.<sup>313</sup> Later in the period a similar trend can be seen.<sup>314</sup> The use of relationships was by then more accentuated<sup>315</sup> among the rural gentry and no longer as evident in the urban sector among the craftsmen.<sup>316</sup> The former group, despite some increased financial infiltration of their ranks,<sup>317</sup> remained the most self-sufficient group

in landed Forfarshire. Within their ranks all types of relationships, consanguineous and otherwise, reached their zenith, an achievement which could only be envied by others wishing to infiltrate or emulate that group. Some imitation did take place among the merchants, who were involved within their own group<sup>318</sup> and by then had some group connection in landed deals with the craftsmen,<sup>319</sup> but that was largely insignificant.

The family remained important in late post-Restoration Forfarshire for the traditional reasons of identity and the provision of heirs. By that time, however, the gentry had taken it to a new plateau in its supportive function which other groups tried, most unsuccessfully, to follow. Family relationships had other singular characteristics. In the urban sector, for example, few such relationships did not involve father and son.<sup>320</sup> One exception was registered on 2 July 1680 between the brothers Skinner,<sup>321</sup> a less direct relationship of the same type occurring six days later.<sup>322</sup> The nuclear relationships of the rural gentry, on the other hand, were somewhat more comprehensive. Lairds who were also fathers paid much more attention to the needs of their daughters than to their sons,<sup>323</sup> presumably because of the greater need to provide partners for them in the less densely populated countryside. At the same time the relationship between gentry sons was more intense than that among urban dwellers.<sup>324</sup> The extended family connection also continued in significance in the late post-Restoration period in

Forfarshire. By that time it was even more restricted to peripheral landed activities than earlier, however, possibly due to a natural desire to favour close relatives.<sup>325</sup> Significant in this respect are extended connections within the gentry group<sup>326</sup> and of that group with others particularly merchants<sup>327</sup> and ministers.<sup>328</sup> In all types of relationships the lairds remained supreme, using their associates to bolster their entrenched positions. Throughout the post-Restoration period family and group relationships were thus the cement of Forfarshire landed society and the gentry their primary force. When the pressure of one was combined with the cohesion of the other they formed a bond difficult to penetrate and a stimulus to landed development.

Although in Forfarshire between 1660 and 1690 relationships were divided between urban and rural environments and can be separated into nuclear, extended and group connection, their importance was not thereby diminished. Superficially their evolution throughout the three decades was marginal but of extreme importance to the landed sector. There it included the breakdown of traditional supportive relationships and the substitution of flexible alternatives. Flexibility, indeed, appears to have been a new criterion in landed relationships and those sectors which included it performed more efficiently than those which did not. Whether flexibility was imposed by economic hardship, as in the case of the gentry, or voluntarily did not matter.

It was more possible in extended relationships and therefore the rural gentry could accommodate it more easily than urban craft burgess society and it helped the former to maintain their traditional landed superiority. However, even in 1690 such alterations as flexibility afforded were minor, traditional relationships remaining most significant. The former indicated the direction in which landed society had to proceed if it wanted to develop but were not of universal significance at that period though important to the efficiency of those groups which were prepared to include them.



FOOTNOTES

1. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
2. Ibid. See particularly SRO RS35/7 fo 74 21.8.1679. Vide infra.
3. About 27% of all landed transactions concerned land in urban environments. Vide supra et SRO RS35/1-RS35/8, passim.
4. S.G.E. Lythe - The Economy of Scotland in its European Setting 1550-1625 (1960), 124.  
It notes that landowning proper, as a force for agricultural change may not have been as relevant in the towns as in the countryside.
5. W.M. Mackenzie - The Scottish Burghs (1949), 173-9. Hereafter Mackenzie, Burghs.  
  
SRO RS35/1-RS35/8, passim.
6. Ibid.
7. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
8. Ibid.  
  
G.E. Mingay - The Gentry (1976), 108f. Hereafter Mingay, Gentry.  
  
J.H. Hexter - Reappraisals in History (1967), 117-162. Hereafter Hexter, Reappraisals.
9. SRO RS35/1-RS35/8, passim.
10. Ibid et vide Figure 1.
11. Ibid et vide infra.
12. Ibid.
13. Ibid.
14. Vide infra.
15. Ibid.
16. Ibid.
17. SRO GD188/25/5. Pedigree of Guthrie of Guthrie.
18. Clarence F. Leighton - Memorials of the Leightons of Ulishaven (Usan) Angus and other Scottish Families of the Name AD 1260-1931 (Privately Printed 1931), 82-3.

19. Vide infra et SRO RS35/1-RS35/8, passim.
20. See Figure 1.
21. Ibid.
22. Ibid.
23. Ibid.
24. Fraser, Southesk, ii, 113f, 122f, 127, 134, et passim.
25. SRO RS35/1-RS35/8, passim.
26. Mingay, Gentry, 109.
27. Mingay, Gentry, 110.
28. SRO RS35/3 fo 125 11.7.1666.
29. SRO RS35/1-RS35/7, passim.
30. Ibid.
31. SRO RS35/1 fo 69 24.8.1661 et passim.
32. Vide supra.
33. SRO RS35/1 fo 257 7.5.1663.
34. SRO RS35/1 fo 50 1.6.1661.
35. SRO RS35/1-RS35/7, passim.
36. Ibid.
37. Vide infra.
38. Ibid.
39. SRO RS35/1 fo 48 1.6.1661 et passim.
40. SRO RS35/1 fo 94 23.9.1661.
41. Vide supra.  
SRO RS35/2 fo 346 22.9.1665.
42. SRO RS35/2 fo 231 1.2.1665, SRO RS35/6 fo 414 4.4.1678,  
SRO RS35/5 fo 20 15.2.1672.
43. SRO RS35/3 fo 302 29.9.1667.
44. SRO RS35/1-RS35/7 passim. SRO RS35/1 fo 222 5.2.1663.

45. SRO RS35/1-RS35/7 passim.
46. Ibid.
47. Vide supra et SRO RS35/3 fo 372 20.12.1667,  
SRO RS35/4 fo 77 11.11.1668.
48. SRO RS35/5 fo 320 10.9.1674, SRO RS35/5 fo 323  
29.9.1674, SRO RS35/7 fo 168 8.5.1680 et  
SRO RS35/1-RS35/7 passim.
49. SRO RS35/5 fo 320 10.0.1674.
50. Ibid.
51. SRO RS35/7 fo 168 8.5.1680.
52. Ibid.
53. SRO RS35/2 fo 89 12.8.1664, SRO RS35/6 fo 331  
15.8.1677.
54. SRO RS35/3 fo 253 1.6.1667, SRO RS35/3 fo 311  
29.9.1667.
55. SRO RS35/3 fo 383 20.12.1667.
56. Ibid.
57. SRO RS35/6 fo 405 2.4.1678.
58. SRO RS35/7 fo 74 21.8.1679.
59. Ibid.
60. Vide infra et supra.
61. Vide infra.
62. Ibid et SRO RS35/7 fo 74 21.8.1679.
63. SRO RS35/3 fo 430 1.4.1668.
64. SRO RS35/6 fo 138 8.6.1676.
65. SRO RS35/6 fo 154 7.7.1676.
66. SRO RS35/6 fo 342 7.9.1677.
67. Vide infra.
68. Ibid.
69. S. Thrupp - The Merchant Class of Medieval London  
(1962) 28-9.

SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim. This  
is very difficult to prove.

70. SRO RS35/2 fo 181 16.11.1664.
71. Ibid.
72. SRO RS35/6 fo 212 26.10.1676.
73. SRO RS35/1-RS35/8, passim.
74. Vide supra.
75. SRO RS35/2 fo 344 29.9.1665.
76. SRO RS35/6 fo 462 8.12.1678.
77. Ibid.
78. SRO RS35/7 fo 74 21.8.1679.
79. Millar, Glamis, xviii.
80. SRO GD130/Box 5, SRO GD130/Box 6, passim.
81. Ibid.
82. Fraser, Southesk, cix.
83. Ibid et SRO GD130/Box 6/Bundle 10. A note written by the Earl of Northesk in 1837 states that the document on which it is written is preserved to show how Jane Countess of Northesk contributed to embarrass the family and to explain why her picture at Ethie was damaged by one of her descendants. Clearly old resentments died very hard.
84. SRO GD130/Box 5, SRO GD130/Box 6, passim.
85. Ibid.
86. Ibid.
87. Ibid.
88. Wilson, Airlie, passim.  
SRO GD16/34/46, SRO GD16/34/82.
89. Wilson, Airlie, ii, 88.
90. Ibid.
91. Ibid.
92. Ibid.
93. Ibid.

94. Wilson, Airlie, ii, 89.  
SRO GD16/26/55, SRO GD16/31/213.
95. Millar, Glamis, xviii.  
SRO GD16/29/113, SRO GD16/26/127.
96. Ibid.
97. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
98. SRO GD16/26/55, passim.
99. SRO RS35/1-RS35/8, passim.
100. Ibid.
101. Ibid.
102. Vide infra.
103. Vide supra.
104. Ibid.
105. Vide infra.
106. Ibid.
107. Wilson, Airlie, ii, 15.
108. SRO GD16/31/317.
109. Wilson, Airlie, ii, 14-15.
110. Ibid.
111. Ibid.
112. Wilson, Airlie, ii, 86.
113. Wilson, Airlie, ii, 105. One authority, at least, has mistaken the date. See the Marquis of Huntly - The Cock o' the North (1935), 74.
114. Wilson, Airlie, ii, 92.
115. Wilson, Airlie, ii, 92-106.
116. Wilson, Airlie, ii, passim.  
SRO GD16/29/113, SRO GD16/26/127.

117. SRO GD16/29/113, SRO GD16/26/127, SRO GD16/29/140,  
passim.  
SRO GD16/31/249, SRO GD16/26/113.
118. SRO GD16/26/20, SRO GD16/29/140 1660-1680, passim.
119. Vide supra.
120. SRO GD16/26/20, SRO GD16/29/140, 1660-1670.
121. Wilson, Airlie, ii, 102-3.
122. SRO GD16/29/113, SRO GD16/26/127.
123. Vide supra et SRO GD16/26/202.  
Wilson, Airlie, passim.
124. Stuart, Reg. Pan. xliii-xlvi.
125. Ibid.
126. SRO GD45/14/163, SRO GD45/14/166, SRO GD45/14/162,  
SRO GD45/14/122.
127. Ibid.
128. SRO GD130/Box 5, SRO GD130/Box 6, SRO GD16/29/140.
129. There were in fact two. The first Earl died in  
1666 at an advanced age but seems to have handed  
over most estate responsibilities to his successor  
much earlier. See Wilson, Airlie, i, 283f,  
SRO GD16/34/46, SRO GD16/34/82.
130. Stuart, Reg. Pan. xliii-xlvi.
131. Ibid.
132. Wilson, Airlie, ii, 4.  
Millar, Glamis, 4.  
SRO GD16/26/55, SRO GD16/34/82.
133. George the second Earl of Panmure succeeded to his  
patrimony in 1661. Stuart, Reg. Pan. xliv.
134. Stuart, Reg. Pan. xliv.
135. Stuart, Reg. Pan. xlv.
136. Stuart, Reg. Pan. xlvi.

137. Stuart, Reg. Pan, xliii-xlvi.
- SRO GD45/14/122, SRO GD45/14/162.
138. Stuart, Reg. Pan, xlvi.
139. Ibid.
140. Fraser, Southesk, ii, 70-165.
141. Ibid.
142. Ibid.
143. Ibid.
144. Fraser, Southesk, ii, 113.
145. Ibid.
146. SRO RS35/1-RS35/8, passim.
147. Vide infra.
148. Ibid.
149. SRO GD130/Box 5, SRO GD130/Box 6, passim.
150. Ibid.
151. Fraser, Southesk, ii, 70-165.
152. Vide infra.
153. Ibid.
154. Vide supra.
155. Fraser, Southesk, ii, 70-165.
156. Vide infra.
157. Warden, Forfarshire, i, 367-8.
158. SRO GD16/26/20, SRO DG16/26/127, SRO GD16/29/113.
159. Fraser, Southesk, ii, 113.
160. Fraser, Southesk, ii, 142.
161. Fraser, Southesk, ii, 143.
162. Ibid.
163. Fraser, Southesk, ii, 70-128.



164. Fraser, Southesk, ii, 146.  
R.K. Marshall - The Days of Duchess Anne (1973),  
105. Hereafter Marshall, Days.
165. Fraser, Southesk, ii, 147.  
Marshall, Days, 105.  
G. Burnet - History of His Own Time (1839), 154.  
Both of the latter authors give details of the  
amorous adventures of the Countess, Burnet being  
more explicit on the feelings of the third Earl  
on the subject.
166. Fraser, Southesk, ii, 147.
167. Fraser, Southesk, ii, 157f.
168. Vide supra et Marshall, Days, 136-7. See the  
genealogical chart provided between these two  
pages.
169. Fraser, Southesk, ii, 162.
170. Ibid.
171. Ibid.
172. Ibid.
173. Fraser, Southesk, ii, 70-165.
174. Vide supra.
175. Ibid.
176. Ibid.
177. Fraser, Southesk, i, passim.
178. Fraser, Southesk, ii, 70-165.
179. Fraser, Southesk, ii, 162.
180. Ibid.
181. Fraser, Southesk, ii, 70-165.
182. Ibid.
183. Vide supra. Figure on family estates.  
Fraser, Southesk, passim.  
SRO RS35/1-RS35/8, RS3/1-RS3/61,

184. Ibid.
185. Ibid.
186. Vide supra.
187. SRO RS35/6 fo 405 8.4.1678.
188. Vide supra et SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
189. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, SRO RS35/1 fo 64 15.7.1664, SRO GD45/21/1, SRO GD188/27/9, SRO RS35/2 fo 236 26.1.1665.
190. SRO RS35/2 fo 72 20.7.1664.
191. SRO RS35/2 fo 96 21.8.1664.
192. SRO RS35/2 fo 290 31.5.1665.
193. Ibid.
194. SRO RS35/2 fo 290 31.5.1665.
195. Ibid.
196. Ibid.
197. Vide supra.
198. SRO RS35/1-RS35/8, passim. Vide infra, chapter on finance.
199. Ibid.
200. Vide supra.
201. Ibid et SRO RS35/2 fo 258 29.3.1665.  
SRO RS35/2 fo 303 12.6.1665.
202. Ochterlony in Warden, Forfarshire, ii, 277-278.
203. The Earl of Strathmore and Kinghorn appears to have been the aristocrat most involved in landed business with the gentry and frequently they were his relatives. SRO RS35/2 fo 130 15.10.1664.
204. SRO RS35/2 fo 242 30.1.1665.
205. Ibid.
206. Ibid.

207. SRO RS35/2 fo 246 2.2.1665.
208. SRO RS35/1-RS35/8 passim. He was the opposite of normal gentry practice appearing at Dundee for a wide range of people.
209. SRO RS35/2 fo 246 2.2.1665.
210. Ibid.
211. SRO RS35/2 fo 287 31.5.1665, SRO RS35/1-RS35/2, passim.
212. Vide supra et SRO RS35/1-RS35/8 passim.
213. Ochterlony in Warden, Forfarshire, ii, 277-8.  
Mingay, Gentry, 108f.

D. Sabeau - Aspects of Kinship Behaviour and Property in Western Europe before 1800. In Goody, Thirsk and Thompson(eds.) Family and Inheritance (1976), 96.

214. SRO RS35/2 fo 84 27.7.1664.
215. SRO RS35/2 fo 136 23.10.1664.
216. Ibid.
217. SRO RS35/2 fo 275 20.5.1665.
218. SRO RS35/1-RS35/3, passim.
219. SRO RS35/2 fo 61, 15.7.1664.
220. SRO RS35/2 fo 101 22.8.1664.
221. Ibid.
222. SRO RS35/2 fo 192 16.11.1664.
223. Ibid.
224. Ibid.
225. Ibid.
226. SRO RS35/2 fo 254 8.3.1665.
227. Ibid.
228. Ibid.

229. SRO RS35/1-RS35/8, passim.  
G.S. Pryde (ed.) - Court Book of the Burgh of Kirkintilloch (SHS 1963) li-liii et passim.  
Hereafter, Pryde, Court Book.
230. Vide supra.
231. Ibid.
232. SRO RS35/2 fo 358 11.11.1665 et SRO RS35/1-RS35/8 passim.
233. SRO RS35/1-RS35/8, passim.
234. SRO GD16/31/143, SRO GD45/14/163.
235. SRO RS35/2 fo 173 15.11.1664.
236. Ibid.
237. SRO RS35/1-RS35/8, passim. For example see SRO RS35/2 fo 209 29.11.1664, SRO RS35/2 fo 346 22.9.1665.
238. SRO RS35/1-RS35/8, passim. See for example, SRO RS35/8 fo 136 1.11.1686  
SRO RS35/8 fo 295 29.5.1688.
239. I.B. Cowan, The Scottish Covenanters 1660-1688 (1976), 54.  
G.D. Henderson, Religious Life in Seventeenth Century Scotland, (1937), 232.
240. SRO RS35/7 fo 175-6 18.5.1680, SRO RS35/7 fo 204 2.7.1680, SRO RS35/7 fo 217 10.7.1680.  
For example William Rait a minister at Dundee took over the lands of Pitforthie from Robert Bishop of Brechin and became the laird of Pitforthie.  
See SRO RS35/5 fo 285-6 4.4.1674.
241. SRO RS35/7 fo 175-6 18.5.1680.
242. Ibid.
243. SRO RS35/7 fo 204 2.7.1680.
244. Ibid.
245. SRO RS35/7 fo 217 10.7.1680.
246. Ibid.

247. SRO RS35/7 fo 7 15.1.1679. This was also true of particular families such as the Raits. Vide infra.

248. SRO RS35/7 fo 179 29.5.1680 et vide supra.

Forfarshire was not alone in having some members of the clergy who had originated in the laird group. See J.C. Jameson, Treasury of the Scottish Covenant, passim.

Alexander Whyte, James Fraser, Laird of Brea (1911), 2.

249. SRO RS35/1-RS35/8 passim.

250. SRO RS35/5 fo 286 4.4.1674.

251. SRO RS35/7 fo 175-6 18.5.1680.

252. SRO RS35/8 fo 383 26.3.1690. There are other examples of the same trend. See SRO RS35/8 fo 409 17.7.1690, SRO RS35/8 fo 284 15.5.1688, SRO RS35/7 fo 495 13.7.1683, SRO RS35/2 fo 251 8.2.1665.

253. SRO RS35/5 fo 20 15.2.1672.

254. SRO RS35/4 fo 139 8.6.1676. They were business associates of Patrick Gray of Kinnell.

255. Ibid.

256. SRO RS35/1-RS35/8 passim. See for example SRO RS35/6 fo 279 18.4.1677, SRO RS35/6 fo 464 17.12.1678.

257. SRO RS35/4 fo 417 27.7.1671.

258. SRO RS35/6 fo 165 17.8.1676.

259. SRO RS35/2 fo 341 14.9.1665.

260. SRO RS35/1-RS35/8, passim.

261. SRO RS35/1-RS35/8, passim.

262. SRO RS35/7 fo 175-6, 18.5.1680, SRO RS35/7 fo 179 29.5.1680.

263. SRO RS35/1-RS35/8, passim.

264. SRO RS35/4 fo 132 11.2.1669. Vide infra.

265. Ibid.

266. Vide infra.

267. Ibid.

268. SRO RS35/1-35/7, passim.
269. SRO RS35/1-RS35/8, passim.
270. Ibid.
271. Ibid.
272. SRO RS35/2 fo 155 8.11.1664.
273. Ibid.
274. Ibid.
275. See chapter on Debtors and Creditors.
276. SRO RS35/2 fo 285 26.5.1665.
277. Ibid.
278. Ibid.
279. Ibid.
280. This fact is quite apparent from the incidence of the same or similar surnames of persons involved in business transactions registered in the Particular Register of Sasines for Forfarshire. SRO RS35/1-RS35/8.
281. SRO RS35/7 fo 46 20.6.1679, SRO RS35/5 fo 32 29.4.1672.
282. SRO RS35/6 fo 97 17.4.1676, SRO RS35/7 fo 108 14.11.1679.
283. S.G.E. Lythe, The Economy of Scotland in its European Setting 1550-1625 (1960) 124-5.  
Mingay, Gentry, 104-6 et passim.
284. SRO RS35/1-RS35/8, passim.
285. Ibid.
286. Ibid.
287. Ibid.
288. SRO RS35/2 fo 216 8.12.1664.
289. SRO RS35/2 fo 364 1.12.1665.
290. SRO RS35/2 fo 216 8.12.1664, SRO RS35/2 fo 364 1.12.1665.
291. Ibid.

292. This was probably a branch of the family of the laird of Hallgreen in Kincardineshire.  
See SRO RH15/37, passim, SRO RH15/37/117,  
SRO RH15/37/171.
293. SRO RS35/2 fo 272 20.5.1665.
294. Ibid.
295. SRO RS35/2 fo 78 20.7.1664.
296. Miscellany of the Scottish Burgh Records Society  
(1881), 165-6, 177-8, 194-5, 208-9, 219-20.
297. SRO RS35/1-RS35/2, passim.  
W.C. Skinner, The Barronie of Hilltowne Dundee (1927)  
32-3.
298. SRO RS35/1-RS35/8, passim.
299. Ibid.
300. SRO RS35/1-RS35/2, passim.
301. Ibid.
302. SRO RS35/2 fo 265 8.4.1665.
303. For some comments on the different periods and geographical locations of burgess activity in Forfarshire see above "Forfarshire - The Area and the Landowners."
304. SRO RS35/2 fo 113 29.8.1664.
305. Ibid.
306. SRO RS35/2 fo 315 26.7.1665.
307. SRO RS35/2 fo 181 16.11.1664. Vide supra.
308. SRO RS35/2 fo 265 8.4.1665.
309. SRO RS35/2 fo 273 20.5.1665.
310. SRO RS35/2 fo 265 8.4.1665.
311. SRO RS35/4-RS35/5, passim.
312. Ibid.
313. Ibid et vide supra.

314. SRO RS35/7-RS35/8, passim.
315. Ibid.
316. SRO RS35/7 fo 260 14.12.1680, SRO RS35/1-RS35/8, passim.
317. Vide infra, chapter on Debtors and Creditors.
318. SRO RS35/7 fo 140 6.2.1680.
319. SRO RS35/7 fo 155 10.4.1680.
320. SRO RS35/7-RS35/8, passim.
321. SRO RS35/7 fo 202 2.7.1680.
322. SRO RS35/7 fo 206 8.7.1680.
323. SRO RS35/7 fo 161 10.4.1680. SRO RS35/7 fo 133 29.1.1680.
324. SRO RS35/7 fo 249 20.10.1680, SRO RS35/7 fo 145 27.3.1680.
325. SRO RS35/7 fo 147 27.3.1680.
326. SRO RS35/7 fo 227 10.8.1680, SRO RS35/7 fo 234 4.9.1680.
327. Ibid.
328. Ibid.



LANDED BUSINESS IN FORFARSHIRE

1660 - 1690

The precise balance between old and new relationships in Forfarshire landed society is hard to determine, but can be best evaluated by a study of landed transactions. Of the 2,920 such transactions relating to land in Forfarshire in the 1660-1690 period,<sup>1</sup> 467 were registered in Edinburgh in the General Register of Sasines<sup>2</sup> and the remaining 2,453 in Dundee in the Particular Register of Sasines for Forfarshire.<sup>3</sup> The latter record was more intimately connected to developments within the county and consisted primarily of the deals of natives of Forfarshire who were part of landed society.<sup>4</sup> The former comprehended not only the bargains of Forfarshire landholders who had territories elsewhere in Scotland,<sup>5</sup> but also those of many Scottish landowners who were interested in the shire<sup>6</sup> both for its fertility and its stability.<sup>7</sup> As well as containing a majority of conventional bargains between disposer and recipient,<sup>8</sup> the register held in the capital had 29 per cent of its donations granted under charters of the Great Seal,<sup>9</sup> and there were various types of transaction in both registers.<sup>10</sup> There were those which simply conveyed land; those which were essentially financial, borrowing on the security of land and those which were concerned with the provision of the near and extended family of landowners.<sup>11</sup> Such types were not independent or self-explanatory, however. The financial bargains, for example, consisted of borrowings, repayments and wadsets, a specialised form of credit in which the landowner relinquished greater rights to his

property than under the more extensive principal and annualrent borrowing system. In consequence this has been considered an indicator of the evolution of landed society or of some groups within it, and must be considered separately.<sup>12</sup>

All groups of landed society participated in transactions. Overwhelmingly, however, it was the gentry who predominated.<sup>13</sup> They not only constituted a secure foundation for landed society itself but were basic to every type of landed deal from the dispositions of the Great Seal to financial bargains involving exclusively their own group or others. Had there been no gentry group, the Forfarshire landed sector in the seventeenth century would have been very different, the transactions affecting it much reduced.<sup>14</sup> Second in numerical priority of transactions, if more important in the control of territory, were the nobility.<sup>15</sup> Thereafter followed the clergy, tenantry, mercantile sector and urban dwellers along with such minor groups such as doctors, lawyers and portioners.<sup>16</sup> The latter three groups scarcely managed to make any cumulative impression on landed transactions between 1660 and 1690, though they were more important in some years than others and were certainly more significant in the Particular Register than in that held in Edinburgh.<sup>17</sup> Ministers and tenants had a considerable status in landed deals,<sup>18</sup> and if merchants and townsmen were combined as they might logically be, they too would form a considerable block.<sup>19</sup> However, even with the combination of all groups other than

the aristocracy and gentry these two would still hold sway in the Forfarshire landed sector. Indeed in some classes of transaction the gentry itself would be of greater weight than all other groups together.<sup>20</sup> If the nobility controlled wider stretches of territory, there can be little doubt that the gentry was the most dynamic and expansive group, the very basis of Forfarshire landed society in the post-Restoration epoch. Although its corporate energy did not infect all of its constituents<sup>21</sup> it was in general the most active and influential force in the landed sector.

The incidence of landed deals in the Particular Register of Sasines for Forfarshire between 1660 and 1690 was more than five times as great as that in the General Register of Sasines<sup>22</sup> and although annual frequencies varied widely,<sup>23</sup> the general trends in the two registers were broadly the same.<sup>24</sup> Internal events were responsible for some minor fluctuations in the incidence of bargains but their major course followed important national trends and seasonal variations. The majority of deals were made during spring and summer<sup>25</sup> and events such as the Restoration and the Revolution had significant repercussions on them, respectively increasing and diminishing activity.<sup>26</sup> However, if the trends in both registers broadly followed the same course, some major differences in them require explanation. One occurred in the middle of the 1670's,<sup>27</sup> when the Dundee registrations dropped considerably and the Edinburgh register increased to between three and four times its previous and

succeeding level.<sup>28</sup> The mid 1670's were remarkable for very poor weather conditions<sup>29</sup> and while this greatly depressed internal shire deals it increased speculation in Edinburgh.<sup>30</sup> Outsiders took an interest when shire activity decreased and expressed it through the General Register.<sup>31</sup> Another difference was that dispositions under the Great Seal in the latter register, accounting for 29 per cent of entries affecting Forfarshire,<sup>32</sup> along with the tenor of a considerable number of sasines confirming landholders in their possessions,<sup>33</sup> suggest that the General Register was mainly concerned to maintain the major Forfarshire landed establishment while the record of deals preserved at Dundee, on the other hand, was obviously given over to accommodating the internal forces of the shire landed sector.<sup>34</sup> The gentry and nobility may have been preponderant but it is clear from the Particular Register that the internal dynamics of landed society were changing.<sup>35</sup> None of the major groups could any longer be as independent or exclusive as they evidently wished to be or restrict their association, as much at the Revolution as they had earlier, to their traditional business partners. New forces were affecting the direction of landed business from levels other than the gentry and aristocracy. These forces were capable of taking the place relinquished by their social superiors, for long having been their creditors.<sup>36</sup> There is also other evidence admittedly sketchy, about this change of emphasis. Some tenant rentals were offset against the amounts owed to them

Year Month	1660	1661	1662	1663	1664	1665	1666	1667	1668	1669	1670	1671	1672	1673	1674	1675	1676	1677	1678	1679	1680	1681	1682	1683	1684	1685	1686	1687	1688	1689	1690
January :	0	2	0	4	5	7	2	5	13	3	6	10	5	10	3	8	7	0	2	4	10	4	1	7	2	4	6	11	5	1	1
February :	0	2	17	5	27	5	1	15	14	5	3	6	15	1	4	3	11	13	5	3	4	2	11	16	6	7	4	7	0	10	5
March :	0	0	0	11	0	5	10	6	3	5	9	2	0	12	6	4	5	1	0	3	3	3	10	10	1	15	5	6	6	2	3
April :	0	1	5	15	0	4	2	16	9	7	10	2	4	4	6	4	8	26	12	12	10	7	4	6	7	2	10	1	6	4	4
May :	0	3	8	5	0	18	37	3	14	6	12	15	18	3	3	5	14	0	0	10	13	8	15	8	0	4	5	11	10	1	6
June :	0	7	2	15	27	5	18	28	9	20	11	8	15	8	0	2	12	4	12	7	9	1	13	5	7	2	14	10	10	3	3
July :	0	9	6	8	15	9	14	3	9	3	3	13	4	2	12	0	5	12	8	6	19	7	4	11	4	5	8	2	7	1	6
August :	0	20	8	0	15	13	13	1	4	5	8	6	9	2	4	0	6	8	2	10	8	9	9	4	3	1	9	4	8	0	0
September :	0	3	8	1	8	7	2	16	5	11	1	4	2	7	7	0	9	4	1	0	6	4	5	8	7	5	3	5	10	5	5
October :	0	3	9	2	12	3	4	9	3	6	9	4	7	6	6	12	16	9	1	4	8	8	3	0	2	4	4	0	1	1	2
November :	2	4	8	21	34	6	2	4	2	7	5	5	9	5	3	17	6	9	6	10	9	1	3	12	2	2	13	8	4	2	6
December :	10	6	7	13	10	15	6	22	19	1	4	2	1	7	6	12	10	5	14	4	8	9	13	0	10	9	1	4	4	4	5
Total :	12	60	78	100	153	97	117	128	104	79	81	77	89	67	60	67	109	91	63	64	107	63	91	87	51	60	82	69	71	30	46

Registrations in the Particular Register of Sasines for Forfarshire 1660-1690.

(Table 1a)



Month	1660	1661	1662	1663	1664	1665	1666	1667	1668	1669	1670	1671	1672	1673	1674	1675	1676	1677	1678	1679	1680	1681	1682	1683	1684	1685	1686	1687	1688	1689	1690		
January :	0	0	2	0	3	0	2	1	2	1	0	0	3	1	2	2	2	4	1	1	2	0	0	1	1	1	3	0	0	1	0	1	
February :	0	1	0	0	2	0	2	2	0	2	3	2	3	1	1	2	1	0	0	0	0	0	0	4	0	1	0	0	1	0	1	1	
March :	0	0	0	2	3	0	1	2	0	3	0	1	0	1	0	2	1	0	1	0	0	1	2	1	3	0	0	1	0	0	1	1	
April :	0	2	2	0	1	1	1	0	0	1	1	2	0	2	1	0	0	2	0	2	2	2	1	2	5	0	0	2	1	0	0	0	
May :	0	0	0	0	0	3	2	2	0	1	2	1	5	0	1	0	1	1	1	4	2	2	3	1	1	0	0	2	1	1	0	0	
June :	0	0	1	2	2	2	2	1	2	1	0	6	2	1	1	5	0	1	0	1	0	3	2	0	0	2	10	1	2	0	0	0	
July :	0	0	1	3	4	3	1	3	1	1	4	2	1	1	0	7	0	3	2	2	2	4	3	0	2	3	0	1	4	1	0	0	
August :	0	0	1	0	2	3	2	0	3	0	1	4	1	0	1	7	1	0	0	2	2	2	1	3	1	1	2	3	1	0	0	0	
September :	0	1	1	3	1	1	2	0	1	3	4	2	2	6	0	3	3	2	1	0	0	0	1	1	0	1	0	0	0	0	1	0	1
October :	0	1	0	0	2	1	1	2	4	4	2	1	0	0	2	8	1	0	0	0	0	0	2	2	0	0	1	0	1	0	1	0	1
November :	0	2	1	1	1	4	0	3	1	0	1	0	4	3	0	1	4	0	0	1	0	2	0	2	0	5	1	1	0	0	0	0	0
December :	0	2	0	3	1	0	3	2	3	5	0	0	0	0	2	1	0	0	0	1	3	1	0	1	2	3	1	1	1	0	0	0	0
Total :	0	9	9	14	22	18	19	18	17	22	18	21	21	16	11	38	14	15	7	16	13	15	17	16	15	19	14	12	13	3	5	4	

Registrations in the General Register of Sasines affecting Forfarshire 1660-1690.

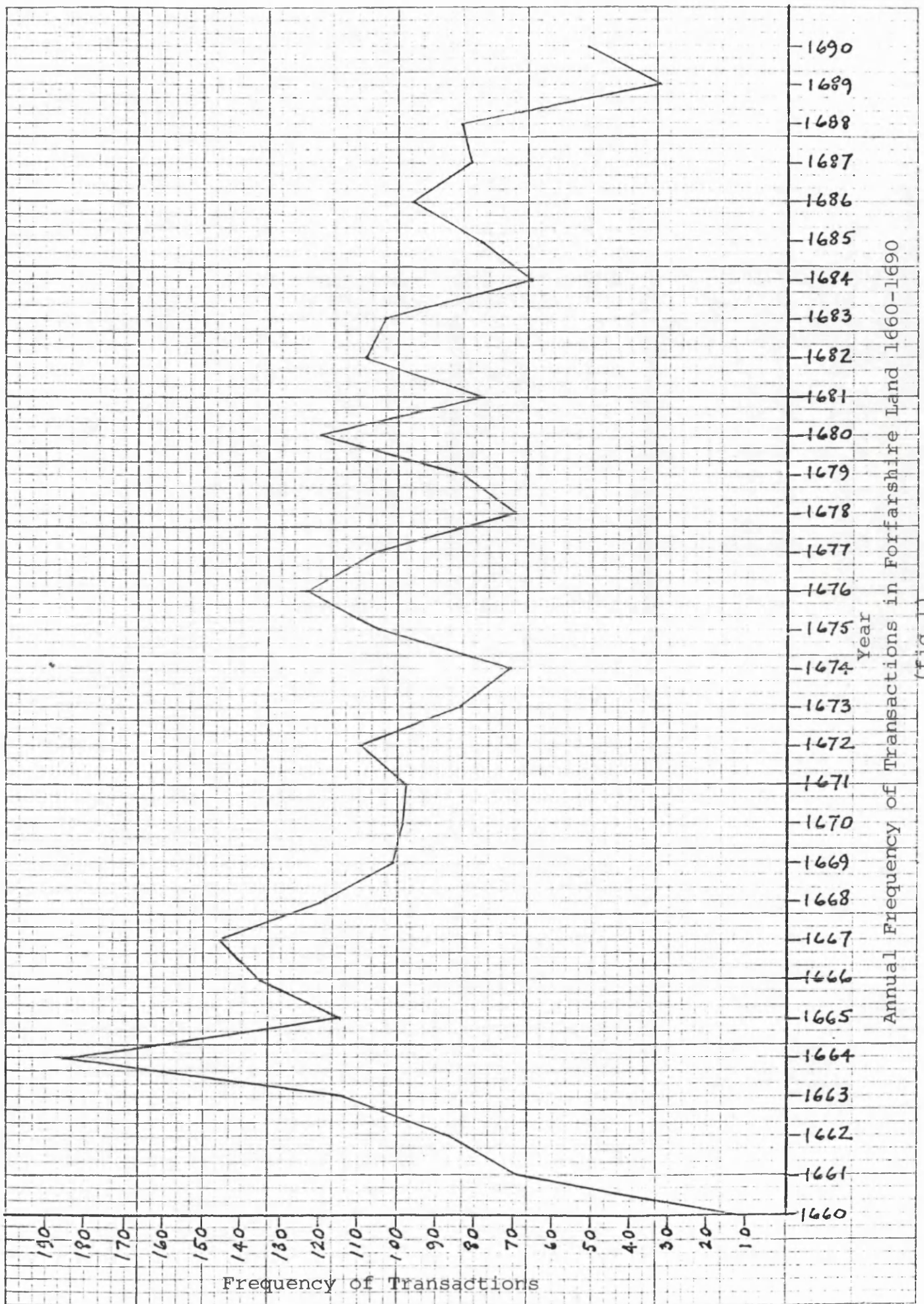
(Table 1b)

Year	1660	1661	1662	1663	1664	1665	1666	1667	1668	1669	1670	1671	1672	1673	1674	1675	1676	1677	1678	1679	1680	1681	1682	1683	1684	1685	1686	1687	1688	1689	1690	
Month																																
January	0	2	2	4	8	7	10	6	15	4	6	10	8	11	5	10	9	4	3	5	12	4	1	8	3	7	6	11	6	1	2	
February	0	3	17	5	29	5	3	17	14	7	6	8	18	2	5	5	12	5	5	4	4	2	11	20	6	8	4	7	1	11	6	
March	0	0	0	13	3	5	11	8	3	8	9	3	0	13	6	6	6	2	0	5	3	4	12	11	4	15	5	7	6	2	4	
April	0	3	7	15	1	5	3	16	9	8	11	4	4	6	7	4	8	26	14	3	12	9	5	8	12	2	10	3	7	4	4	
May	0	3	8	5	0	21	39	5	14	7	14	16	23	3	4	5	15	1	1	14	15	9	18	9	1	4	5	13	11	2	6	
June	0	7	3	17	29	7	20	29	11	21	11	14	17	9	1	7	12	5	12	8	9	4	15	5	7	4	24	11	12	3	3	
July	0	9	7	11	19	12	15	6	10	4	7	15	5	3	12	7	5	15	10	9	21	11	7	11	6	8	8	3	11	2	6	
August	0	20	9	0	17	16	15	1	7	5	9	10	10	2	5	7	7	8	2	12	10	10	12	5	4	4	1	7	9	0	0	
September	0	4	9	4	9	8	4	16	6	14	5	6	4	13	7	3	12	6	2	0	6	4	6	9	7	6	3	5	10	5	6	
October	0	4	9	2	14	4	5	11	7	10	11	5	7	6	8	20	17	9	1	4	8	8	5	2	2	2	4	0	2	1	3	
November	2	6	9	22	35	10	2	7	3	7	6	5	13	8	3	18	10	9	6	11	9	3	3	14	2	7	14	9	4	2	6	
December	10	8	7	16	11	15	9	24	22	6	4	2	1	7	8	13	10	5	14	5	11	10	13	1	12	12	2	5	5	0	5	
Total	12	69	87	114	175	115	136	146	121	101	99	98	110	83	71	105	123	106	70	80	120	78	108	103	66	79	96	81	84	33	51	

The Incidence of Transactions affecting Forfarshire Land 1660-1690.

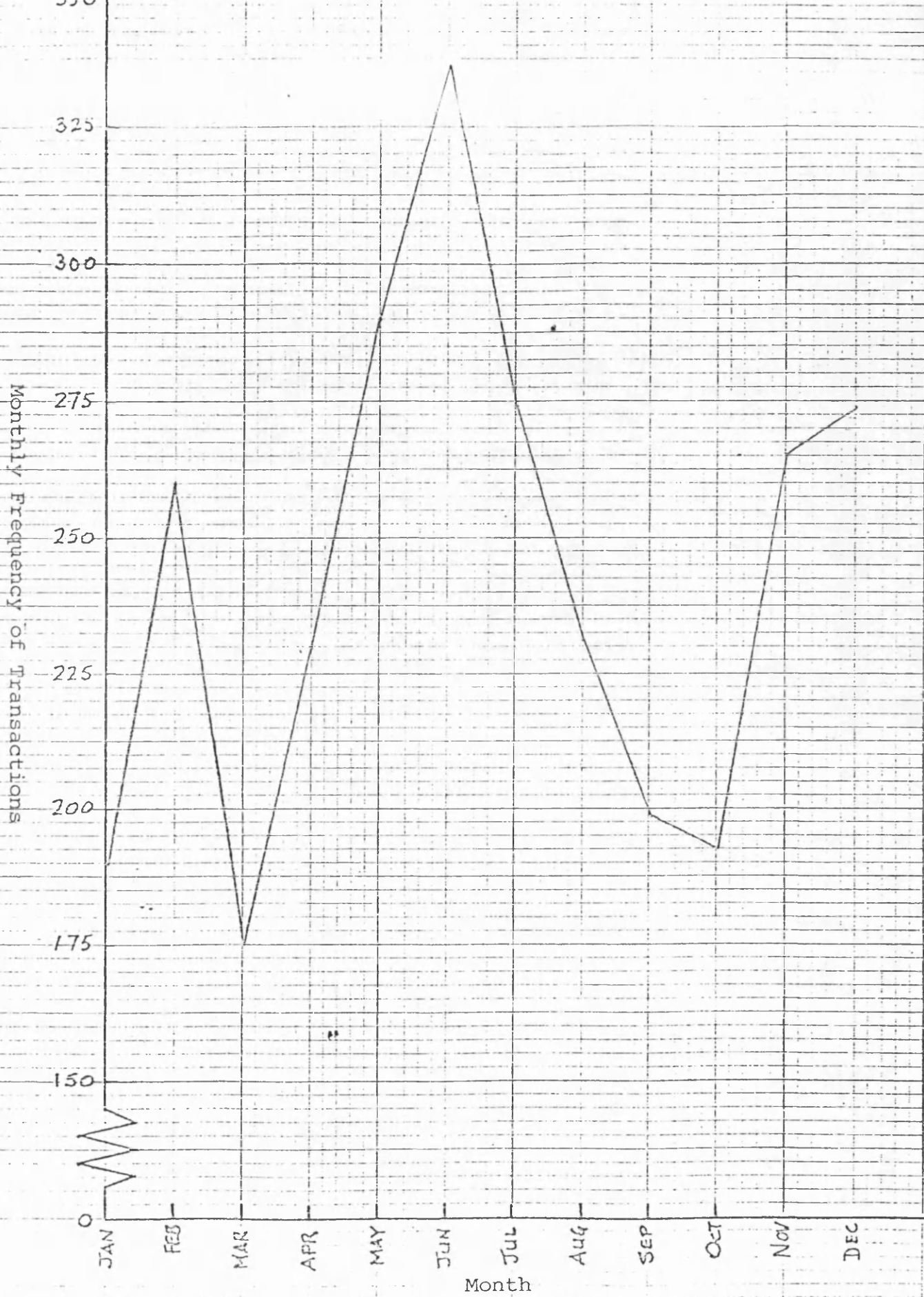
(Table 1c)





Annual Frequency of Transactions in Forfarshire Land 1660-1690

(fig. 1)



Monthly Frequency of Transactions in Forfarshire Land 1660-1690.

(fig.2.)

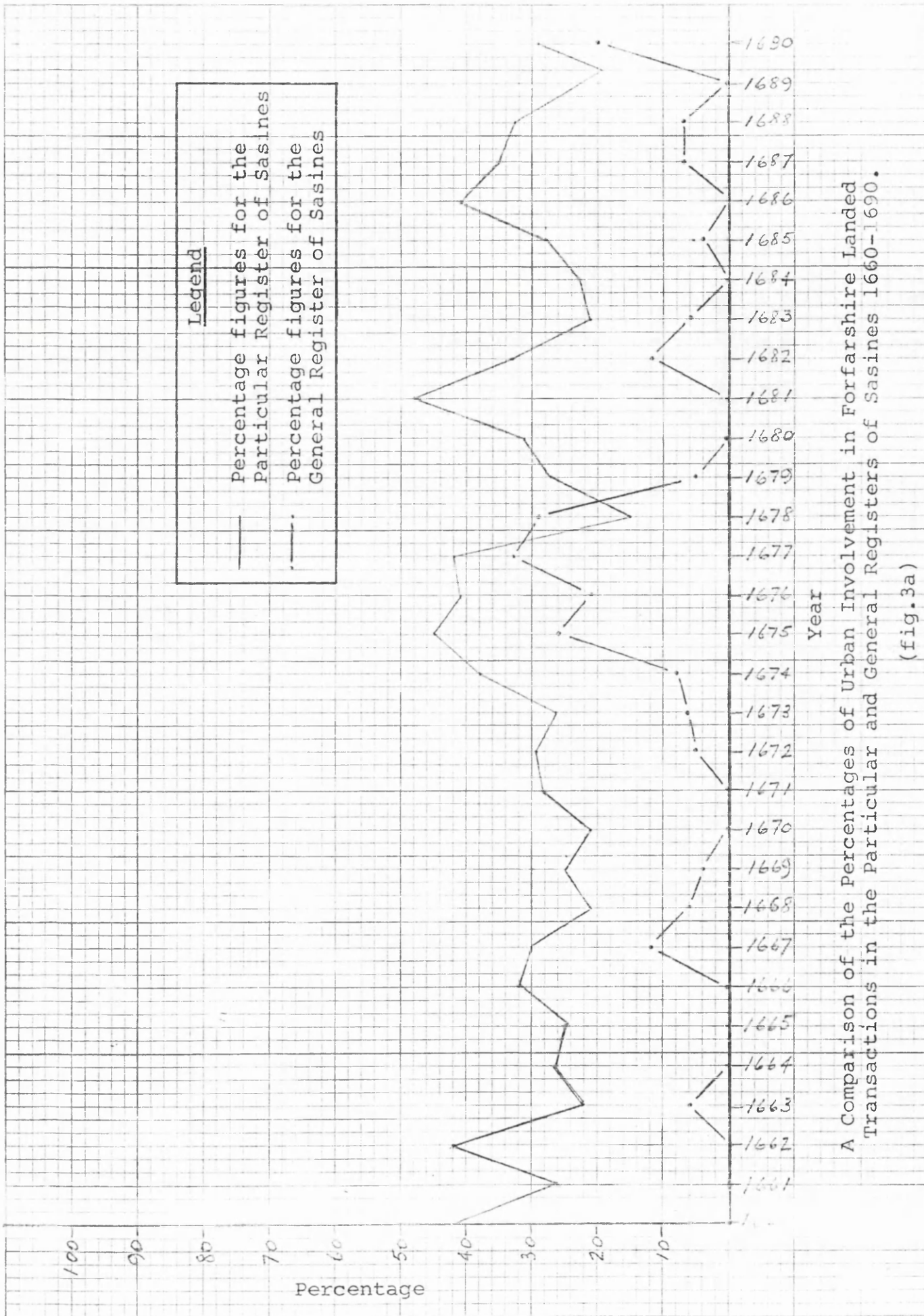


by their landlords,<sup>37</sup> the debts themselves being too large and spanning too long a period for most other explanations. Internal change, therefore, was proceeding on both shire and estate fronts.<sup>38</sup>

Whether all this constituted a land market is a contentious question. One authority<sup>39</sup> considers that the principal criteria for the existence of a land market were the size of parcels of land being transferred and the level of consanguinity involved. The degree of relationships inherent in Forfarshire landed society is one of the characteristics of that society.<sup>40</sup> Scarcely a sasine registered is without a definite connection between principals, an extended family relationship or at the very least similar surnames.<sup>41</sup> Equally while sizes of rural transfers of property are impossible to establish<sup>42</sup> the vast majority of transfers of urban land, and land in urban territories were usually of a few acres or less.<sup>43</sup> Therefore if there was a land market it was clearly very restricted and it cannot be equated with the number of transactions. This restriction can be considered advantageous, however. When it is taken along with the absence of widespread speculation, it is possible to gain greater insight into the workings of the local economy and the conditions which influenced it than would otherwise be possible. Forfarshire landed transactions between 1660 and 1690, for example, demonstrate that the straitjacket of the re-established landed structure was being progressively altered from within to conform financially

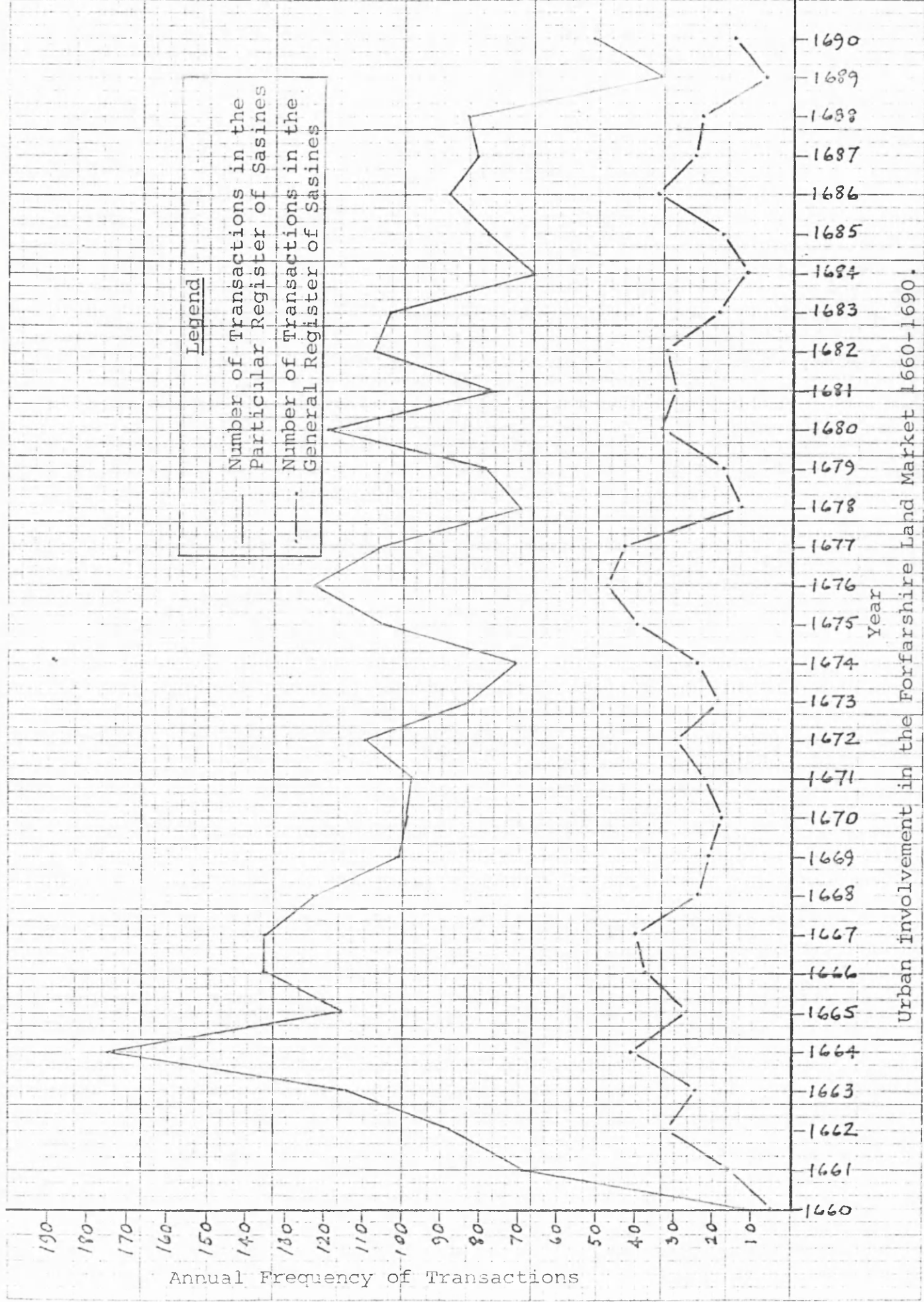
socially and tenurially to the needs of the major constituents of that sector.

As far as the distinction can be made, the land market in Forfarshire between 1660 and 1690 was mainly rural.<sup>44</sup> Bargains which can be considered urban varied between 42 per cent in 1660 and 14 per cent in 1684<sup>45</sup> although for the whole period their proportion was 27 per cent.<sup>46</sup> It is significant that the highest proportion of urban landed deals took place in the years after the Restoration. Doubtless an influx of people into towns after the troubles was a possible<sup>47</sup> cause of this phenomenon though it is more likely to have been caused by a desire for secure settlement of property after the stabilisation of political trends. The General Register followed a roughly similar if slightly later and much less pronounced pattern to that of the Particular Register,<sup>48</sup> notably in the middle to the late 1670's.<sup>49</sup> At that time town activity in the Edinburgh register was at its most conspicuous for the whole period, while the urban registrations at Dundee were going through their most prolonged boom. The evidence from the General Register is particularly interesting. Most of those using it were from the upper echelons of landed society and some of them from beyond Forfarshire, and yet deals in urban land were popular. The years of "Smallpox and Death",<sup>50</sup> the insecurity of the 1670's<sup>51</sup> and the notorious capriciousness of the land market made investing in the rural



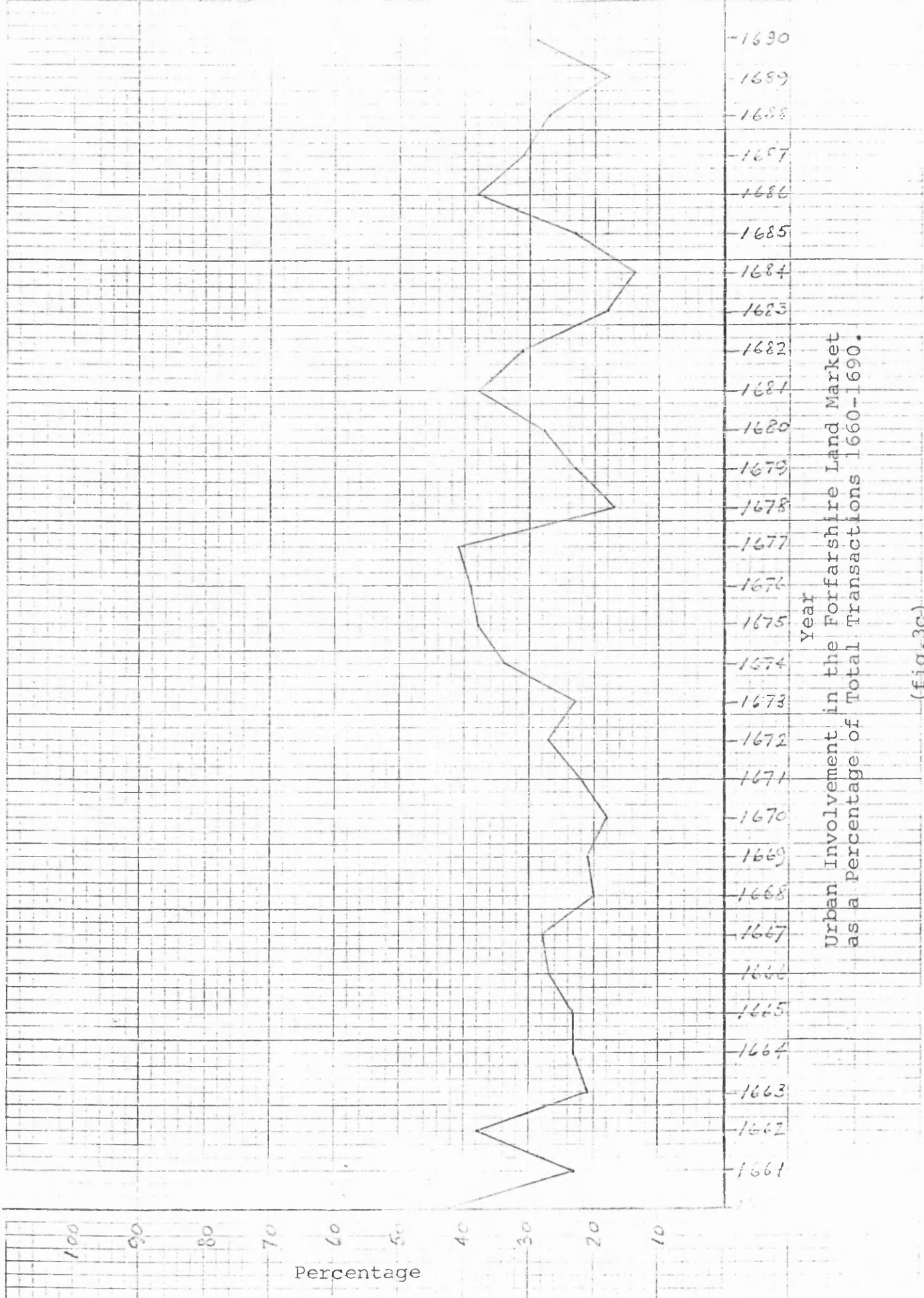
A Comparison of the Percentages of Urban Involvement in Forfarshire Landed Transactions in the Particular and General Registers of Sasines 1660-1690. (fig.3a)





Urban Involvement in the Forfarshire Land Market 1660-1690.

(fig. 3b)



Urban Involvement in the Forfarshire Land Market as a Percentage of Total Transactions 1660-1690.

(fig. 3c)

sector too risky and recommended urban land. If rural participation in landed transactions could fluctuate widely, and the percentage involvement of various groups differed from year to year, figures for dealings in urban land remained relatively stable.<sup>52</sup> Mainly the rural sector and its major components, the gentry and the nobility, were most susceptible to the variations in political and economic trends while the urban sector was not, being somewhat isolated from them.

If it is granted that the urban land market consisted of 27 per cent of total bargains and the rural the remaining 73 per cent, each had its own characteristics though they could not be totally separate. The most significant was that while the rural landowners, particularly the gentry, infiltrated the urban sector both commercially and as property owners,<sup>53</sup> a similar level of transference was not achieved by the urban dwellers into the countryside.<sup>54</sup> What penetration was achieved there, however, came from a most unexpected source, the clergy rather than the merchants<sup>55</sup> who, contrary to historical myth, achieved laird status only infrequently.<sup>56</sup> The answer to this phenomenon doubtless lies in the exclusiveness of rural society in Forfarshire and particularly of the gentry. Many clergy seem to have been of gentle family<sup>57</sup> and had no difficulty in infiltrating landed ranks or being accepted either as landowners or as creditors. Mercantile creditors, on the other hand, were much rarer,<sup>58</sup> landed society attempting



to keep them in peripheral positions as bailies or  
actorneys.<sup>59</sup> Even if the word mercantile is rejected and  
professional is substituted, penetration and credit was only  
marginally greater.<sup>60</sup> Urban credit and influence played  
little part in landed development in Forfarshire between  
1660 and 1690.

Although three times less frequent, landed deals in  
the urban sector were more socially comprehensive and less  
exclusive than those in the countryside.<sup>61</sup> Unquestionably  
groups like the bonnetmakers in the Hill of Dundee<sup>62</sup> and  
cordiners<sup>63</sup> tended to interact commercially and socially,  
but overall the urban dwellers were much readier to accept  
outsiders than the rural sector. That in itself may be one  
reason for the greater stability of town-based deals.<sup>64</sup>  
Bargains in urban land had further, more individual,  
characteristics. The amounts of land conveyed were very  
small, in most cases no more than a few acres, sometimes  
less.<sup>65</sup> For the most part they were for arable land and,  
when in the territories of towns rather than in the towns  
themselves, infield.<sup>66</sup> Those which were measured in roods,  
butts, tenements or rigs<sup>67</sup> were not judged with standard  
units.<sup>68</sup> Different measurements were used in the different  
urban areas which at various times were predominant in landed  
affairs. Immediately after the Restoration, for example,  
Dundee was the most active area for urban landed business,<sup>69</sup>  
perhaps because it was the most populous district and included  
the Barony of Hilltown of Dundee.<sup>70</sup> It was soon to be

superseded in activity by Brechin<sup>71</sup> which maintained its predominance throughout the 1660 to 1690 period<sup>72</sup> with only very limited competition from other burghs such as Arbroath, Montrose and Kirriemuir.<sup>73</sup> Forfar, most peculiarly, scarcely figured in burghal land deals.<sup>74</sup> Brechin's predominance may well have been because of its ecclesiastical connection<sup>75</sup> and Forfar's recalcitrance the result of the activities of William Gray of Hayston, the sheriff clerk of Forfar who had his base there.<sup>76</sup> He was the shire's main landed speculator in the post-Restoration period<sup>77</sup> and appears to have neutralised most opposition to him. The low level of activity in Arbroath and Montrose is less easy to explain. There are three possible reasons, however. Firstly although they were ports like Dundee and a similar level of activity might have been expected, they probably had fewer static population than the head burgh and a reduced amount of landed activity thereby. Secondly they were in an area of declining Valued Rent<sup>78</sup> and, thirdly, had not suffered as much dislocation and destruction during the Interregnum as other areas and therefore had less need to re-establish the status quo after 1660.<sup>79</sup> Varying frequency of transactions in town lands was not the only difference in their evolution in Forfarshire between 1660 and 1690, however. The amounts of land changing hands were not uniform. Brechin conveyances tended to be very small parcels of land<sup>80</sup> while Kirriemuir transfers were somewhat larger.<sup>81</sup> Generally speaking while those transferring land in the former burgh

dealt in tenements, rigs and butts,<sup>82</sup> those in the latter conveyed acres and roods.<sup>83</sup> Dundee and the Hill of Dundee comprehended most trends evident in the urban land market, but predominantly in the early post-Restoration period. Most of the deals in the Hilltown were very small being measured in roods<sup>84</sup> and principally among craftsmen,<sup>85</sup> many more occupational and social groups<sup>86</sup> being noticeable in the generally larger bargains in the town itself.<sup>87</sup> There were other aspects to burghal landed development. How badly a town had suffered before 1660 played an integral part in its evolution thereafter. Its constitution also affected its evolution<sup>88</sup> as did the condition of its hinterland,<sup>89</sup> its privileges,<sup>90</sup> its trade<sup>91</sup> and the relationships of the groups within it.<sup>92</sup>

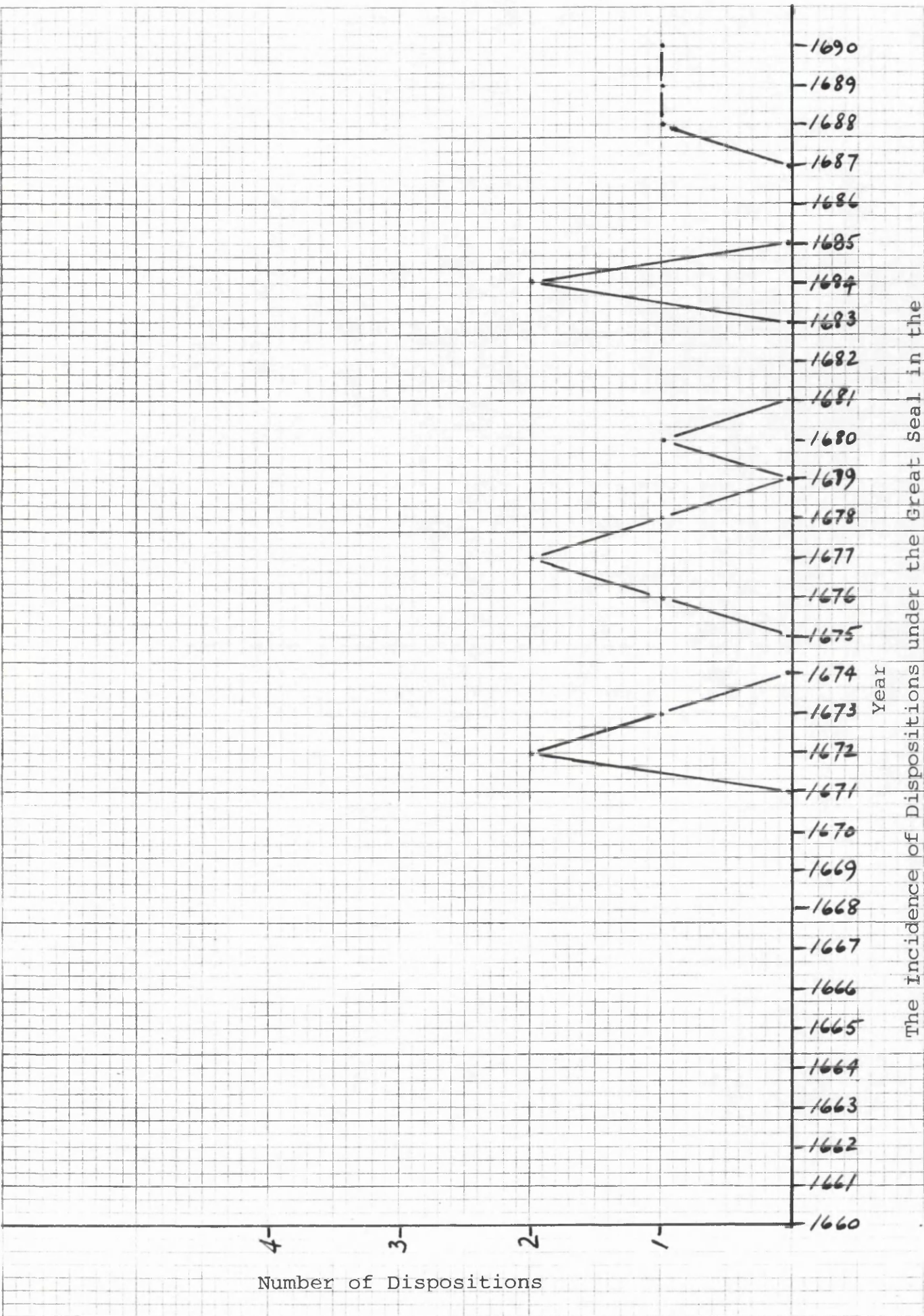
Although deals in rural land were almost three times as frequent as those in the towns, generalisations about them are more difficult to make. The fertile rural areas probably held most of the population<sup>93</sup> and therefore the effective incidence of transactions may have been proportionately less than in the towns. Similarly there is an anomaly about fertility and infertility. Were transactions in land in the most productive or unproductive areas? Unlike the towns, no readily ascertainable areas can be assigned for such trends because of difficulties of duplication, obscure and now undiscoverable place names and uncertainties of geographical location and amounts of land being conveyed.<sup>94</sup> What appears to be the case, however,

is that those gentry estates which were in areas of declining valued rent were more likely to appear on the land market than those which were developing,<sup>95</sup> except in cases where succession was being confirmed.<sup>96</sup> This notion, however, comes as much from a study of extant estate papers<sup>97</sup> as from anything the Dundee and Edinburgh registers reveal.<sup>98</sup> Only two generalisations about bargains in rural land can therefore be made with certainty. From their weighty presence in those deals, the market in rural land was the preserve of the gentry<sup>99</sup> and after 1660 the most frequent bargains were for areas of decreasing economic significance.<sup>100</sup>

There is also a considerable body of evidence in the Forfarshire sasines for at least two other major trends among the rural gentry. Firstly the ancient families like the Woods of Bonitoun,<sup>101</sup> the Hunters of Restenneth<sup>102</sup> the Campbells of Lundie<sup>103</sup> and the Guthries of Halkerton<sup>104</sup> were losing ground to newer gentry such as the Grays of Hayston/Carse and Halkerton<sup>105</sup> and the Lesliees of South Tarrie,<sup>106</sup> respectively legal and mercantile elements, though such losses were minor.<sup>107</sup> Secondly, and probably more significantly, as the period 1660 to 1690 progressed it became evident that the gentry were less and less capable of sustaining themselves and accepted rather than welcomed increasing support from groups such as tenantry and clergy in rural society, an area which had been their sole, unquestioned remit only decades before.<sup>108</sup> The gentry only

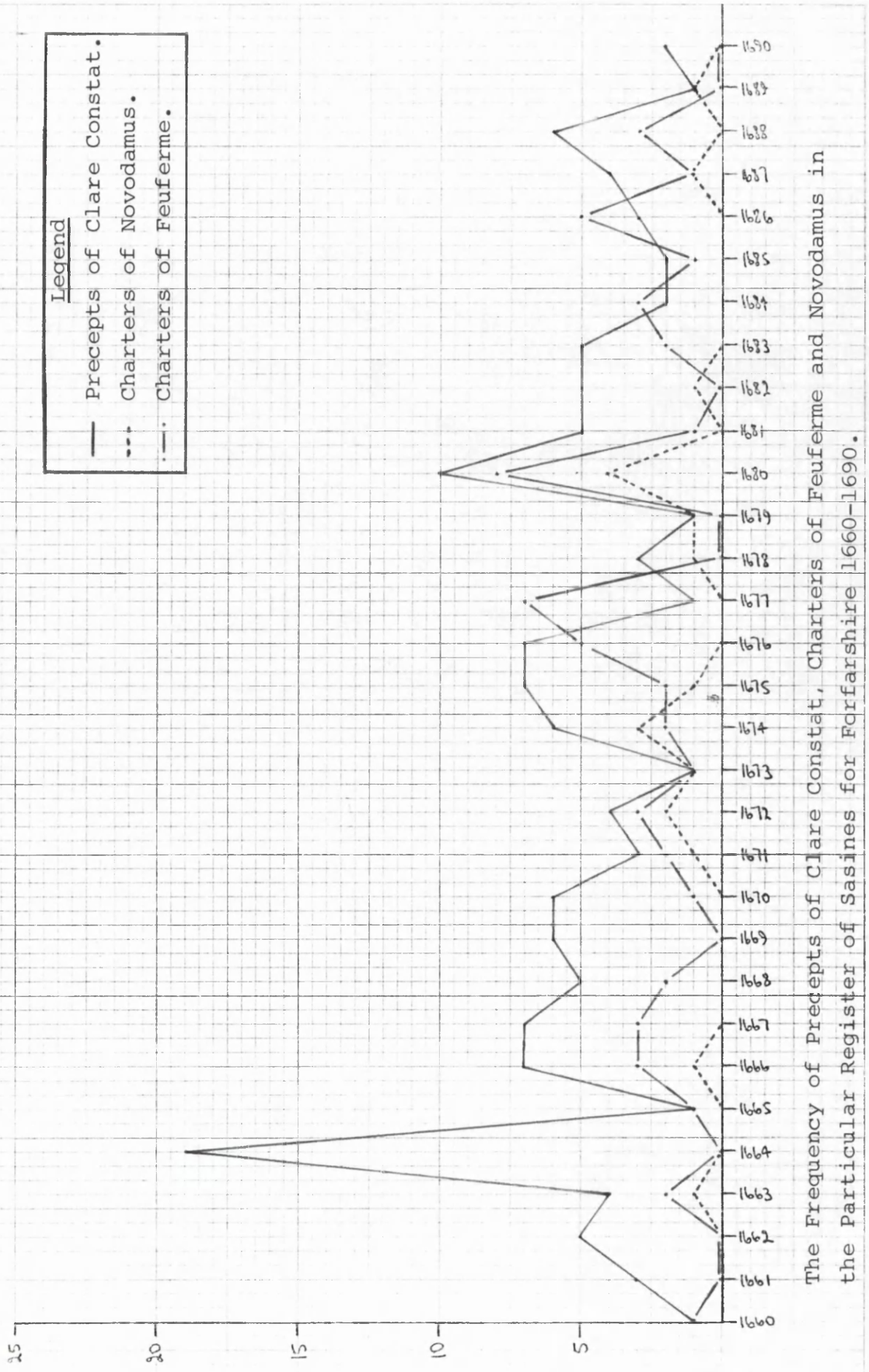
used such means as a last resort when they were in difficulties. Consequently the frequency of land bargains is a good indication of the economic state of Forfarshire landed society and of how instability affected its progress. In that society the rural sector was clearly the seat of diversification<sup>109</sup> and of real evolutionary movements.

This important distinction between urban and rural transactions was not the only significant feature of the Particular Register of Sasines. Just as the awards of the Great Seal in the Edinburgh register indicated the stability of major properties and landowners,<sup>111</sup> there were also local influences demonstrating landed stability and evolution. Awards were made under the Great Seal in the local register though they were a very minor force.<sup>112</sup> They were grouped mainly from about 1671 to 1685,<sup>113</sup> a singularly unstable period.<sup>114</sup> Of more significance in the local environment were precepts of clare constat and charters of feuferme and novodamus.<sup>115</sup> The frequency of the latter two is generally considered to be a sign of amelioration of landed conditions since they were an improved form of lease and a movement of land into new ownership. The registration of precepts of clare constat on the other hand is a sign of stability. The peak of their registration in 1664 after a rising trend is scarcely surprising.<sup>117</sup> After the difficulties of the Interregnum and the renewal of national security those who held property were anxious to be confirmed as its legal heirs and thus



The Incidence of Dispositions under the Great Seal in the Particular Register of Sasines for Forfarshire 1660-1690. (fig.4.)





The Frequency of Precepts of Clare Constat, Charters of Feuferme and Novodamus in the Particular Register of Sasines for Forfarshire 1660-1690.

(fig.5.)

registered their precepts. Thereafter incidence was much lower with another high point in 1680 and troughs in the early and late 1670's and the mid 1680's.<sup>118</sup> Charters of feuferme were granted throughout the 1660 to 1690 period<sup>119</sup> though notably less frequently in the early 1660's, a period of confidence, than at other times.<sup>120</sup> The peaks in granting these desirable charters were in the period 1666 to 1667, 1680 and 1686.<sup>121</sup> Otherwise they remained a very low priority for disposers of property,<sup>122</sup> who preferred to grant them in times of crisis and as a last resort rather than as a rule. Feuferme, of course, could only be granted by those with considerable rights themselves and thus donors tended to be in the higher strata of Forfarshire society.<sup>123</sup> Significantly, however, ministers and in particular the Bishop of Brechin, were inclined to grant a proportion of land in feuferme<sup>124</sup> the recipients being mainly related gentry.<sup>125</sup> The granting of feus, however, was simply an improved form of holding and did little to affect the pattern of landholding or the constitution of the landed group. Charters of novodamus, or new gifts of territory, did. They were most predominant in the 1671 to 1675 and 1678 to 1680 periods,<sup>126</sup> at the former time preceding a peak in the granting of feufermes and at the latter being almost simultaneous with them.<sup>127</sup> As in the donation of feus, charters of novodamus were the remit of the upper echelons of landed society but less significance as donors was taken by gentry and more by aristocracy.<sup>128</sup> Most



important, however, was the Bishop of Brechin and to a lesser degree the Archbishop of St. Andrews in giving them.<sup>129</sup> The predominance of the clergy as disposers in such important fields makes it apparent that the church was one of the most advanced of landowners, at least tenurially, in Forfarshire after 1660. The constant importance of clerical creditors of landed society at the same period<sup>130</sup> also makes it unquestionable that the church was one of the most significant influences on the development of the landed sector in that shire. Even cumulatively, however, such reforming features had relatively insubstantial effects and to contemporary eyes the land changed very little. Only the extinction of major families and estate ornamentation was considered significant in landed development,<sup>131</sup> while the gentry remained the most considerable force in landed society and adamantly protected its entrenched position.

The laird group in Forfarshire in the post-Restoration to Revolution period was the most vigorous section of landed society and that on which the market was founded.<sup>132</sup> It was not, however, a homogeneous class. Within its ranks it contained close kinsmen of the shire aristocracy, lawyers, schoolmasters, ministers, bailies, estate officers, debtors and creditors, rich and poor. There was also a definite, though not rigid, social stratification among the group which was partially a result of some lairds having an occupation and not being solely dependant on their property for their income. Therefore personal effort and individual achievements

were considered important. Though diverse, the gentry also had a great measure of social cohesion sustained by their heritable tenure<sup>133</sup> and horizontal integration of three major types, intermarriage,<sup>134</sup> the assimilation and utilisation of debts and credits within the group and the reversible alienation of property. Although marriage with outsiders was by no means uncommon or forbidden,<sup>135</sup> there can be little doubt that a gentry partner was considered advantageous and sought after<sup>136</sup> and if marriage into the baronage or minor aristocracy could be attained it was a match much to be desired.<sup>137</sup> In general, however, partners came from the same social stratum<sup>138</sup> and thus marriage tended to act as a force for consolidation rather than advance or demotion of the gentry. Forfarshire lairds also tended to seek, and receive, financial support from their own group.<sup>139</sup> Consequently they could boast not a little group autonomy. The ability of their own group to provide finance was never total, however, and as the 1660 to 1690 period progressed it became less and less so, other landed sects taking over some of their credit functions.<sup>140</sup> Equally the gentry had a system of priorities in borrowing and lending. They preferred their creditors to be blood relations, then connections by marriage, then members of the gentry, tenantry and thereafter those outside landed society, clergy, merchants and urban dwellers.<sup>141</sup>

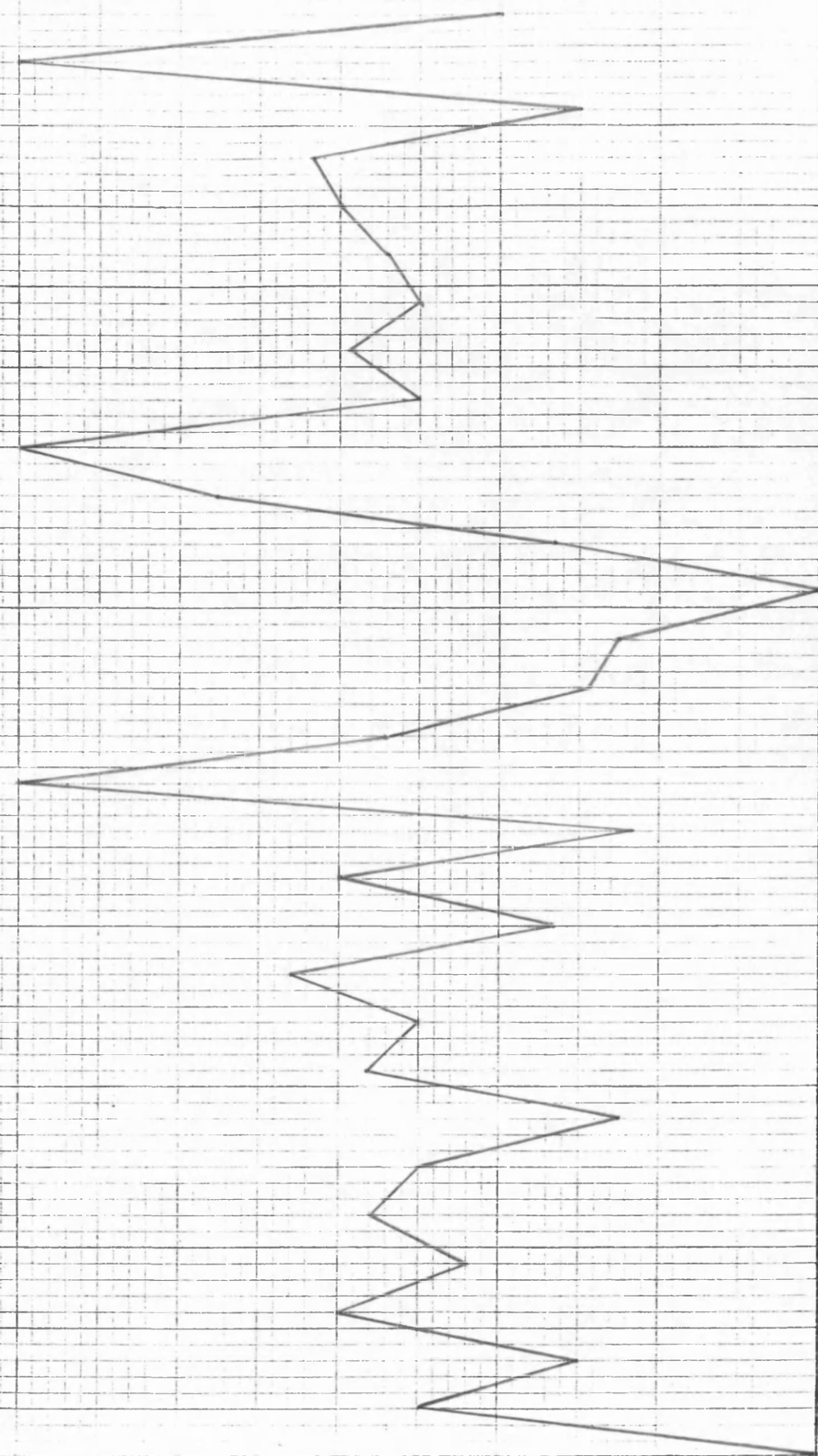
Percentage

100  
90  
80  
70  
60  
50  
40  
30  
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10

1660  
1661  
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1688  
1689  
1690

Year

The Frequency of Exclusively Gentry Marriages as a Percentage of those involving Landed Settlements in the Registers of Sasines 1660-1690. (fig.6.)



Those of the gentry who alienated property, and in general this seems to have applied to those in the upper middle group, did so reversibly.<sup>142</sup> This meant that when their fortunes recovered they could repay their debts and receive back the landed rights they had disposed of. Only in a small number of instances did reversible alienation and the debts involved in it become so complex and consume so much estate revenue that irreversible disposition was the only remaining solution. The cases are well enough documented if infrequent, however. David Carnegie of Craïg had to irreversibly dispose of his estates<sup>143</sup> for although when he succeeded to them they were in poor condition, the critical factor appears to have been the lack of an heir.<sup>144</sup> Certainty of succession was important in any landed estate<sup>145</sup> and its absence could lead to problems, as in the decline of the Crawford properties after the succession of Lord Spynie.<sup>146</sup> Poor economic circumstances also adversely affected Colin Campbell of Lundie's estates<sup>147</sup> and those of Andrew Lamb of South Tarrie<sup>148</sup> ultimately resulting in irreversible alienations. What is particularly noticeable in these three cases, however, is that the first two estates belonged to ancient shire families and the last estate was one of the few in the 1660 to 1690 period which was taken over by a merchant, Robert Leslie.<sup>149</sup>

Many other ancient shire families also had to reduce the extent of their properties in the post-Restoration period,<sup>150</sup> and were subject to a prolonged decline.<sup>151</sup> Very often it

was not simply general economic malaise or credit difficulties but problems of the individual families which led to their downfall.<sup>152</sup> In the middle of the period the estate of Halkerton, previously a stronghold of the Guthries,<sup>153</sup> was taken over by George Gray, the youngest son of the laird of Hayston-Carse,<sup>154</sup> the sheriff clerk of Forfar.<sup>155</sup> Later in the period David Halyburton of Pitcur appeared again and again in the General Register of Sasines,<sup>156</sup> trying to secure loans on his property largely from outside mercantile sources.<sup>157</sup> Other gentry members were obliged at one time and another throughout the three decades after 1660 to reversibly or otherwise dispose of parts of their estates.<sup>158</sup> However, given the predominance of the lairds in Forfarshire society and their significance in landed transactions the failure rate was very low,<sup>159</sup> if this is defined as the irreversible disposition of their patrimony. The small percentage of failures is a tribute not only to the structure the gentry had built for the service of their requirements but also to their own application.<sup>160</sup>

In the economic confidence of the early post-Restoration period gentry anxiety to maintain their property prevailed above all. The perpetuation if not the economic development of gentry estates was of prime concern and the ingenuity of the lairds towards that end was all but limitless within the wide parameters of family and group. Consolidation and succession appear also to have been significant<sup>161</sup> the former

a more considerable force at that time than later.<sup>162</sup>

That trend may well be seen as the gentry following an earlier example set by the aristocracy on the major shire properties,<sup>163</sup> or simply as an effect of post-Restoration expansion and confidence. Succession, however, was independently significant to the whole gentry group.

David Ogilvy of Piersie, an estate in Kingoldrum parish,<sup>164</sup> for example, had a sasine registered in his favour on 20 July 1664 which gave him succession to rights in the town and lands of Eastertown and Westertown of Easter Glenquharity.<sup>165</sup> A less diverse geographical area was

involved three months later when Alexander Halyburton of Balgillo was confirmed as the heritable proprietor of that estate.<sup>166</sup> Similarly, in the middle of the next year, the lands of the barony of Nevay were sased to Sir David Nevay of that ilk and his wife Margaret Hay<sup>167</sup> and on the following 23 August a precept of clare constat was granted by the first Earl of Airlie in favour of George Ogilvy of Auchindorie as heir to his father John.<sup>168</sup> Nevertheless,

despite the importance of succession, there were lairds such as Ogilvy of Piersie for whom the takeover of property and its consolidation with their own was equally significant.<sup>169</sup>

In general, however, the acquisition of property did not have as much importance as the saving of family estates. For example, it is a noticeable feature of gentry alienation that those parcels of land furthest away from the home estate were disposed of first in time of recession<sup>170</sup> and were considered purely as appendages to family interests for the

ultimate maintenance of the main estate.

In the alienation of property the gentry favoured immediate family and relatives as opposed to complete outsiders.<sup>171</sup> Although wives and nephews were given some consideration in property disposition,<sup>172</sup> sons and heirs were obviously most significant to them<sup>173</sup> to the extent that where no heirs of their own bodies were available they assigned their estates to heirs of provision.<sup>174</sup> Not only in succession, but also in most other types of landed bargains between 1660 and 1690 male offspring of the gentry were the most significant family participants in landed business. On 1 March 1670, for example, John Graham of Claverhouse, more famous later as "Bloody Dundee,"<sup>175</sup> was sased as heir to his father in that estate and the lands of Monyfuith, Bellargus and east and west Bonitoun.<sup>176</sup> In their case son followed father. In the same year 20 March<sup>177</sup> Patrick Cramond, the son of Hercules Cramond of Balhall,<sup>178</sup> was irreversibly sased in the lands of Brathinsch by John Lindsay of Edzell. Whether or not Patrick Cramond was his father's first son is not known.<sup>179</sup> If so he was a member of a younger gentry generation interested in the extension of his estates and not prepared to wait for the demise of his father to achieve that or administer his own property. Equally adverturous was John Ogilvy of Glencally, son and heir of Alexander Ogilvy, who was a creditor of the second Earl of Airlie,<sup>180</sup> and may well have made his loan hinge on Airlie's granting him a precept of

of clare constat for Glencally estate.<sup>181</sup> Such keenness was in much too short a supply among the gentry. Necessarily if only one son could succeed to family property, those not first born had either to move into the professions or strike out on their own in landed society. Evidence suggests that these courses were undertaken both by second and other sons as well as by gentry successors.<sup>182</sup>

The keenness of the younger gentry was also expressed in three other ways. Firstly they put more stock in the alienation of property than had earlier been the case, a fact which may account for the different constitution of landed business as the 1660 to 1690 period progressed.<sup>183</sup>

James Carnegie, son of Sir Alexander Carnegie of Pittarrow,<sup>184</sup> was most energetic in this respect. He alienated the lands of Foulis to Patrick Read<sup>185</sup> and later east and west Craiglands and the town and lands of Carsegownie to David Guthrie of Carsebank.<sup>186</sup> Carnegie's alienations were a break with tradition and the family estates must have been in poor condition to necessitate such a last ditch attempt at salvation. As a relation of the aristocracy<sup>187</sup> his action was even more extreme than if he had been purely gentry. Secondly the younger gentry took over estates and worked them successfully. In this respect the second son of the Earl of Northesk was well treated by his father and fortune. James Carnegie, second son of David, Earl of Northesk, was sased by his father in the lands of Kingsmuir in Restenneth which had previously been owned by Sir Thomas Lyon of



Auldbar.<sup>188</sup> Whether Northesk's actions were prompted by thoughts for the welfare of his son or to give him experience is not clear. It is certain, however, that Carnegie was reasonably successful in the administration of his estates.<sup>189</sup> Thirdly the work of William Gray of Hayston the sheriff clerk of Forfar and his son William Gray of Innerichty demonstrated the keenness of the gentry in the landed sector by attempting to achieve a position there through speculation.<sup>190</sup> The father was teaching and encouraging his son to take advantage of trends in the land market<sup>191</sup> though the former provided the impetus and when he died around 1683<sup>192</sup> family business was much restricted.<sup>193</sup> The Gray's manifested one other major trait of gentry involved in landed deals - their energy was mainly reserved for their own families, although group motives for participating in landed business covered a wide spectrum. These did not, however, detract from the number of transactions or the variety of types although they may have slowed social developments. For example it was only between 1680 and 1690 that the social changes which had been working in the Forfarshire land market became noticeable. After about 1680 the traditional participants, gentry, aristocrats and clergy broadened to include tenants and the mercantile element and gave that market increased vigour.<sup>194</sup>

The gentry maintained its energetic presence in virtually every facet of land bargains between 1660 and 1690<sup>195</sup> although some lairds were more active than others,

and participated in different areas. Charles Maitland of Halton,<sup>196</sup> the brother of the Duke of Lauderdale,<sup>197</sup> some two years before his succession around 1680,<sup>198</sup> was one of the most energetic.<sup>199</sup> His landed business was mainly urban, based in Dundee,<sup>200</sup> and although he was by no means unique in urban involvement, the intensity of his concern with that sector was singular.<sup>201</sup> General increasing concern with that area was not unusual for as the 1660 to 1690 period progressed the influences of professional and craft groups on gentry business and the landed sector were no longer possible to ignore. Even in the pre-revolutionary period, however, the essential structure of landownership in Forfarshire changed very little. Those holding heritable tenure were most conservative and the land remained the remit of very few. Thoroughgoing change would have to be forced on them if that was ever necessary in the constantly evolving agricultural world. Yet although that was so the internal components of landownership were being modified into a format which would make change easier to achieve, the evolutionary process less lengthy. The administration of property had to take account of economic conditions, tenorial practices, environmental states both geographical and climatic and the pressure of supply and demand. The alterations in and juxtaposition of such elements whether imposed or voluntary was central to agricultural development and the evolution of Forfarshire landed society throughout the post-Restoration epoch though there was some

acceleration of their consideration and effect in the second half of the period.

As a direct reaction to such modifications Forfarshire lairds were interested in any level of stability they could promote. That, indeed, was one of their principal desires for their property.<sup>202</sup> Therefore their most important landed transactions and leasing bargains were reserved for their own group. Most conservative in this respect was the laird of Halton.<sup>203</sup> On 31 May 1680 he granted a precept of clare constat for a tenement of land in Dundee in favour of Robert, Earl of Southesk,<sup>204</sup> and at the end of the year gave a similar charter to David Graham of Duntroon as the heir of his father William.<sup>205</sup> Scarcely any level of reorganisation was involved in Maitland's transactions. Rather he was confirming the possessors of his properties and his own superiority. Maitland himself, however, received some additions to his Forfarshire holdings, no doubt as much a result of his own and his brother's position<sup>206</sup> as of his activities. The stability of the land market must have been enhanced by people like Halton who had government connections and an outside source of income,<sup>207</sup> and were interested in maintaining the status quo. His connection with the establishment was reinforced by his receipt of the lands of Baldovan, the town and lands of Strickmertine, Hilhouse, Baldrogen, Auchinharrie and the Brigend of Auchry<sup>208</sup> from Alexander, Archbishop of St. Andrews. Few other members of the shire gentry or baronage had business relationships

with the Scottish Primate. There seems little doubt, therefore, that Halton's position was reinforced by his political relationships, and his ideas on the administration of his lands were affected by his connection with the highest levels of Scottish government. If the exclusiveness of the gentry within Forfarshire landed society needed to be reinforced that was achieved by the social levels which it could reach and the political influences affecting certain of its higher echelons.

Group exclusiveness and the stability of land was also maintained by the members of the gentry attempting to retain at least rural lands in their own hands. They used urban territories over which they had rights and lands distant from their home estates as bargaining counters to maintain their influence over their main property.<sup>209</sup> It was generally in the former territories that those not of their own group were infert,<sup>210</sup> though deals for rural land were always more numerous than those for urban.<sup>211</sup> Tenurially, however, bargains in both areas were most conservative,<sup>212</sup> only the social positions of recipients indicating change in the affairs of the laird group. If those recipients such as merchants, the professions, the clergy and urban dwellers were considered as a separate group of town dwellers, they would have made a very significant group in gentry landed business in the later post-Restoration era.<sup>213</sup> Individually, with the exception of the clergy, they counted for very little, though their increased

numerical importance towards 1690 indicated an evolutionary trend.<sup>214</sup>

Tenants played an increasing part in gentry business in the late post-Restoration period,<sup>215</sup> particularly long term tenants<sup>216</sup> in the business of those gentry who themselves had emerged from tenant ranks.<sup>217</sup> James Ogilvy of Stronend,<sup>218</sup> who himself had progressed from being a tenant on the Airlie estates,<sup>219</sup> and was a chamberlain of that superior,<sup>220</sup> disposed of a quarter of the Curdauch called Stronend<sup>221</sup> and one eighth of the "werthish"<sup>222</sup> to James Malcolme and his wife.<sup>223</sup> Ogilvy of Stronend is one example, though possibly John Maule in Achranny is another,<sup>224</sup> of a tenant on a major Forfarshire estate taking over factorial responsibilities<sup>225</sup> after some less taxing duties,<sup>226</sup> and eventually becoming heritor of his own property. It was clearly profitable for some tenants to spend their lives on or close to the one property serving the one master. Stronend seems also to be the reverse of the rude uneducated tenantry,<sup>227</sup> which figured so prominently in contemporary accounts of Scottish agriculture<sup>228</sup> and in which historians have placed so much stock.<sup>229</sup> Some tenants at least made progress. Less is known of the careers and attitudes of other gentry although long service and relationships with sitting tenants were important throughout that group.<sup>230</sup> In their relationships, just as in landed dealings the lairds were most conservative. The preferred to grant land or its rights to those they had long experience of either

in business or as tenants or relations. That trend became more and more pronounced as the Forfarshire gentry group and its family network could no longer contain its business activities towards 1690. By piecemeal alienation and bargaining with creditors in the late post-Restoration period, as throughout it, they were successfully, though evidently less and less so, maintaining their traditional landed superiority.

Clergy and merchants were also participants in gentry business<sup>231</sup> as were the professions generally, doctors and lawyers predominating.<sup>232</sup> Ministers, however, had a much greater influence on lairds than any of the other groups,<sup>233</sup> merchants and other professions being limited to specific geographical areas or particular families. Merchants were especially interested in estates close to the major towns. For example Robert Leslie, a Dundee merchant burghess and later laird of South Tarrie, was interested in that estate<sup>234</sup> and the Montrose mercantile community<sup>235</sup> had relationships with the Erskines of Dun around 1680.<sup>236</sup> Ministers were also connected with the welfare of that family. On 6 October 1680 David Erskine of Dun granted a charter of novodamus to David Lyell minister at Montrose<sup>237</sup> for the town and lands of Whytwall and part of the barony of Dun called Newlands.<sup>238</sup> Ministers, in addition to being geographically wider in influence than most groups, maintained a relatively constant presence in gentry business while other groups fluctuated widely.<sup>239</sup> After 1660 their participation in

Forfarshire landed society was intrinsic.<sup>240</sup> Other groups which were the satellites of the gentry<sup>241</sup> had a more transient significance.<sup>242</sup>

Much the same trends are noticeable among the second major constituent of the Forfarshire land market, the aristocracy, as are evident among the lairds. The nobles, however, despite being the major landlords, had a narrower circle of relationships than the gentry.<sup>243</sup> Nevertheless, by virtue of deals in the General Register of Sasines in Edinburgh,<sup>244</sup> and to a much lesser extent in the Particular Register,<sup>245</sup> there was a great deal more infiltration of that group's business than of any other in Forfarshire. They tended to avoid bargains in the land market wherever possible, preferring private deals, although this attitude was not general.<sup>246</sup> Probably the most efficient landlords, the Earls of Panmure, had the second smallest number of land bargains<sup>247</sup> while the Earls of Southesk, whose properties were noted as relatively stable,<sup>248</sup> made almost twice the number of Panmure bargains.<sup>249</sup> The attention of the Earls of Kinghorn<sup>250</sup> and Northesk<sup>251</sup> to the land market is understandable given the condition of their properties,<sup>252</sup> although the lack of concern of the Airlie family<sup>253</sup> to helping their beleaguered estates from that source is not.<sup>254</sup> The Marquis of Douglas, doubtless favouring other family properties elsewhere,<sup>255</sup> and possibly not considering Forfarshire estates central to family welfare, had probably

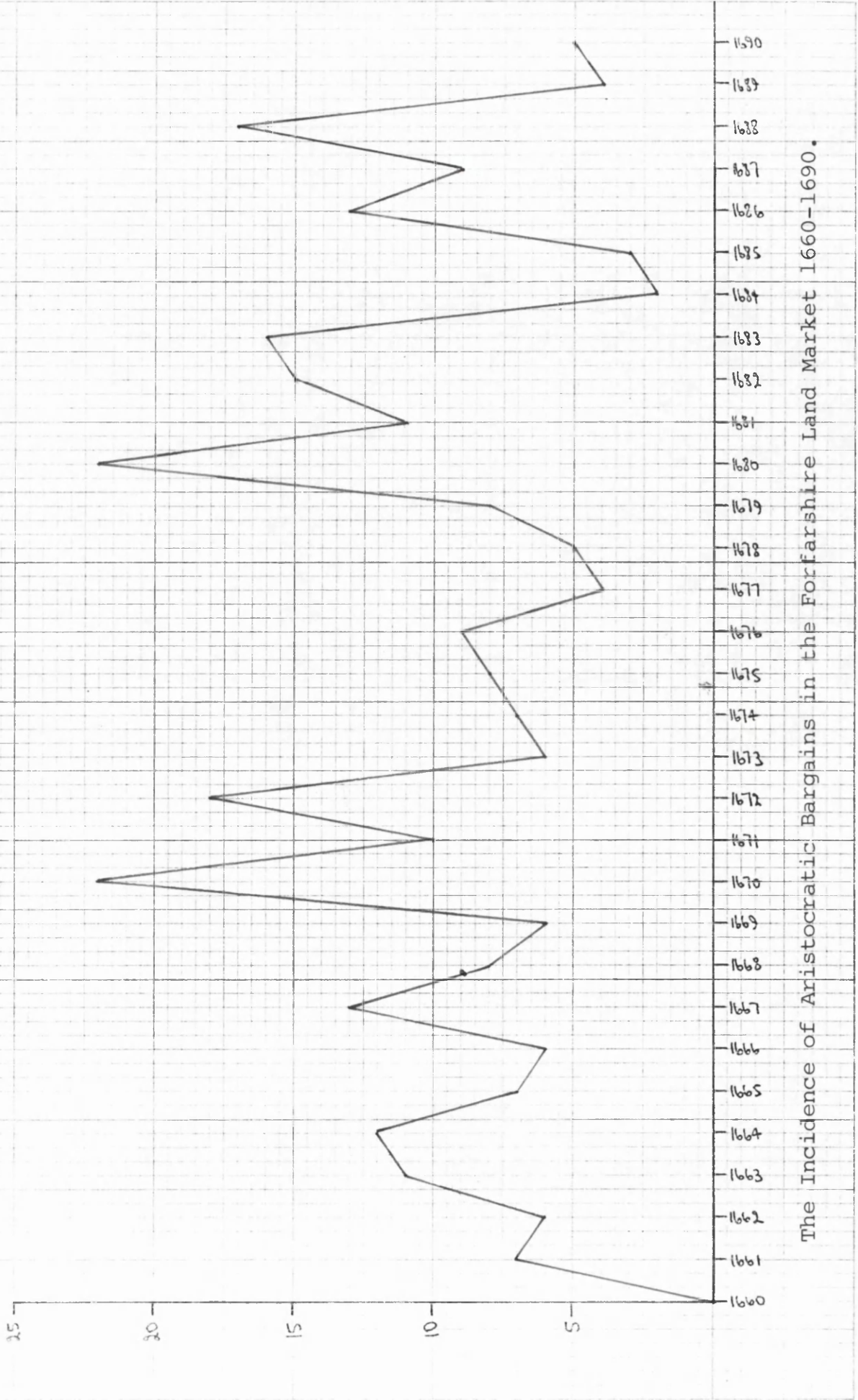
reconciled himself to their decline and registered few landed bargains. As well as preferring private deals there were other reasons for the low level of aristocratic participation in land deals to help their estates. Any bargains they did make were on a large scale and therefore they needed fewer of them and some were made for the benefit of satellite territories rather than the home estate. It is noticeable, for example, that noblemen were an important element in urban sector deals.<sup>256</sup> Equally, Forfarshire's aristocratic estates were much more diverse than those of the gentry and could endure prolonged depression better without resorting to the land market. They also had more political connections and, as a result of such characteristics, their involvement may have needed to be less, rather than having had any inherent hostility to such participation. However, they also had a definite distaste for litigation on any topic other than family rights,<sup>257</sup> and for any kind of legislative restriction, particularly the registration of bonds and anything which smacked of calls on their land.<sup>258</sup> Any increase in the legislative activity of major estates, which the registration of land deals involved, they therefore could not countenance.<sup>259</sup> Whereas the aristocracy could largely accommodate the types of business transactions they needed to maintain their property, the gentry had to rely on a more institutionalised structure. There was therefore a certain



Year	AIRLIE	PANMURE	DOUGLAS	NORTHESK	SOUTHESK	KINGHORNE	TOTAL
1660	-	-	-	-	-	-	-
1661	-	1	-	2	3	1	7
1662	-	2	-	-	3	1	6
1663	-	8	-	1	1	1	11
1664	-	-	-	2	6	4	12
1665	2	1	-	1	2	1	7
1666	2	1	-	-	1	2	6
1667	-	1	-	4	1	7	13
1668	1	-	-	5	1	-	8
1669	1	-	-	-	1	4	6
1670	4	-	7	4	4	3	22
1671	1	2	-	2	-	5	10
1672	3	3	2	3	4	3	18
1673	2	1	-	1	1	1	6
1674	2	1	1	2	-	1	7
1675	4	1	-	3	-	-	8
1676	-	1	-	3	3	2	9
1677	-	1	-	-	-	3	4
1678	1	-	-	1	-	3	5
1679	1	2	1	1	1	2	8
1680	3	3	1	-	10	5	22
1681	1	3	-	3	4	-	11
1682	2	-	4	3	3	3	15
1683	3	1	-	2	3	7	16
1684	1	-	1	-	-	-	2
1685	-	-	-	-	1	2	3
1686	3	3	1	5	-	1	13
1687	2	1	-	2	4	-	9
1688	-	-	1	3	10	3	17
1689	-	-	1	-	1	2	4
1690	-	-	-	-	3	2	5
Total	39	37	21	53	71	69	290

The Frequency of Participation of the Forfarshire Aristocracy  
in Landed Transactions affecting that Shire 1660-1690.

(Table 2)



The Incidence of Aristocratic Bargains in the Forfarshire Land Market 1660-1690.

(fig.7)

anomaly in land bargains in that the greatest landowners retained their properties by informal arrangements while the gentry held their position by being the mainstay of a formalised legal institution.

The majority of aristocratic bargains entered in the registers of sasines were made with members of their own group and specifically related to landed matters.<sup>260</sup> Roughly 25% of their registered deals were financial<sup>261</sup> of which number more than a quarter were renunciations.<sup>262</sup> The nobility were as inclined to exclusiveness as the gentry<sup>263</sup> although the latter group were involved in about twenty four per cent of noble bargains,<sup>264</sup> tenants and urban dwellers accounting for twelve per cent and nine per cent respectively.<sup>265</sup> Clergy and merchants played an insignificant part in aristocratic registered deals<sup>266</sup> as opposed to their status with the gentry.<sup>267</sup> The clerical position in particular is peculiar since the aristocrats were among the major patrons in Forfarshire<sup>268</sup> and yet their business connections were with the lairds. Possibly family relationships of clergy to gentry<sup>269</sup> were the most important influence in their business deals. Their entry to laird society seems, at all times between 1660 and 1690, to have been easier than to aristocratic circles. Merchants were involved in registered aristocratic bargains only about one third as often as clergy<sup>270</sup> and the deals made were small.<sup>271</sup> Significantly mercantile/aristocratic arrangements were greatest around the early 1670's<sup>272</sup> an economically

depressed period.<sup>273</sup> The Earl of Kinghorn was the most frequent participant in such deals<sup>274</sup> although in one case he was discontinuing an association<sup>275</sup> which his father had originally begun with John Pilmor, a Dundee merchant.<sup>276</sup> Pilmor was in fact the only merchant involved in Kinghorn registered business, being granted a precept of clare constat of the land of Woodend in February 1672.<sup>277</sup> It was apparently the case that merchants who had long relationships with nobility were favoured with landed deals rather than there simply being transient merchant participation in aristocratic landed business. Even so there still appears to have been some distrust of the intentions of the latter group among the nobility. Its extent and the consequently undynamic connection between the two groups may be gauged from the types of transactions they were involved in. The majority were precepts of clare constat,<sup>278</sup> simply confirming merchants in existing rights and the remainder principally debts<sup>279</sup> cancelled by renunciations.<sup>280</sup>

Aristocratic landed business with the urban sector was concentrated in 1676 and 1680.<sup>281</sup> It consisted primarily of the confirmation of rights<sup>282</sup> although the town dwellers had an above average percentage of feus given in their favour<sup>283</sup> and some charters of novodamus.<sup>284</sup> Parcels of land conveyed were generally very small<sup>285</sup> and only about one eighth of the bargains involved some financial transaction.<sup>286</sup> Some nobles were more interested in town connections than others.

The Earl of Airlie, for example, scarcely participated in the urban sector though the Earls of Panmure and Southesk did,<sup>287</sup> the latter being most involved. Similarly not all urban areas were equally infiltrated by aristocratic influence. Brechin was the most popular area.<sup>288</sup> An anomaly is again evident. Aristocrats, who had little significant business connection with the clergy,<sup>289</sup> were deeply involved in one of the principal ecclesiastical centres in Forfarshire.<sup>290</sup> Ownership of the land was one simple reason, though doubtless the connection of aristocracy and episcopacy was another.

Tenants had many fewer charters of feuferme and novodamus granted in their favour by aristocrats than by lairds<sup>291</sup> though they were much more financially involved in the former group.<sup>292</sup> There is, however, a discrepancy between rural and urban land in aristocratic deals with tenants. In the latter sector the nobility were comparatively forward looking, granting favourable leases and land on novodamus. In the former they were most conservative, the only significant trends being the emergence of the tenantry as financial backers in their affairs and the gradual easing of exclusiveness. The rise of the tenantry as a financial force in landed affairs was a major development in Forfarshire,<sup>293</sup> which is only adequately demonstrated by a study of landed business. Their incidence in registered noble land business was considerable in 1670 and in the 1680's,<sup>294</sup> a participation which increased throughout the whole of the post-Restoration

era.<sup>295</sup> Financial bargains accounted for approximately 27 per cent of tenant involvement,<sup>296</sup> with precepts of clare constat responsible for 13 per cent<sup>297</sup> and life-rent, charters of feuferme and novodamus making up about another 17 per cent.<sup>298</sup> The remainder were primarily conservative deals for the occupation of parcels of land in rural sectors. However, the growing importance of the group in noble business, and the changing constitution of its involvement, increasingly financially orientated with improved deals such as feus and liferents,<sup>299</sup> makes it clear that the tenant force was one which increasingly the major landowners had to take notice of.

Gentry participation in aristocratic landed business mainly consisted of being confirmed in property or as heirs to estates. For example, 29 per cent of their bargains consisted of precepts of clare constat,<sup>300</sup> the majority of the others conveying land.<sup>301</sup> Very few of the deals involved financial settlements,<sup>302</sup> making it clear that the gentry were essentially the registered debtors of landed society,<sup>303</sup> the nobility preferring other less official and more personal arrangements. The two major groups were principally taking part in the alienation and acceptance of land, a relationship which underwent few alterations between 1660 and 1690. What development there was in landed society in Forfarshire in the post-Restoration epoch occurred around the inherent stability afforded by the nobility and gentry. If the latter group provided internal dynamism and the

magnates were the symbol of territorial integrity, it is evident that the tenantry in particular were the backers of both and the group in which the most fundamental economic evolution and social development was occurring.

Landed business in Forfarshire between 1660 and 1690 indicates the inherent stability of the landed sector and the interaction of its major constituents. The incidence of bargains varied from year to year and, as well as being influenced by the local environment, was affected by major constitutional and political developments. Urban participation in such bargains was considerable but was restricted mainly to their own sector and scarcely affected rural lands. The low level of urban activity in rural deals is not surprising. The major landed groups, the aristocracy and the gentry, were determined to uphold the selectiveness of rural society and their own exclusiveness even although they were both heterogeneous in structure and performance, and the gentry in particular had the widest business relationships in the Forfarshire landed sector. Three further aspects of that society emerge from a study of landed business. Firstly the clergy and tenantry acted as supportive groups for the higher strata of landed society. Ministers, however, were not only a support for others but were also inclined to advanced landed practices when they themselves were landlords. Secondly most alienation tended to be

reversible but a number of such dispositions held by one landowner, if not carefully managed, could become irreversible. This danger was one reason for the third aspect of landed society demonstrated by a study of landed business, the exceptional degree of relationships involved in it. Relatives were more understanding as partners and did not seek legal redress for wrongs as readily as others less closely connected. From such features it can be seen that the major landed groups, particularly the gentry, largely built up the business of the landed sector to sustain themselves. Nevertheless, if they thought that thereby they could retain their positions unchanged it is clear that they failed. Territorial bargains demonstrate that even although physical change brought about by landed activity was comparatively minor, social and economic change, the prerequisite of future development, was considerable.



FOOTNOTES

1. See Table 1.  
SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.  
The figures given appear to be broadly correct. There are difficulties, however, which might marginally increase or decrease them. There are problems, for example, with place names which may mean that an area outside Forfarshire is considered within its limits. Most of the difficulty, however, lies in the General Register of Sasines. Some heritors only had marginal interests in Forfarshire their main territories lying elsewhere. Such interests, however, have been included in the figures as a transaction exclusive to that shire.
2. SRO RS3/1-RS3/61, passim. See Table 1b.
3. SRO RS35/1-RS35/8, passim. See Table 1a.
4. Ibid.
5. Their interests mostly focussed on the east coast and on shires which were conterminous with Forfarshire SRO RS3/1-RS3/61, passim. Vide supra.
6. Ibid.
7. Vide supra.
8. SRO RS3/1-RS3/61, passim.
9. Ibid. The Particular Register also, in a small number of cases, mentions awards under the Great Seal SRO RS35/1-RS35/8 passim. See for examples of this trend SRO RS35/5 fo 117 20.9.1672, SRO RS35/7 fo 289 28.4.1681.
10. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
11. Ibid.
12. Ibid et SRO GD16/26/70, passim, SRO GD45/1/163. The way of lenning and borrowing of monies in Scotland, the extortion of the brocker, the preiudice that both lenner + borrower susteaneth, with the remedie + way to discover + prevent usurie + concealing of mony upon occasion of a taxation. Hereafter GD45/1/163.
13. SRO RS3/1-RS3/61, SRO RS35/1-RS35/8, passim. Vide infra.
14. Ibid.
15. Ibid.
16. Ibid.

17. Ibid.
18. Ibid.
19. Ibid.
20. Ibid. Whether this was true for other areas of Scotland is unknown. However the predominance of the gentry in Forfarshire between about 1660 and 1690 seems to be much greater than for other areas south of the border.

Mingay, Gentry, 115-6.

C. Wilson, England's Apprenticeship (1965), passim.

A. Everit, Change in the Provinces in the Seventeenth Century (1969), 37f.

21. SRO RS3/1-RS3/61, SRO RS35/1-RS35/8, passim.
22. See Tables 1a and 1b.
23. See Figure 1.
24. See Tables 1a 1b and 1c.
25. See Figures 1 and 2.
26. See Figure 1.
27. Smout, Union, 240f.  
R. Chambers, Domestic Annals of Scotland (3 vols. 1859-61), ii, passim. Hereafter Chambers, Annals.
28. See Table 1b.
29. Smout, Union, 240f.  
Chambers, Annals, ii, passim.
30. See Table 1b.
31. SRO RS3/1-RS3/61, passim.
32. SRO RS3/1-RS3/61, passim.
33. Ibid.
34. SRO RS35/1-RS35/8, passim.
35. Ibid.

36. Tenantry and clergy particularly appear to have established a very secure position as creditors of the nobility and gentry. This is evident not only in estate papers such as those of the Guthrie family - SRO GD188/27/6-8, but also in the Particular Register of Sasines - see SRO RS35/1-RS35/8, passim.
- See also SRO GD16/26/70.
37. SRO GD188/32/10, SRO GD188/27/7, SRO GD188/27/8.
38. SRO GD16/29/140 Miscellaneous Estate Accounts, passim.
- SRO GD188/32/10, SRO GD188/27/7, SRO GD188/27/8.
39. C. Howell, Peasant Inheritance Customs in the Midlands 1280-1700. In Goody, Thirsk and Thompson, Family and Inheritance (1976), 134-7. She notes (p.137) that "we must be sure that we are talking about complete subsistence units and about permanent alienations" and later "The lease made possible the retention of land within the family over many generations; the sale, on the other hand, destroyed this continuity." Hereafter, Howell, Peasant..
40. SRO RS3/1-RS3/61, SRO RS35/1-RS35/8, passim.
41. Ibid. Various estate papers and accounts also indicate the force of family relationships. See SRO GD16/29/140 Miscellaneous Estate Accounts passim, SRO GD188/32/10 SRO GD188/27/8, SRO GD188/27/9.
42. SRO RS3/1-RS3/61, SRO RS35/1-RS35/8, passim. It is generally the case that the sasines were drawn up with the bounds of fields given as other fields or various marking devices such as stones or streams but no extent being mentioned. The documents were clearly intended for the use of contemporary bailies rather than historians. Until much more research work has been done on place names among other things, much of the content of the Forfarshire sasines are only of limited value.
43. Ibid.
44. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim. See Figure 2.
45. Ibid. See Figure 3a.
46. See Figure 3.

47. P. Corfield, A Provincial Capital in the Late Seventeenth Century; the case of Norwich. In P. Clark (ed.), The Early Modern Town (1976), 262.
48. SRO RS35/1-RS35/8, RS3/1-RS3/61 passim. See Figure 3a.
49. Ibid.
50. Flinn, Population, 156-164.
51. Ibid et SRO RS35/1-RS35/8, SRO RS3/1-RS3/61 passim.
52. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim. See Figure 3c.
53. A.H. Millar, Roll of Eminent Burgesses of Dundee (1886), passim.  
SRO RS35/1-RS35/8.
54. SRO RS35/1-RS35/8, passim.
55. Ibid.
56. SRO RS35/2 fo 32 22.6.1664, SRO RS35/3 fo 258 8.6.1667.  
SRO RS35/1-RS35/8, passim.
57. J.C. Jameson, Treasury of the Scottish Covenant, passim.  
SRO RS35/4 fo 336 10.1.1671, SRO RS35/5 fo 285 4.4.1674, SRO RS35/1-RS35/8 passim.
58. SRO RS35/1-RS35/8, passim. That is not to say there were no merchant creditors. See SRO RS35/4 fo 226 15.1.1670. There seems to have been some barrier even to the acceptance of Forfarshire merchants as creditors of landowners in that shire.
59. SRO RS35/1-RS35/8, passim.
60. SRO RS35/1-RS35/8, passim.
61. SRO RS35/1-RS35/8, passim.
62. SRO RS35/1-RS35/3, SRO RS35/1 fo 53 11.7.1661, SRO RS35/1 fo 36 24.5.1661.
63. SRO RS35/1-RS35/3, SRO RS35/1 fo 352 12.2.1664.
64. See Figure 3c.

65. SRO RS35/1 fo 36 24.5.1661, SRO RS35/1 fo 212 8.12.1662. These instruments involved the transfer of respectively one quarter of a rood and a tenement of land in Brechin measuring fifty feet by fifty feet.
66. SRO RS35/1-RS35/8, passim.
- S.G.E. Lythe, The Economy of Scotland in its European Setting 1550-1625 (1960), 124. This interpretation seems only applicable to the area of influence of major towns such as Dundee and Edinburgh.
- Mackenzie, Burghs, 163f.
67. SRO RS35/1-RS35/8, passim.
68. Ibid.
- J. Ferguson, The White Hind (1963), 198.
- W. Croft Dickinson, Note; Scot. Hist. Rev., xxxiv, Oct. 1955, No. 118, 188-9.
69. SRO RS35/1-RS35/8, passim.
70. Ibid et W.C. Skinner, The Barronie of Haltowne Dundee (1927), passim.
71. SRO RS35/1-RS35/8, passim.
- D.D. Black, The History of Brechin (1839), passim.
72. SRO RS35/1-RS35/8, passim.
73. Ibid.
74. Ibid.
75. Black notes that although the authority of the Bishop of Brechin was curtailed he was still the "principal man of Brechin for the greater part of the seventeenth century." D.D. Black, The History of Brechin, 62.
76. SRO RS35/1-RS35/8, passim.
- SRO GD16/31/192, 8.1.1670.
77. Ibid.
78. SRO ex GD130/Box 8/Bundle 3 1667, SRO ex GD130/Box 5/Bundle 9, 1682.

79. SRO RS35/1-RS35/8, passim.  
G. Hay, History of Arbroath (1876), 153-4.
80. Ibid.
81. Ibid.
82. Ibid.
83. Ibid.
84. SRO RS35/1-RS35/2, passim.
85. Ibid.
86. SRO RS35/1 fo 297 8.11.1663, SRO RS35/1 fo 35 24.5.1661,  
SRO RS35/1-RS35/3, passim.
87. Ibid.
88. Miscellany, passim.
89. SRO GD130/Box 5/Bundle 1, SRO GD130/Box 6/Bundle 13.
90. T. Keith, The Convention of Royal Burghs of Scotland  
(1926), 134-5.
91. T. Keith, Economic Condition of Scotland under the  
Commonwealth and Protectorate, Scot. Hist. Rev. v,  
1908, 273-4.
92. Miscellany, passim.
93. Flinn, Population, 187f.
94. SRO RS35/1-RS35/8, passim.
95. Ibid.
96. Ibid.
97. SRO GD45/21/1, SRO RS35/1-RS35/8.
98. SRO RS35/1-RS35/8, RS3/1-RS3/61. About this aspect  
they are totally uncommunicative. One is left to  
draw ones own conclusions from the frequency and types  
of transaction relating to a particular property  
whether that estate is advancing or declining.
99. Ibid.
100. Ibid et SRO ex GD130/Box 8/Bundle 3 1667, SRO ex  
GD130/Box 5/Bundle 9 1682.

101. SRO GD45/21/1, passim, SRO RS35/2 fo 280 20.5.1665 et passim.
102. SRO RS35/4 fo 80 1.12.1668, SRO RS35/1-RS35/8, passim.
103. SRO RS35/3 fo 256 8.6.1667, SRO RS35/1-RS35/8, passim.
104. SRO RS35/4 fo 246 27.1.1671, SRO RS35/1-RS35/8, passim.
105. Ibid et SRO RS35/5 fo 150 15.1.1673, SRO RS35/1-RS35/8, passim.
106. SRO RS35/4 fo 14 22.5.1668, SRO RS35/1-RS35/8, passim.
107. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
108. Ibid.
109. Ibid.
110. Ibid.
111. SRO RS3/1-RS3/61, passim.
112. See Figure 4.
113. Ibid.
114. SRO RS35/1-RS35/8, passim.
115. See Figure 5.
116. Ibid.
117. Ibid.
118. Ibid.
119. Ibid.
120. Ibid.
121. Ibid.
122. Ibid.
123. SRO RS35/1-RS35/8, passim.
124. Ibid.
125. Ibid.



126. See Figure 5.
127. Ibid.
128. SRO RS35/1-RS35/8, passim.
129. Ibid.
130. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
131. Edward in Warden, Forfarshire, ii, 234-252.
132. Ochterlony in Warden, Forfarshire, ii, 277.  
SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
133. Ibid et T.C. Smout, A History of the Scottish People 1560-1830 (1970) 136-7.
134. See Figure 6.
135. SRO RS35/1-RS35/8, passim. This gives enough examples of the gentry marrying beyond their own group. See the chapter on marriage and relationships.
136. See Figure 6.
137. Mingay, Gentry, 108f.
138. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
139. Ibid and see chapter on debtors and creditors.
140. Ibid.
141. Ibid.
142. SRO RS35/1-RS35/2, passim.
143. Fraser, Southesk, 121-122.  
SRO RS35/1 fo 31 21.2.1661, et SRO RS35/1-RS35/2, passim.
144. Ibid.
145. Mingay, Gentry, 108f.
146. Lindsay, Lives, ii, 253.
147. SRO RS35/4 fo 18 29.5.1668, SRO RS35/1-RS35/6, passim.
148. SRO RS35/4 fo 14 22.5.1668, et SRO RS35/1-RS35/8, passim.

149. SRO RS35/2 fo 258 8.6.1667.
150. SRO RS35/1-RS35/8.
151. A case in point is that of the Woods of Bonitoun. Although they had difficulties with creditors the father had difficulty in interesting his heir in estate affairs being more anxious to follow a military career and spend the revenue of his patrimony that way. See SRO GD45/21/1, SRO GD16/31/252.  
SRO RS35/1 fo 108 16.11.1661, SRO RS35/1-RS35/8, passim.
152. Ibid.
153. C.E. Guthrie Wright, Gideon Guthrie (1900), 150f.
154. SRO RS35/4 fo 246 27.1.1671.
155. See chapter on landed speculation.
156. SRO RS3/47 fo 210 1.8.1682, SRO RS3/1-RS3/61, passim.
157. Ibid.
158. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
159. Ibid.
160. See chapter on debtors and creditors.
161. SRO RS35/1-RS35/2, passim.
162. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
163. Wilson, Airlie, i, 227f.  
Fraser, Southesk, i, passim.
164. Warden, Forfarshire, ii, 70, 265, iv, 32, 39-40.
165. SRO RS35/2 fo 72 20.7.1664.
166. SRO RS35/2 fo 143 29.10.1664.
167. SRO RS35/2 fo 310 24.6.1665.
168. SRO RS35/2 fo 336 23.8.1665.
169. SRO RS35/2 fo 326 15.8.1665.
170. SRO RS35/1-RS35/8, passim.
171. Ibid.

172. SRO RS35/2 fo 234 12.1.1664.
173. SRO RS35/2 fo 84 27.7.1664.
174. SRO RS35/2 fo 161 15.11.1664.
175. C.S. Terry, John Graham of Claverhouse, Viscount of Dundee, (1905), passim.  
M. Napier, The Memoirs of Dundee 1643-1689 (1859-62) passim.
176. SRO RS35/4 fo 232 1.3.1670.
177. SRO RS35/4 fo 236 20.3.1670.
178. Ibid.
179. Ibid.
180. SRO RS35/4 fo 274 1.6.1670.
181. SRO RS35/4 fo 240 31.3.1670.
182. SRO RS35/1-RS35/8, passim. SRO GD16/31/252.
183. Vide supra.
184. SRO RS35/4 fo 267 31.5.1670.
185. Ibid.
186. SRO RS35/4 fo 327 22.11.1670.
187. Fraser, Southesk, 245f.
188. Fraser, Southesk, 361.
189. SRO RS35/4 fo 325 16.11.1670.
190. SRO RS35/1-RS35/8, passim et vide infra.
191. Ibid.
192. Vide infra.
193. SRO RS35/7-RS35/8, passim.
194. Ibid et SRO RS3/1-RS3/61, passim.
195. SRO RS35/6-RS35/8, passim.
196. Mackenzie, Lauderdale, 492-3.

A. Murray, The Scottish Treasury 1667-1708, Scot. Hist. Rev. xlv, April 1966, No. 139. Hereafter Murray, Treasury.

197. Mackenzie, Lauderdale, 492-3.
198. Ibid.
199. SRO RS35/7 fo 125 10.1.1680, SRO RS35/7 fo 134  
29.1.1680, SRO RS35/7 fo 181 31.5.1680,  
SRO RS35/7 fo 182 31.5.1680, SRO RS35/7 fo 221 19.7.1680,  
SRO RS35/7 fo 226 20.12.1680, SRO RS35/6-RS35/8,  
passim.
200. Ibid.
201. SRO RS35/1-RS35/8, passim.
202. SRO GD16/26/55.
203. Vide supra.
204. SRO RS35/7 fo 181 31.5.1680.
205. SRO RS35/7 fo 266 20.12.1680.
206. Mackenzie, Lauderdale, Murray, Treasury, passim.
207. Ibid.
208. SRO RS35/7 fo 221 19.7.1680.
209. SRO RS35/1-RS35/8, passim.
210. Ibid.
211. Ibid et vide supra.
212. Ibid.
213. SRO RS35/1-RS35/8, passim.
214. SRO RS35/6-RS35/8, passim.
215. Ibid.
216. SRO RS35/7 fo 136 3.2.1680.
217. Ibid.
218. Ibid.
219. Ibid et SRO GD16/34/82 3.11.1662.
220. SRO GD16/31/143.
221. SRO RS35/7 fo 136 3.2.1680.

222. Ibid.
223. Ibid.
224. SRO GD45/14/163.
225. SRO GD16/31/143.
226. SRO GD16/34/82 3.11.1662.
227. SRO GD16/31/143.
228. John Hamilton, Lord Belhaven, A Countrey Man's Rudiments (1713), passim.  
J. Donaldson, Husbandry Anatomised (1697), passim.
229. J. Handley, Scottish Farming in the Eighteenth Century (1953), 45f, 195-6.
230. SRO RS35/7 fo 245 8.10.1680, SRO RS35/5-RS35/8, passim.
231. Vide supra.
232. SRO RS35/1-RS35/8, passim.
233. Ibid.
234. SRO RS35/3 fo 258 8.6.1667.
235. SRO RS35/7 fo 140, 6.2.1680, SRO RS35/7 fo 147 27.3.1680.
236. SRO RS35/7 fo 242 6.10.1680.
237. Ibid.
238. Ibid.
239. SRO RS35/1-RS35/8, passim.
240. Ibid.
241. SRO RS35/7 fo 262 16.12.1680 et SRO RS35/1-RS35/8 passim.
242. SRO RS35/1-RS35/8, passim.
243. Ibid.
244. SRO RS3/1-RS3/61, passim.
245. SRO RS35/1-RS35/8, passim.

246. See Table 2 and Figure 7.
247. See Table 2.
248. Fraser, Southesk, 120f.
249. See Table 2.
250. Ibid.
251. Ibid.
252. SRO GD130/Box 5, SRO GD130/Box 6.
253. See Table 2.
254. SRO GD16/29/140, Miscellaneous Estate Accounts  
passim.  
SRO GD16/34/46, SRO GD16/34/82, SRO GD16/26/55.
255. Fraser, Douglas, ii, 445f.
256. SRO RS35/1-RS35/8, passim.
257. Vide infra.
258. SRO GD16/26/85, SRO GD16/26/55.
259. SRO GD16/29/140, Miscellaneous Estate Accounts,  
passim.  
SRO GD45/14/163.
260. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
261. Ibid.
262. Ibid.
263. Vide infra.
264. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
265. Ibid.
266. Vide supra.
267. SRO RS35/4 fo 431 29.8.1671. SRO RS35/8 fo 260  
22.11.1687, SRO RS35/8 fo 417 24.9.1690,  
SRO RS35/5 fo 169 15.1.1673 et SRO RS35/1-RS35/8,  
SRO RS3/1-RS3/61, passim.

268. Vide supra. The clergy were involved in about 3% of the landed business of the Forfarshire nobility.
269. Vide infra.
- J.C. Jameson, Treasury of the Scottish Covenant, passim.
270. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
271. SRO RS35/4 fo 254 24.4.1670, SRO RS35/4 fo 2 6.2.1672, SRO RS35/4 fo 46 27.5.1672, SRO RS35/5 fo 169 15.1.1673.
272. Ibid.
273. SRO RS35/1-RS35/8, passim.
274. SRO RS35/5 fo 2 6.2.1672, SRO RS35/5 fo 169 15.1.1673.
275. SRO RS35/5 fo 169 15.1.1673.
276. Ibid.
177. SRO RS35/5 fo 2, 6.2.1673.
278. Ibid et SRO RS35/5 fo 46 27.5.1672.
279. SRO RS35/4 fo 254 24.4.1670.
280. SRO RS35/5 fo 169 15.1.1673.
281. SRO RS35/1-RS35/8, passim.
282. Ibid.
283. Ibid.
284. Ibid.
285. SRO RS35/1-RS35/8, passim.
286. Vide infra.
287. SRO RS35/1-RS35/8, RS3/1-RS3/61.
288. Ibid.
289. Vide supra.
290. D.B. Mains, The Council of Brechin (1977), 79-86.  
D.D. Black, The History of Brechin (1867), 62.

291. SRO RS35/1-RS35/8, passim.
292. Ibid.
293. Ibid.
294. Ibid.
295. Ibid.
296. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
297. Ibid.
298. Ibid.
299. Vide supra.
300. SRO RS35/1-RS35/8, passim.
301. Ibid.
302. Ibid et SRO RS35/4 fo 274 1.6.1670.
303. Vide infra.



LANDED SPECULATION IN  
FORFARSHIRE c 1660-1690

The buoyancy of landed activity after 1660<sup>1</sup> also promoted landed speculation in Forfarshire. After a period of economic uncertainty which adversely affected the performance and viability of estates,<sup>2</sup> those landowners so affected undertook to recover their position by entry to the land market. The initial post-1660 buoyancy soon deteriorated, however, and some were left in a worse economic position than earlier,<sup>3</sup> with political troubles and local climatic conditions, as well as the essential interest of the majority of landowners in keeping out of the land market depressing that sector until about the end of the 1680's.<sup>4</sup> Two periods in particular, from about 1669 to 1671 and around the end of the 1670's, were especially unrewarding for those heavily involved in land bargains.<sup>5</sup> However, as a general guide it is possible to say that the work of the major speculators followed the incidence of land deals.<sup>6</sup> When they were buoyant speculation was also brisk and vice versa.

Speculators were mainly from the gentry group urged into penetration of the land market by the condition of their estates after 1660 and the hope that the remedy would be short and enduring. As a rule, however, they were only moderately successful. They did not give the cure the attention it required and the deterioration of the economic situation took matters out of their hands, forcing more landed transactions upon them than they wanted to make or pushing their properties to the brink of destruction. The level of their speculation may be crudely gauged by two

criteria, the level of their participation in land deals and their degree of concern with the protection of their patrimony. Lairds such as David Hunter of Burnside<sup>7</sup> and David Fotheringham of Powrie,<sup>8</sup> who had above average participation in landed transactions between 1660 and 1690,<sup>9</sup> were not interested in speculation for its own sake but rather in the safety of their precarious estates and their continuation in their families.<sup>10</sup> They were not concerned with any extension of their landed base which was a sure sign of the speculator, but rather with the re-establishment of the status quo. The latter was equally true of those with greater involvement such as Colin Campbell of Lundie<sup>11</sup> and Patrick Maxwell of Tealing.<sup>12</sup> They, however, also had deep financial problems<sup>13</sup> and the consequent number and complexity of their deals was speculative.<sup>14</sup> In Campbell's case he speculated on future estate viability to receive the credit of tenantry.<sup>15</sup> His deals were numerous and complex,<sup>16</sup> but they involved so much of his property and required such attention and accounting skill that his speculative effort failed and forced his successor to dispose of property to settle with creditors.<sup>17</sup> Campbell's case may, therefore, be considered a typical example of gentry speculation as may Maxwell Tealing's. However, frequency of bargains<sup>18</sup> and extension of property rights were not the only characteristics of the speculator. His participation and interest had to be continuous and extensive, with wide interests in lending and borrowing,<sup>19</sup>

and he had to be prepared to dispose of property for financial advantage. Such activity demanded a close acquaintance with landed business circles and a specialist knowledge of the local economic environment. Few Forfarshire gentry in the post-Restoration epoch could satisfy all those conditions although most fulfilled one or more of them.<sup>20</sup> Only one satisfied them all. William Gray of Hayston, the sheriff clerk of Forfar,<sup>21</sup> was the most successful of all the speculators although only for the middle part of his career. His official position<sup>22</sup> probably helped him to take normal gentry practices to a level unique in post-1660 Forfarshire and sustain that intensity over a period of more than two decades.<sup>23</sup>

Gray's involvement in landed business was the most frequent in the shire and he gave it his almost undivided attention.<sup>24</sup> In this he was unique among landed speculators and was repaid with singular success in taking over the rights to property with which he had no family connection and in a particular area where his interests were widespread.<sup>25</sup> The limited interests of most other speculators were insufficient for success.<sup>26</sup> Speculation in the post-1660 land market could only succeed with total application and dedication to a conscious goal. Gray's other main advantage over less successful entrants to the land market was that he had nothing to lose. He was always working from the secure base of his Hayston estate accumulating rights in other areas while others were trying to save their own

properties and had the very basis of their social and family position at stake.<sup>27</sup> In that sense Gray might be said to have been the only real speculator among them.

Gray's career was divided into three distinct phases. From about 1647 until the Restoration,<sup>28</sup> from then until 1672<sup>29</sup> and from 1672 until his death about 1683.<sup>30</sup> His middle period was the most active.<sup>32</sup> It was also the most active period in Forfarshire landed society and one which clearly favoured his experienced, committed and knowledgeable intervention. That middle period also had distinct periods and types of activity.<sup>33</sup> It can be divided into the 1660's until about 1668, when there was a noticeable lack of borrowing in Gray dealings,<sup>34</sup> and from about 1668 until 1671 or 1672 when borrowing took over.<sup>35</sup> Late February 1668 and December of that year were among the most enterprising periods of Gray's life,<sup>36</sup> although he over-extended himself financially. 1668 itself, therefore, was crucial in Gray's career. Between its beginning and end his situation changed and his plans altered accordingly. Certainly he recognised the change for he called for the aid of his eldest son William Gray of Innerichty in overcoming his problems. These had been caused by his anxiety to engross choice tracts of Spynie territory which George Lord Spynie was forced to alienate because of severe economic difficulties.<sup>37</sup> Gray's financial commitment for them led to his large borrowings of 1669 and 1670 and the acceptance of renunciations in his favour at that period.<sup>38</sup> Thereafter there was a progressive diminution of landed activity<sup>39</sup> as

well as a change of emphasis. Whereas earlier Gray had been involved in the purchase of property, after about 1671 or 1672 he was concerned with its alienation and the renunciation of debts in his favour.<sup>40</sup> This was probably to secure himself and his family in the property from which he eventually took his designation.<sup>41</sup> The career of William Gray as a landed speculator had therefore three main periods with, especially in the middle period, sub-periods when different types of activity took place. One major characteristic, however, predominates in all of them. He was carrying on a successful legal business throughout his life. He regularly appeared at Dundee for the registration of the sasines of others<sup>42</sup> and gave advice and information on related subjects.<sup>43</sup> His permeation of the landed sector was far-flung and involved him in every facet of its affairs after 1660.<sup>44</sup>

The sheriff clerk's most significant associates in his business life were his sons, particularly William and George.<sup>45</sup> As his career advanced they took more and more of an interest in his affairs until after about 1675 they were cumulatively more active in landed bargains than he was.<sup>46</sup> Since about 1673 outsiders had been dealing more and more in Gray's business and he had increasingly to act with the consent of others as though his associates did not trust him.<sup>47</sup> Possibly to prevent further dissipation of family influence the sons, especially William, the laird of Innerichty, increased their participation<sup>48</sup> and after about the mid

1670's alienation to them was the basis of the sheriff clerk's activities. Presumably he realised that he had not long to live and wished to maintain family interest in certain properties, as well as being incapable of administering by himself the extensive lands he had acquired. His youngest son, George, was also a sheriff clerk of Forfar<sup>49</sup> and the laird of Halkerton.<sup>50</sup> He made much less use of his official position than his father, however, and was much less respected,<sup>51</sup> but seems to have been the most independent of the three Gray sons. Nevertheless, he also took some interest in family property and its management. The middle son, Michael Gray of Turfbeg, was less closely associated with his father's business and less well treated than the other two. Certainly he was always the least active in family business<sup>52</sup> and appears to have been discriminated against when his father was doling out property, being treated more as a business partner than a relative.<sup>53</sup> George seems to have been his father's favourite son since he was youngest and both held the same official position, a favouritism borne out by the fact that he was gratuitously given property by his father and elder brother. Whatever the truth of this matter, and despite the variety of their participation in family business, Hayston's sons were cumulatively very active towards the end of their father's career<sup>54</sup> demonstrating that his family association was most significant to him and influential in his speculative deals.

Another major business association in Gray's career which evolved through his family was with the legal profession. His youngest son was a lawyer<sup>55</sup> and his eldest son gave him a great deal of help with his business<sup>56</sup> but the legal-family association was much deeper than that. On 23 May 1671 James Dalgety, a servant of the sheriff clerk, appeared at Dundee for the latter's nephew also called William Gray.<sup>57</sup> He was the son of John Gray, a writer in Forfar,<sup>58</sup> and the brother of the laird of Hayston. The latter was then in Dundee<sup>59</sup> and did not appear for his nephew suggesting some ill feeling between the two brothers. One had progressed to a high official position while the other remained a writer. The sheriff clerk was a major force in landed society with many resources and a considerable reputation as opposed to his quieter, less adventurous brother. If Hayston sent his servant to appear for his nephew, he himself appeared for William Luke, another writer in Forfar,<sup>60</sup> a practice no doubt calculated to improve his legal connections, though at the expense of family relationships. Luke was sased in one third of the lands of Balmaw in the regality of Lindores,<sup>61</sup> the part then occupied by one Andrew Doig.<sup>62</sup> Balmaw in 1671 was, for whatever reason, attractive to the legal profession in Forfarshire and in the burgh of Forfar particularly. Two of its tenants were the son of a writer, who was also the nephew of the sheriff clerk, and a writer. Gray may well have directed the speculative attention of his colleagues



and family to areas in which he himself was not interested. That activity would presumably result in some kind of remuneration or future favours for him or may simply have been calculated to facilitate business associations. His existing relationships, however, indicate how well he knew the sector and his profession and how integral a part in the speculative activities of both he played.

Other business connections of William Gray throughout his career were mainly with those who were socially and economically significant in Forfarshire.<sup>63</sup> He dealt with few below gentry level although his official position would have contributed to that,<sup>64</sup> while his participation in land deals brought him secure and substantial associates. Part of his success was that he concentrated his efforts on achieving his goal through a socially restricted group. Gray almost always preferred fellow lairds as business partners.<sup>65</sup> Indeed he inclined to few groups outside his own family or landed society.<sup>66</sup> Ministers, merchants and the inhabitants of towns were few and far between in his business dealings.<sup>67</sup> Equally scarce were tenants, craftsmen and relatives outside his own direct descendants. Nevertheless, despite his predilection for particular groups of associates, he himself tended to be the focus for a great variety of landed activity.<sup>68</sup> He acted as a catalyst in the groups which attracted him, promoting a vigour in landed dealings which would not have existed in his absence.

Most of Gray's deals between 1660 and 1683 were for properties within easy reach of Forfar<sup>69</sup> although neither he nor his family were heritably connected with it and he was originally designed of Hayston which was near Glamis.<sup>70</sup> He appears to have always been interested in the Forfar area and in the barony of Phinhaven in general.<sup>71</sup> The decision to invest in any area was doubtless based on productivity, profitability, settled tenantry and maximum occupation of cultivable land as much in the case of a speculator as in that of an ordinary heritor. Gray, however, had another aim. He had the specific intention, with apparently little regard to cost, of becoming the heritor of a particular estate. From the immediate post-Restoration period until he first became known as William Gray of Carse in the middle of 1672,<sup>72</sup> he intended to acquire if not Carse itself then something comparable in the area of Forfar, and none of his actions can be considered arbitrary. It is noticeable that after he acquired Carse estate his activities diminished.<sup>73</sup> He had evidently achieved his main goal. He did, however, retain some other interests in landed dealings<sup>74</sup> and in this respect he was unique among speculators. The latter were mainly concerned to save family properties and if successful they ceased to operate.<sup>75</sup> Gray did not subscribe to that philosophy and continued to speculate.

Speculation on any scale was expensive and especially at the level to which Gray took it. He managed to afford it by renouncing his rights in a particular area for a financial consideration which was then applied elsewhere and by borrowing. One other significant element in enabling him to speculate was his official position, the insight it gave him into the land market and the affairs of landed families. These elements formed an important part of Gray's transactions from his very first dealings in land in early post-Restoration Forfarshire and are continually to the fore as his career proceeds. His technique is already discernible on 21 and 24 August 1661 when Sir David Ogilvy of Inverquharity reversibly alienated to the sheriff clerk the lands of Overmigvie, Muirhouse and Ludwith<sup>76</sup> as well as Crawmondjuschie.<sup>77</sup> The lands were reversible on payment of 10,000 marks Scots<sup>78</sup> which Gray was later paid when he renounced them.<sup>79</sup> Similarly on 29 May 1662 a 1646 debt of 2,000 marks Scots was renounced in favour of the Earl of Kinghorn.<sup>80</sup> The debt in question had been arranged on 15 December 1646 between John Earl of Kinghorn and John Earl of Ethie,<sup>81</sup> Gray taking over the debt from the creditor presumably because of the latter's financial position.<sup>82</sup> Probably the fact that only the annual rent for 1647 had been repaid, and thereafter fell into abeyance, had something to do with Gray's intervention. However, whether his official position or sheer opportunism motivated his action is unclear, although the latter is more

probable. That opportunism is well seen in his changing loyalties. Before 1660 Gray had been an important creditor of the Earl of Kinghorn whose estates were then in some economic decline.<sup>83</sup> When they began to recover he shifted his allegiance, not to the Airlie estates, also in difficulty,<sup>84</sup> but with whose superior he was in dispute,<sup>85</sup> but to those of the Lindsay family which were not only declining<sup>86</sup> but whose superior had no heir.<sup>87</sup> If the activities of Patrick Earl of Kinghorn in repossessing his estates and freeing them of debt<sup>88</sup> were responsible for ousting Gray,<sup>89</sup> he quickly found another end for his attentions.

Whether Hayston used the funds renounced to him by the Earl of Kinghorn<sup>90</sup> to purchase rights in the lands of Balgillo - his first independent transaction in the post-Restoration period - cannot be ascertained, but certainly in late 1662 he was granted a sasine of those lands by Captain James Thorne.<sup>91</sup> Such a reinvestment of capital in territory would not be unlikely and neither would the collection of finance for buying into a specific area. In 1663 renunciations continued<sup>92</sup> apace, approximately 12,000 marks Scots being repaid to Gray<sup>93</sup> by nobles, barons and lairds of Forfarshire although the reinvestment of the funds remains uncertain. They seem, however, to have financed further infiltration of the land market at a time ripe for such action.<sup>94</sup> A debt originally arranged in late 1653,<sup>95</sup> for 800 marks Scots with annual rent taken out of Glamis was renounced by the sheriff in favour of the Earl of

Kinghorn on 5 March 1663.<sup>96</sup> The previous day a sasine had been registered noting Kinghorn's repayment to Gray and the laird of Halkerton of 3,000 marks Scots which had been borrowed by Kinghorn's father in October 1636.<sup>97</sup> Whether Hayston and Halkerton were equal partners in the 1636 deal is unknown.<sup>98</sup> What is certain, however, is that the former was closely associated with the Kinghorns father and son. Two and a half months later Sir David Ogilvy of Inverquharity paid Gray 10,000 marks Scots for renouncing his rights in the lands of Cranmarduish in the parish of Kirriemuir.<sup>99</sup> This probably included the renunciation of Overmigvie, Muirhous and Ludwith<sup>100</sup> as well as Crawmonjuschie<sup>101</sup> which he had accepted in 1661.<sup>102</sup> Even early in his post-Restoration career the sheriff clerk was noticeably taking advantage of opportunities offered to him. Those in difficulty such as the Earl of Kinghorn<sup>103</sup> were given credit and when it was repaid it was applied elsewhere. All the time the funds increased through annualrent and clauses of failyie.<sup>104</sup> At that time Gray was more of a speculator than he later became for by then he was interested in a settled property.<sup>105</sup> Mainly investment and return motivated him in the early 1660's, seeking financial advantage from the information he collected in his office and his attention to landed transactions.<sup>106</sup>

In the 1664 to 1665 period the trend of the earlier years continued. The improved economic environment helped Gray, for renunciation to creditors was a significant feature of it. On 8 October 1664 George Seaton of Woodhill and John Seaton of Newark renounced a bond arranged early in 1658.<sup>107</sup> For a loan of £7,766 13/4 Scots the laird of Hayston had taken £466 Scots annually out of Woodhill in the parish of Barry.<sup>108</sup> The sheriff clerk appears to have used the money given to him by the Seatons to pay off his own debts, subsidise bad debts<sup>109</sup> and purchase an interest in property.<sup>110</sup> The centralisation of his collection of debt around one period, however, suggests that the forces at work were not entirely natural, debtors being induced to repay possibly because of Hayston's recent unhappy experiences with the first Earl of Airlie and his successor, the then Lord Ogilvy.<sup>111</sup> On 29 October 1664 Gray also renounced an annual rent of £210 Scots out of Barnyards in the Kirklands of Tannadyce<sup>112</sup> to John Lyell who had paid him 5,250 marks Scots.<sup>113</sup> By mid 1665 the sheriff clerk had fully committed himself to the search for specific tracts of landed property by his renunciation of rights in others and the consequent collection of funds.

Renunciation continued thereafter but at a much reduced level. On 4 December 1665<sup>114</sup> a debt of 4,400 marks Scots was renounced in Gray's favour by Patrick

Drummond,<sup>115</sup> evidently the assigned heir of James Small of Davidston.<sup>116</sup> Drummond was the promised husband of Agnes Small, the daughter of the laird of Davidston,<sup>117</sup> who seems to have originally borrowed the 4,400 marks Scots from Gray.<sup>118</sup> The latter appears to have been further consolidating his financial position for deeper penetration of the land market, for the purchase of Balgillo at that time<sup>119</sup> is unlikely to have taken all his available resources. By the end of 1665, however, he had renounced almost all he could,<sup>120</sup> and that, for the time being, if inadequately,<sup>121</sup> financed his speculative activities and plans.

It is in his acquisition of Spynie lands and the estate of Carse that Gray's work, as a speculator and its expense is shown to best advantage. The former were much more diverse than the latter<sup>122</sup> although at the same time encompassed them and comprehended the general area of Gray's interests. If not earlier, at least by 1666 a plan of action had been formulated by William Gray for having conveyed to him the rights of Carse estate while retaining his legal business and Forfar as the nub of his affairs. The origins of his expensive and time consuming interest in Carse<sup>123</sup> can be traced to May 1665.<sup>124</sup> On the last day of that month the sheriff clerk and his eldest son, working together for the first recorded time,<sup>125</sup> had alienated to them by John Seaton of Newark the lands of Carse, Milnton of Rescobie, Loch of Rescobie and Overtooring.<sup>126</sup> That territory was peripheral to the laird of Newark's

own estate and clearly susceptible to the influence of speculators. Evidently the gentry would sacrifice property they had received or bought, or that on the outskirts of family estates, before jeopardising their patrimony. Seaton's alienation, however, was only the beginning of Gray's investments in the Carse area. On 26 March 1666 he was sased in tracts of land in Milnetoune of Rescobie, Carse and Woodlands,<sup>127</sup> increasing his rights there.<sup>128</sup> About seven weeks later the sheriff clerk and his wife Elizabeth Paterson<sup>129</sup> were sased in the lands of Parkyett, Overturing and West Cottoun of Carse, the lands of Heatherpark in the baronies of Balgavie and Gardyne, Dentonmilne and some territories in Arbroath.<sup>130</sup> The predominance of Carse in his affairs is clear and cannot be concealed by his diverse interests, admittedly mostly around the same area,<sup>131</sup> and obscure place names.<sup>132</sup> In two other sasines registered on the same day<sup>133</sup> Hayston was again sased in parts of the lands of Carse and Milntoun of Rescobie,<sup>134</sup> once by William Ruthven of Gardyne.<sup>135</sup> Therefore in four different instruments of sasine he was infeft in the rights of Carse itself. That was not enough for heritable proprietorship however. That property apparently consisted of many pertinents, since Gray was not designated of Carse until some time later<sup>136</sup> when his rights had been further extended.



By 1668 Hayston was mainly engaged in purchasing rights to territories in which he already had an interest, and Carse was still among his primary objectives. On 6 January 1668 he was infeft in £214 1/4 Scots interest<sup>137</sup> out of the lands of Overturin in the barony of Carse by James Innes of Denoon.<sup>138</sup> Even that was not to be the end of his concern: After collecting money from David, the Earl of Northesk,<sup>139</sup> James Carnegy of Phinhaven<sup>140</sup> and William Duncan of Seasyd<sup>141</sup> in June 1672 his motives became clear: In a sasine of 19 August 1672 registered in his favour by Sir James Ogilvy of Inschewan, Gray was for the first time designated the laird of Carse.<sup>142</sup> He had coveted title to those lands for a long time<sup>143</sup> successively taking over interests in them,<sup>144</sup> selling land and borrowing money to achieve his goal.<sup>145</sup> Another of his reasons for accumulating money became apparent in the middle of 1673: James Read, sometime at the Mill of Balbegno, had renounced to him by Gray 4,750 marks Scots at an annualrent of £260 Scots<sup>146</sup> for assigning to the sheriff clerk an annualrent of £190 Scots which he took out of the lands of Carse.<sup>147</sup> Gray was anxious to free the property of which he was newly designated of any attentions but his own. He was designated of Carse for only a short period, however,<sup>148</sup> and in May 1675 was again called the laird of Hayston.<sup>149</sup> It is obvious that he held both properties for some time before, in the interests of rationalisation and consolidation, he disposed of Carse to maintain property he

had been traditionally associated with.<sup>150</sup> That disposition took place in the late 1670's a period of Gray's consolidation of his affairs.<sup>151</sup> On 21 August 1679, in three separate sasines,<sup>152</sup> the lands of Carse were granted in feuferme to Mr. Patrick Lyon of Carse.<sup>153</sup> Hayston's intention in disposing of Carse to someone outside his family is unclear. All his sons were lairds and possibly felt they could administer no more property, especially since they would succeed their father. It is more likely, however, that Gray was planning for the future. A secure income from stable properties and a dependable owner were very advantageous. Carse therefore retained its influence on Hayston's family.

If some of Hayston's plans could be frustrated<sup>154</sup> he was nothing if not adaptable and expedient. This is readily seen in his interest in the Lindsay estates, concurrent with that in Carse. He took a piecemeal interest in Lindsay properties progressively adding to his rights there until he had virtually bought out anyone else who was interested. By that means he became a principal creditor of the Lindsay family.<sup>155</sup> For example, around the time he was taking a greater interest in Lindsay lands he received, at the end of February 1668,<sup>156</sup> a charter of part of them called Drum or Forresterseat in the barony of the Forest of Platon from John Annand in Drum of Langbank. The appearance of a tenant<sup>157</sup> as a business partner indicates the determination of Gray and the lengths to which he would go to increase his rights in

a property in which he was interested.<sup>158</sup> The penultimate day of February 1668, on which no less than ten instruments of sasine were registered in the sheriff clerk's favour,<sup>159</sup> clearly demonstrates his tactics in aggregating rights to Lindsay territory. He bought the rights of William Newton in Killhill,<sup>160</sup> Isobel Arrot,<sup>161</sup> Alexander Pitcairne, a former minister of Tannadyce,<sup>162</sup> and Janet Robert.<sup>163</sup> All these rights were focussed on Garlabank owned by the Lindsays<sup>164</sup> and the last one at least was obtained very cheaply by Gray. Janet Robert owed 350 marks Scots on the wadset of Tailorseat,<sup>165</sup> a pendicle of Langbank,<sup>166</sup> which she could not pay. Gray saw the opportunity of obtaining further rights in Lindsay property and took it. A more expensive succession to rights again based on the same principles was that bought by Gray from Patrick Murray of Bonnytoun.<sup>167</sup> An annualrent of 400 marks Scots<sup>168</sup> given by George Lord Spynie the head of the Lindsays out of the lands of Blackdykes and Eastmains of Phinhaven to Murray of Bonnytoun was transferred to the sheriff clerk for the overdue payment of annualrent for the period 1652 to 1657 amounting to £1,695 5/6 Scots.<sup>169</sup> The sheriff clerk was consistently taking advantage of such difficulties on the Lindsay estates to increase his rights there. The financial problems of Spynie and his inability to redeem mortgaged property permitted the infiltration of his affairs by a speculator and opportunist like Gray.

The sheriff clerk's involvement in the affairs of Lord Spynie<sup>170</sup> was clearly more extensive than his interests in Carse. On 28 February 1668 John Jenkin of Balkenny granted him an annualrent of £72 Scots which had originally been given to Jenkin by George Lord Spynie.<sup>171</sup> The interest had to be uplifted out of the lands of Eastmains of Phinhaven and Blackdykes with the rider that it might also be taken out of any territories of Spynie in the barony of Phinhaven or Forest of Platon.<sup>172</sup> On the same day Jean Allan, the daughter of the Reverend Andrew Allan the deceased minister of Oathlaw,<sup>173</sup> disposed of an annualrent of £60 Scots out of the lands of Sandiford, originally given to her or her father by Spynie, in favour of Gray.<sup>174</sup> Spynie himself must have realised the predominance of the sheriff clerk in his affairs and that he was, after his relentless activity, a major creditor by the end of February 1668. By then he had successfully bought out most of those interested in Spynie property in the barony of Phinhaven and Forest of Platon. Whether his attentions to Spynie creditors and property were common knowledge, however, is unknown. Gray had failed in his aims in taking over Kinghorn properties<sup>175</sup> in the late Protectorate and early post-Restoration period by not being an extensive enough creditor. He was not taking a chance of making the same mistake with Spynie. He spread his net of credit widely, making it virtually impossible for the superior to escape its ramifications. Spynie realised he was at Gray's mercy and alienated extensive properties to him.<sup>176</sup> He disposed of Over and Nether Bowhouse,

Sandiefoord, Kilhill, Garlawbank and Langbank comprehending Tailorseat and Drums.<sup>177</sup> Also included were the superiorities of Schillhill and Drumchine in the parish of Kirriemuir,<sup>178</sup> Newmill of Phinhaven, Cairne and Sheriffbank, Whytwall and Dobies in Tannadyce,<sup>179</sup> Boig, Boigmill, Auchinday Dreckmyre, Blackdykes, Retelgrein, Eathalfe, Oathlaw, Schilburne, Kingseat, Wester Ordie and Whyteburne.<sup>180</sup> Again mentioned in a separate sasine as though for confirmation, and as if it was an important acquisition, was Langbank.<sup>181</sup> Gray's mastery of available Spynie properties was all but total in a short space of time because of the difficulties of that landowner and his own energy.

His interest in Spynie lands was so extensive that it included branches of the family. Lord Spynie was a Lindsay<sup>182</sup> and the family of Lindsay of Pittairlie was connected to that nobleman. On 9 February 1669 Helen Lindsay, the sister of the laird of Pittairlie,<sup>183</sup> renounced an annualrent of £60 Scots out of Pittairlie, Gourdie and the great "ludging" in Dundee called the Earl's Ludging in favour of Gray.<sup>184</sup> Her brother Patrick had previously renounced £40 Scots on a 1656 debt of 1,000 marks Scots<sup>185</sup> taken out of the same areas.<sup>186</sup> Clearly the sheriff clerk was diversifying his interests in the Lindsay family and its properties. He used all available opportunities to infiltrate their territories in the hope of eventually completely taking over their estates. He no doubt

calculated the risk involved in such diversification and felt it worthwhile, his earlier concentration on Kinghorn property having come virtually to nothing. It is instructive to note how far his infiltration of the Spynie connection went. By the beginning of 1672 he was even involved in the marriages of that family, doubtless as much to protect his investments as to increase his participation. On 20 January, along with David Cairncross of Balmashaner,<sup>187</sup> Gray renounced 2,500 marks Scots each<sup>188</sup> to Cairncross's daughter Elizabeth and her husband Alexander Lindsay of Pitscandly<sup>189</sup> as part of their marriage contract.<sup>190</sup>

About three weeks after his settlement of the marriage contract there were further bargains made with the Lindsay family. On 9 February 1672 he repaid ten thousand Scottish marks to Anna Lindsay, the sister of George Lord Spynie,<sup>191</sup> who had renounced in his favour an annual rent of £400 out of the lands of Phinhaven.<sup>192</sup> On the same day a sasine was registered in which Hayston, with the consent of his eldest son,<sup>193</sup> disposed of the lands of Guildie and Pitairlie in favour of George, Earl of Panmure.<sup>194</sup> Gray's relationships remained as extensive as ever, and if his connection with some parts of the Lindsay family was in decline, new bargains were shortly to be made emphasising the ramifications of his interests in that family and its territories.

After about March 1672, a year which began with some degree of economic optimism,<sup>195</sup> the situation deteriorated. Gray, instead of being on the offensive of the past years, was forced to retreat to save some of his acquisitions. His retreat, however, was also calculated to take advantage of his favoured position in the Lindsay family. On 5 April along with his eldest son,<sup>196</sup> increasingly becoming interested in his father's affairs,<sup>197</sup> he borrowed £1,400 Scots from Isobel Lindsay, the sister of John Lindsay of Pitscandly.<sup>198</sup> She was paid £84 Scots out of the lands of Nether Bowhouse<sup>199</sup> and she is only one aspect of a curious development in Hayston's affairs at the beginning of 1672. In the first four months of that year of the four business deals he made<sup>200</sup> three of them were with women.<sup>201</sup> In one way or another, all were connected with the Lindsay family.<sup>202</sup> Such a development could not have been purely arbitrary. Gray's interest in Spynie lands and the Lindsays continued to be very powerful.<sup>203</sup> He appears to have been broadening the base of his activities and ensuring greater permeation of that family's business and estates through a source he had not previously exploited.

At no time was Gray's infiltration of Lindsay family property clearer than at the beginning of the 1670's. If he had benefitted by their decline, however, there were others, namely the Carnegies, anxious to see whether or not he could solve the difficulties of those estates and apparently

ready to take them from him if he did not. Gray's intentions in taking over Lindsay lands were less permanent than in the case of Carse<sup>204</sup> although even they cost him very dear and were ultimately alienated. He was only marginally interested in the sustained management of land for profit. Rather he was concerned to buy and sell for that purpose. This certainly would explain the large number of his transactions. Like all such businesses, however, his was very susceptible to economic fluctuations and the caprices of the land market. Such forces had to be met by partial re-evaluation and, where necessary, disposition. The lead time of such remedies and his own lack of foresight and energy as he became older, however, were elements which must often have made Gray's position worse than it need have been. That position further declined in 1673. On 15 January Harry Lindsay, the brother of the deceased laird of Pittairlie,<sup>205</sup> repaid Gray £1,000 Scots. It had been loaned to him in 1655 at £60 Scots out of the lands of Guildrie and Pittairlie.<sup>206</sup> The penetration Gray had so long built up had to be partially sacrificed to economic recession and the consolidation of holdings.

In the midst of these multifarious and complex transactions Gray also acquired more general tracts of land away from the attraction of Carse or the Lindsay properties, although most remained in the Forfar environs.<sup>207</sup> On 22 August 1666 he was sased in the Crofts of Forfar, in the



lands and barony of Restennet, Manertoune, Eilack, Pittrewchie, Carseburne, Clochtow, Auldfork alias Little Cossines, Craignathro Dunyauld, Little Dysart and Dinicales.<sup>208</sup> Late in October he also took over the lands of Coatsyd including Corsefolds, four acres of West Coatsyd, two acres called Lawescroft and nine acres called Damestank.<sup>209</sup> At the same time as this relentless aggregation of property was going on, Gray's legal business was also continuing with some of the shire's greatest landowners and most demanding clients.<sup>210</sup> The picture is of the sheriff-clerk as an active and knowledgeable participant in the Forfarshire land market. He was energetic and wealthy enough<sup>211</sup> to take advantage of trends in that sector. He was also capable of foreseeing, because of his official position,<sup>212</sup> what bargains would become available in the land market. 1667 only marginally conflicted with the pattern of general land purchases of the previous year. Although the sheriff clerk alienated some property<sup>213</sup> it appears not to have adversely affected his plans for purchase.<sup>214</sup> The tenor of his plans had been set some time before and as time progressed more and more effort, thought and negotiation was allotted to them.<sup>215</sup>

The alienation of the lands of Bulleon in Auldbar<sup>216</sup> to James Gray, therefore, cannot be seen as purely arbitrary. Rather it was part of a campaign to sacrifice an interest in a particular territory to secure rights in others. Gray

also gave part of Bulleon to the Earl of Kinghorn.<sup>217</sup>  
William Ramsay had already alienated lands to him situated  
in Wester Ordie in the barony of Phinhaven and his takeover  
of lands continued.<sup>218</sup> On 1 August 1667 he became the  
assigned heir of a merchant burgess.<sup>219</sup> Later, on  
7 December he purchased the lands of Templeton, Dronlaw  
and Grangerstoune for £3,599 18/4 Scots,<sup>220</sup> one of the few  
instances of the price paid for a tract of land being  
mentioned. 1668 was the year in which Gray's speculation  
in Forfarshire landed society was at its height, his  
aggregations of property outwith Lindsay lands and Carse  
all but excluding other types of deal. Dispositions  
of rights in his favour took place mostly in the first half  
of the year<sup>221</sup> other business being concentrated in  
December.<sup>222</sup> Early in 1669<sup>223</sup> demonstrating that his  
interest in the Forfar area had not declined because of  
intensity of application and aggregation of rights, he  
accepted the alienation by William Ruthven of Gardyne of  
the lands of Sourdo and Nether Turin.<sup>224</sup>

Still he was not content. Either he had unused  
capital which he wished to secure in land or land was  
available cheaply outside Forfar parish for Gray now began  
to invest in lands beyond his traditional sphere of influence.  
On 8 July 1668 he loaned William and Helen Ochterlony, the  
children of James Ochterlony of Coatsyd, 4,100 marks Scots<sup>225</sup>  
at an interest rate of £164 Scots out of lands in the parish

of Barry.<sup>226</sup> Ochterlony's children were probably trying to save the family property by borrowing, but what is more important is that Gray was expanding his territorial concerns. Whereas he had previously been interested in lands in central Forfarshire, the Ochterlony's offered him rights to property deep in the south east of the shire. Possibly land in the area he was most interested in was not becoming available quickly enough and he was forced to diversify to secure himself, or opportunities emerged which were simply not to be missed. Certainly later in the year<sup>227</sup> the lands of Lundie also came into his hands from Patrick Gray of Kinnell.

The collection of landed rights beyond his normal sphere of influence went on into 1669 and Gray's interests in that year switched to the Dundee area. On 9 February Patrick Lindsay, the brother of Alexander of Pittairlie,<sup>228</sup> renounced a debt of 1,000 marks Scots at an annual rent of £40 Scots per year<sup>229</sup> taken out of the great "ludging" in Dundee called the Earl's Ludging<sup>230</sup> in Gray's favour. Whether the latter's interest in Dundee in 1669 was spawned by his many appearances there for the registration of sasines,<sup>231</sup> or was simply a right renounced to him attached to others, is not clear. It seems certain, however, that his gravitation towards urban from predominantly rural interests was purely temporary and opportunistic. If such rights arose he would accept them although he would not go out of his way to obtain them. Gray's main interests always lay

in central Forfarshire. Territorial diversification was not a major part of his plans. He had set his aims and any acquisitions outside the parish of Forfar were only to be used as intermediate steps to the greater goal.

In this period of intense activity, dating from mid 1665 Hayston, who in the early post-Restoration period had been a creditor and speculator, was forced to become a debtor himself and an object of speculation, as well as seeking repayment of what was due to him. Thus on 26 July the sheriff clerk, acting with his son, no longer the fiar of Hayston<sup>232</sup> but the laird of Innerichty,<sup>233</sup> borrowed money from Thomas Watson, a Dundee merchant.<sup>234</sup> The rate of interest was £240 Scots per annum<sup>235</sup> out of the lands of Trusbeg or Turfbeg,<sup>236</sup> a property of which Hayston's son Michael was later to become heritable proprietor.<sup>237</sup> Watson was one of the few merchants the sheriff clerk dealt with<sup>238</sup> preferring as a rule to make bargains with the gentry.<sup>239</sup> That merchant, however, was probably the son of Alexander Watson of Wallace Craigie a sometime provost of Dundee,<sup>240</sup> one of the leading men in Forfarshire and also a laird engaged in various landed activities<sup>241</sup> which possibly softened Gray's resolve. Borrowing, however, was clearly seen as a last resort and second best to renunciation for it was not used again until four years later.

At that time possibly the economic depression was to blame or Gray's affairs were becoming too expensive for one man's means, no matter how creditworthy, knowledgeable or observant he was, or he had simply too many business projects going at once to effectively control them. Whatever the reason, in July 1669 Hayston had to borrow money, again with William his eldest son, to continue his business affairs.<sup>242</sup> On the 6th of that month they borrowed 6,000 marks Scots from Alexander Edward, the minister at "Eryle".<sup>243</sup> He was given £240 Scots interest per annum out of the lands of Over and Nether Cowhouses and Garlabank in the barony of the Forest of Platon.<sup>244</sup> After striving to gain all possible rights in the properties of Platon, Gray was obliged to alienate some of them, a step he would most certainly have refused to take had his affairs been in a better state, the economic environment more promising.

By the beginning of 1670 knowledge of his condition and of his need for money was widespread. In a letter of Alexander Farquharson to James Ogilvy of Stronend written on 9 January 1670, the former wrote that "Innerrightie had Maid all forfar filneedis by borrowing to send to his father."<sup>245</sup> The sheriff clerk's son<sup>246</sup> had been drafted in to help his father in 1670, and was busy trying to secure finance and prevent bankruptcy. He temporarily succeeded, for between Farquharson's reference to him and the middle

of August of that year the elder Gray took little active part in the landed sector<sup>247</sup> doubtless hoping to recoup some losses and re-establish confidence. It was not to be, however, and the deterioration continued.

At the end of November 1670<sup>248</sup> the laird of Guynd redeemed the lands of Guynd from Gray for 12,000 marks Scots.<sup>249</sup> The sheriff clerk also sought more usual forms of credit to finance him in a period of unaccustomed retrenchment.<sup>250</sup> The day after Ochterlony's redemption he and his eldest son<sup>251</sup> borrowed 3,000 marks Scots from David Doig of Reswallie.<sup>252</sup> The annualrent was to be £120 Scots out of Blackdykes of Phinhaven,<sup>253</sup> one of the areas Gray had been interested in for a considerable part of his career.<sup>254</sup> Recession had reached such a level that he could no longer prevent the alienation of the rights of properties which he had eagerly sought only a short time before.<sup>255</sup> On 29 December along with Innerichty, Patrick Gray of Kinnell and John Wood of Bonitoun<sup>256</sup> he borrowed a further 11,200 marks Scots from Ochterlony of Guynd granting him an annualrent of 672 marks Scots out of the lands of Nether Bowhouse.<sup>257</sup> A former creditor therefore became a speculator in the sheriff clerk's future. He also borrowed more than £3,000 Scots from James Reid at the Mill of Balbegno on 8 May 1671,<sup>258</sup> the interest of which had to be taken out of the lands of Carse.<sup>259</sup> The early 1670's were particularly difficult for Gray, and although his affairs improved as the decade progressed, nothing he did

seemed sufficient to reverse the decline. On 22 June 1672 he borrowed 7,000 marks Scots from William Duncan of Seasyd<sup>260</sup> and another 800 marks Scots from William and John Young.<sup>261</sup> This was shortly after he became the heritable proprietor of the estate of Carse<sup>262</sup> which cost him a great deal of time and money. The acquisition of that estate, as well as the general economic depression, must be considered the reason for Gray's condition in the early 1670's.

His need for finance continued into 1673. On 5 July of that year, with the consent of Patrick Cairncross of Balmashaner,<sup>263</sup> Gray borrowed £2,553 6/8 Scots at £153 Scots from Provost Alexander Watson of Wallace Craigie and his youngest son John Watson.<sup>264</sup> The need for money around the middle of 1673 impinged on all previous policies. Gray, for example, had always considered borrowing to aid his business as a last resort but in 1673 it acquired a much higher priority. Equally it had never been his policy to become involved in urban commercial circles, always preferring to deal with the rural gentry<sup>265</sup> but that also fell to his need for finance. That pressure, fruitless anxiety for his new property, and the advice of his sons who were taking an increasing interest in his affairs, fundamentally altered his policies and projects, leading him to bargains he might not previously have entered. But all the borrowing made little difference to his decline which by 1674 must have been seen as irreversible. On the 22 May of that year he

granted a wadset of Sourdo, Murderwells and Whinydrine in Aberlemno<sup>266</sup> to David Doig of Rescobie and his two sons for 5,035 marks Scots.<sup>267</sup> They were major associates of the sheriff clerk in the mid 1670's and were clearly as anxious for property as he had earlier been.

As well as trying to halt his decline by borrowing, however, the sheriff clerk also attempted to call in old debts<sup>268</sup> although he found that if he had been an undemanding creditor that trait was not universal. He had been responsible throughout his career for taking advantage of the economic decline of others. Now that was reversed. The Earl of Airlie, in much the same position as Gray himself, remained his most unyielding and unsympathetic debtor. On 3 December 1670 Gray wrote to him from Forfar saying that he had expected to receive at least the bygone annualrents of his debts but even they had not been forthcoming.<sup>269</sup> This intransigence was met by a hardening of the sheriff clerk's resolve to have his debts repaid. He advised the second Earl of Airlie that if he did not give him a specific time for repayment he would take legal action to recover his money.<sup>270</sup> Such intransigence was far removed from Gray's earlier co-operation and understanding<sup>271</sup> and signified the depth of his difficulties.

Not all of his debtors were anxious to see his collapse, however, and took some account of his pleadings and predicament. On 1 November 1670 the Earl of Kinghorne



repaid him 10,000 marks Scots to recover the lands of Annafoul<sup>272</sup> which had been wadset by his father to Gray.<sup>273</sup> Ten days later a loan of £410 Scots he had made to Patrick Kinnaird of Coustoune bearing interest of £24 5/- Scots out of the barony of Newtibble<sup>274</sup> was renounced in his favour by George Kinnaird of Coustoune, the son of the original debtor.<sup>275</sup> Such sums were obviously inadequate to his needs. On 16 November he wrote to the Earl of Airlie that he still needed money<sup>276</sup> requesting repayment and wanting to know when he could expect it.<sup>277</sup> Evidently the whole shire knew of Gray's financial troubles as he sought repayment from a large percentage of his debtors, a wide and varied group.

Towards the end of 1670 Gray had so over extended himself that there was at least the threat that he would be put to the horn.<sup>278</sup> In a letter to the Earl of Airlie on 3 October<sup>279</sup> he asked that nobleman to intercede for him with one John Ramsay of Acharach.<sup>280</sup> He promised to offset Airlie's work against his debts.<sup>281</sup> In a telling statement he also admitted that he could no longer forbear outstanding debts indefinitely<sup>282</sup> and, while being willing to discount some of what the second Earl owed him, sought immediate repayment to cover his expenses.<sup>283</sup> Clearly his letter demonstrates that if he had not been too pressing in financial matters when he had been accumulating property and when his affairs prospered, that was no longer the case. Those to whom he owed money no longer considered him a good

risk and wanted repaid,<sup>284</sup> a fact which radically altered his attitude. In less than six months Gray had managed to collect some 37,000 marks Scots in new borrowing or outstanding debts<sup>285</sup> but even that could not decelerate his decline. His extensive property holdings entailed considerable expense which could not be adequately got from recalling debts or borrowing since the land market no longer had any confidence in him. Consolidation and rationalisation were therefore the only solutions open to him. These were forced on him by the economic environment<sup>286</sup> and the attitudes expressed in the land market as well as by a variety of subsidiary personal factors such as his age, his concern for the estates of his sons and his anxiety to retain some of the territory he had worked to possess.

Such rationalisation began in the early 1670's. The sheriff clerk seems to have managed to forgo some of the debts owed to him and to have begun instead to consolidate his interests by initially restricting them. On 8 May 1671 he alienated the lands of Whytwall, Wester Dobies and Murthill to Captain David Lyon of Whytwall. Even in 1672, in which he was more active than in other periods,<sup>287</sup> the process of reorganisation and unification continued. Although the first quarter of that year was less depressed than earlier<sup>288</sup> it caused further reconsideration of territorial and financial positions and an attempted re-establishment of a former degree of solvency appropriate to his position and activities.

1673 continued that trend. By that time Gray appeared to realise that by virtue of his age,<sup>289</sup> his financial and other businesses, obscure to most but himself,<sup>290</sup> would have to be rationalised and, wherever possible, more closely related to property rights and his family more deeply involved. Rationalisation was therefore advanced on personal and business fronts with Gray attempting to secure himself from within the position he had made for himself over the previous decade and a half. On 22 January 1673 Thomas Leonard at the Mill of the Glen of Ogilvy, brother of the deceased John Leonard hammerman in Overbow,<sup>291</sup> renounced the annual rent on 1,100 marks Scots in favour of Gray.<sup>292</sup> Rationalisation forced policy changes on the latter. He came to act with tenants and craftsmen with whom he was apparently ill at ease and rarely involved.<sup>293</sup> He was not always successful in his avoidance of them, however, in the last phase of his career.<sup>294</sup> The Leonards not only held the Westertack of Netherbow for a considerable period. They also granted a loan to Hayston when he gave them a precept of clare constat.<sup>295</sup> Possibly the new landlord was putting difficulties in the way of the tenants which only a loan from them could solve. Gray's accumulation of finance and consolidation of property rights continued. There can be little doubt that the need for capital was forcing him to alienate lands he had long coveted. That he did it unwillingly and with ill grace seems to be suggested by the

restrictions he placed on new tenantry. Nevertheless his experience of the caprices of the land market seems to have confirmed him in the notion that consolidation and the conscientious management of one property or block of lands was better than over involvement in that sector with consequently greater susceptibility to all its fickleness.

If by the late 1670's the sheriff clerk was restricting his landed business, his participation in shire business was far from over. On 2 July 1679 he wrote to the second Earl of Airlie to tell him that he had received a letter from his lordships brother.<sup>296</sup> It concerned the day of a meeting they were to have<sup>297</sup> at which doubtless the debts between them would be mentioned.<sup>298</sup> Hayston suggested the following Thursday or Friday at Cortachy<sup>299</sup> making it clear that even late in his life he remained active and aware of the need to settle his affairs, in which task he appears to have had some success. 1679 was the most active and important year in the becalmed second half of the 1670's in Gray's career. As well as settling outstanding business he also settled family affairs confirming his sons in properties he wished to continue in the family. On 21 August of that year he infeft his son William designed the heir of Hayston,<sup>300</sup> in the lands of Netherstack.<sup>301</sup> As in the case of the youngest son George, there was no mention of a quid pro quo for the infeftment,<sup>302</sup> that evidently being reserved for Michael.<sup>303</sup>

Two bargains remained for Gray to make in his reconsideration of his landholdings. On 15 April 1680 John Ochterlony of Guynd was repaid a loan he had made to the sheriff clerk,<sup>304</sup> and renounced an annualrent in his favour out of the barony of Tannadyce.<sup>305</sup> Throughout his career Gray had been interested in that barony<sup>306</sup> and as his career drew to a close he appears to have wanted to maintain a family connection with it by eliminating extraneous influences on his rights there. His rationalisation continued. In the last legal bargain he made, registered on the first day of the following year,<sup>307</sup> Gray disposed of Balgillo under a charter of the Great Seal<sup>308</sup> in favour of William Blair of Balgillo.<sup>309</sup> This was one of the few times in his career in which the sheriff clerk was involved in arrangements under the Great Seal.<sup>310</sup> The fact that it was close to the end of his career,<sup>311</sup> in a property peripheral to his other holdings and in which his rights were minimal<sup>312</sup> seems to be significant. A bargain under the Great Seal may well have been the only way available to him for disposing of property rights he did not wish to consolidate with his own and settle on his family. The latter, however, inherited more than his property. It also took over his business.<sup>313</sup> After Gray died,<sup>314</sup> between 1 January 1681<sup>315</sup> and 18 September 1683,<sup>316</sup> the first reference to him as deceased,<sup>317</sup> his business continued for a considerable period.<sup>318</sup> Debts involving him, the Earl of Airlie and others,<sup>319</sup> various bargains he had documented<sup>320</sup>

and others which people thought he had participated in,<sup>321</sup>  
all had to be finalised by his associates and sons, at  
least two of whom survived him.<sup>322</sup>

It is clear that during three and a half decades in  
the landed life of Forfarshire William Gray used his  
experience and some of his financial rewards,<sup>323</sup> to promote  
his activities, and that during the last twenty years of his  
life in particular he was a focus of activity in landed  
circles. At all times he was conversant with what was  
happening in the shire,<sup>324</sup> and presumably with those events  
which were likely to affect land values, since he was at  
times astute and capable enough to forecast economic  
conditions and adjust his business commitments accordingly.  
He was also a major constituent of the debt and credit  
structure in Forfarshire, well aware of those who were seeking  
credit and those who were prepared to lend money,<sup>325</sup> and of  
how that system could be used to best advantage. He was  
a storehouse of information although how far his official  
position contributed to this is unclear. What is more  
certain is that for any landowner obliged to seek assistance  
or interested in extending his rights to property the  
assiduity of Gray was an example of the only way success  
could be achieved. Too many of the gentry undertook a  
number of landed projects but only too often failed to carry  
them through and finished their enterprises in a financially  
and administratively worse state than they had begun.<sup>326</sup>

Simple observation was insufficient for success in the land market. The extension of family influence and property necessitated total commitment which Gray and his family gave to their participation in landed affairs. Although ultimately greed and the changing economic situation rendered his plans fruitless Gray, by exercising extreme attentiveness, ensured his own and his family's initial success and their predominance over all other gentry participants in land speculation.<sup>327</sup>

Gray's career progressed and declined along with the environment in which he was involved. He was more than a speculator and opportunist taking advantage of chances in the land market which without his intervention might have lain fallow. He was a perspicacious observer of the landed sector and an intelligent businessman availing himself of opportunities as they arose. To do this he manoeuvred himself and his resources into positions in which he could make the best of them. This is nowhere clearer than in his connection with Forfar parish. Throughout his career the burgh of Forfar was the centre of his business and the parish was the area where the majority of his territorial dealings took place. However, when it was opportune to do so he also acquired properties which were more geographically widespread. When he was obliged by over-extension of his resources and the economic climate to rationalise his business, he retained those properties which were close to his centre of operations and with which he had long association. Gray's activities, in that they were a threat

to economically unstable properties, also appear to have been a force for the consolidation of estates since owners were obliged to consider the viability of property in which he was interested. If he had not performed the functions both professional and speculative that he did, the Forfarshire land market would have been less dynamic and its drive towards reorganisation and change slower. Bankruptcies would probably have been more frequent and productivity and profitability less. In particular, the financial operations he performed were necessary constituents of landed society.



FOOTNOTES

1. Vide supra et SRO RS35/1-RS35/8, SRO RS3/1-RS3/61 passim.
2. Ibid.
3. Ibid.
4. SRO RS35/1-RS35/8, passim.
5. Ibid.
6. Vide infra.
7. SRO RS35/1 fo 25 16.1.1661, SRO RS35/1-RS35/8, passim.
8. SRO RS35/8 fo 121 16.8.1686, SRO RS35/8 fo 146 23.11.1686, SRO RS35/1-8, passim.
9. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
10. SRO RS35/1 fo 308, 10.8.1681.
11. SRO RS35/1 fo 350, 12.2.1664.
12. SRO RS35/4 fo 243, 4.4.1670.
13. SRO RS35/7 fo 129, 29.1.1680, SRO RS35/4 fo 280, 22.6.1670.
14. SRO RS35/1-RS35/8, passim.
15. SRO RS35/2 fo 233, 29.12.1664.
16. SRO RS35/1-RS35/8, passim.
17. SRO RS35/6 fo 114, 15.5.1676, SRO RS35/1-RS35/8, passim.
18. SRO RS35/1-RS35/8, passim.
19. Ibid.
20. Ibid et SRO GD45/14/166, SRO GD45/17/508.
21. Vide infra.
22. He held his position around 1647 and died about 1683. Nothing is known of his family origins although he seems to have belonged to Forfarshire SRO GD16/50/37, 5.9.1647, SRO RS35/7 fo 517, 18.9.1683, SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.

Millar, Glamis, 46, 47. It seems clear that "William Gray of Graystone" is the laird of Hayston.

D. McGregor Peter, The Baronage of Angus and Mearns (1856), passim.

Sir Robert Douglas of Glenberrie, The Baronage of Scotland (1798), 51.

P. Gray, The Descent and Kinship of Patrick Master of Gray, (1903), passim.

The Scottish Family of Gray (Genealogical Chart) (1914).

23. SRO RS35/1-RS35/7. He was active before 1660 as a government agent and during that time not only gained experience in legal and political matters but also of the local economy and the condition of landed properties. He was also concentrating on becoming well known politically. He was fined for his collaboration with Cromwell's government after 1660. See SRO GD16/26/55, SRO GD16/50/37, SRO GD16/50/40, SRO GD16/50/49, SRO GD16/50/61, SRO GD16/31/68, SRO GD45/14/81.

For the duties of the sheriff clerk see Dickinson, Court Book, lix-lxi.

24. SRO RS35/1-RS35/8, passim.

25. Vide infra.

26. SRO RS35/6 fo 34, 15.11.1675.

27. Vide infra.

28. SRO GD16/50/37, 5.9.1647.

29. SRO RS35/5 fo 106, 19.8.1672, SRO RS35/5 fo 107, 19.8.1672.

30. SRO RS35/7 fo 517, 18.9.1683.

31. SRO RS35/1-RS35/7, passim.

32. Ibid.

33. SRO RS35/1-RS35/7.

34. Ibid.

35. Ibid.

36. Ibid.

37. Vide infra.
38. SRO RS35/3, passim.
39. SRO RS35/4-RS35/7, passim.
40. Ibid.
41. Ibid.
42. SRO RS35/1-RS35/7, passim.
43. SRO GD45/14/81, 14.6.1650.
44. SRO RS35/1-RS35/7, passim.
45. SRO RS35/1 fo 314, 30.11.1663, SRO RS35/2 fo 301, 31.5.1665.
46. SRO RS35/4-RS35/8, passim.
47. Vide infra.
48. SRO RS35/1-RS35/8, passim.
49. SRO RS35/6 fo 77, 9.2.1676.
50. Vide infra.
51. Ibid.
52. Ibid.
53. SRO RS35/6 fo 89, 15.3.1676.
54. SRO RS35/5-RS35/8, passim.
55. SRO RS35/6 fo 77, 9.2.1676.
56. Vide infra et SRO RS35/1-RS35/7, passim.
57. SRO RS35/4 fo 386, 23.5.16671.
58. Ibid.
59. SRO RS35/4 fo 390, 23.5.1671.
60. Ibid.
61. Ibid.
62. Ibid.
63. Vide infra.

64. Ibid.
65. SRO RS35/1-RS35/7, passim.
66. Ibid.
67. Ibid.
68. Ibid.
69. SRO GD16/31/68, SRO GD45/14/81, SRO RS35/1-RS35/7, passim.
70. SRO GD16/50/37, SRO GD16/50/40, SRO GD16/50/49, SRO GD16/50/61.  
Millar, Glamis, 46-47.
71. Vide infra.
72. SRO RS35/5 fo 106, 19.8.1672.
73. SRO RS35/1-RS35/7, passim.
74. Ibid.
75. Vide supra.
76. SRO RS35/1 fo 80, 24.8.1661.
77. SRO RS35/1 fo 79, 21.8.1661.
78. SRO RS35/1 fo 79, 21.8.1661, SRO RS35/1 fo 80, 24.8.1661.
79. SRO RS35/1 fo 258, 16.5.1663.
80. SRO RS35/1 fo 164, 29.5.1662.
81. Ibid.
82. Ibid.
83. Vide supra.
84. SRO GD16/29/140 1660-70, passim.
85. SRO GD16/31/68, SRO GD16/50/37, SRO GD16/50/61.
86. SRO RS35/3, SRO RS35/4, passim.
87. Lindsay, Lives, ii, 259.

88. Millar, Glamis, passim.
89. Vide supra.
90. Vide supra.
91. SRO RS35/1 fo 190, 4.10.1662, SRO RS35/1 fo 192, 9.10.1662.
92. SRO RS35/1, passim.
93. Ibid.
94. Vide supra.
95. SRO RS35/1 fo 229, 5.3.1663.
96. Ibid.
97. SRO RS35/1 fo 225, 4.3.1663.
98. Ibid.
99. SRO RS35/1 fo 258, 16.5.1663.
100. SRO RS35/1 fo 80, 24.8.1661.
101. SRO RS35/1 fo 79, 21.8.1661.
102. Ibid.
103. Millar, Glamis, passim.
104. SRO RS35/1-RS35/7, passim.
105. Vide infra.
106. SRO RS35/1-RS35/3, passim.
107. SRO RS35/2 fo 128, 8.10.1664.
108. Ibid.
109. SRO GD16/41/616, passim. Inventor of papers relating to the debts due to the Earle of Airlie and Sir David Ogilvie of Clova to Wm. Gray of Hayston and transferred in favours of Mr. Patrick Lyon of Carse.
110. Vide infra.
111. SRO GD16/31/68, SRO GD16/50/37, SRO GD16/31/163.

112. SRO RS35/2 fo 152 29.10.1664.
113. Ibid.
114. SRO RS35/2 fo 369, 4.12.1665.
115. Ibid.
116. Ibid.
117. Ibid.
118. Ibid.
119. Vide supra.
120. The phenomenon continued to play a subsidiary part to borrowing in Gray's financial arrangements. On 16 June 1668 Gray and Lord Spynie renounced part of Schillhill in favour of John Ogilvy of Schillhill. More than two years later the Earl of Kinghorn and George Kinnaird of Coustoune renounced 10,615 marks Scots in Gray's favour, a sum which had originally been borrowed by their fathers. See SRO RS35/4, fo 25, 16.6.1668. SRO RS35/4 fo 322, 1.11.1670, SRO RS35/4, fo 324, 11.11.16670.
121. Vide infra.
122. Vide infra.
123. Ibid.
124. SRO RS35/2 fo 301, 31.5.1665.
125. Ibid.
126. Ibid. These properties had originally been given by a charter of the Great Seal to an Edinburgh merchant Alexander Seaton who had passed them to the laird of Newark.
127. SRO RS35/2 fo 19, 26.3.1666.
128. Vide infra.
129. SRO RS35/3 fo 56, 12.5.1666.
130. Ibid.
131. Ibid.
132. Ibid.

133. SRO RS35/3 fo 59, 12.5.1666.  
SRO RS35/3 fo 61, 12.5.1666.
134. Ibid.
135. SRO RS35/3 fo 61, 12.5.1666.
136. Vide infra.
137. SRO RS35/3 fo 383, 6.1.1668.
138. Ibid.
139. SRO RS35/5 fo 86, 20.6.1672.
140. SRO RS35/5 fo 89, 20.6.1672.
141. SRO RS35/5 fo 90, 22.6.1672.
142. SRO RS35/3 fo 106, 19.8.1672.
143. Vide supra.
144. Ibid.
145. Vide infra.
146. SRO RS35/5 fo 217, 21.6.1673.
147. Ibid.
148. Vide infra.
149. SRO RS35/5 fo 370, 15.5.1675.
150. Vide infra.
151. Ibid.
152. SRO RS35/7 fo 82-7, 21.8.1679.
153. Ibid.
154. Vide supra.
155. Ibid.
156. SRO RS35/3 fo 411, 28.2.1668.
157. Vide supra.
158. Ibid.



159. SRO RS35/3 fos 411-422, 28.2.1668.
160. SRO RS35/3 fo 412, 28.2.1668.
161. SRO RS35/3 fo 413, 28.2.1668.
162. SRO RS35/3 fo 415, 28.2.1668.
163. SRO RS35/3 fo 416, 28.2.1668.
164. Ibid.
165. Ibid.
166. Ibid.
167. SRO RS35/3 fo 417, 28.2.1668.
168. Ibid. It was noted as 300 marks Scots by the 1668 Act of Parliament.
169. Ibid.
170. Lindsay, Lives, ii, 253f.
171. SRO RS35/3 fo 418, 28.2.1668.
172. Ibid.
173. SRO RS35/3 fo 419, 28.2.1668.
174. SRO RS35/3 fo 419, 28.2.1668.
175. Vide supra.
176. SRO RS35/3 fo 420, 28.2.1668.
177. Ibid.
178. Ibid.
179. Ibid.
180. Ibid.
181. SRO RS35/3 fo 422, 28.2.1668.
182. Vide supra.
183. SRO RS35/4 fo 130, 9.2.1669.
184. Ibid.
185. SRO RS35/4 fo 128, 9.2.1669.

186. Ibid.
187. SRO RS35/4 fo 458, 20.1.1672.
188. Ibid.
189. Ibid.
190. Ibid.
191. SRO RS35/5 fo 6, 9.2.1672.
192. SRO RS35/5 fo 124, 8.10.1672. This was the confirmation of the earlier bargain.
193. SRO RS35/5 fo 7, 9.2.1672.
194. Ibid.
195. Vide supra.
196. SRO RS35/5 fo 29, 5.4.1672.
197. Vide supra.
198. SRO RS35/5 fo 29, 5.4.1672.
199. Ibid.
200. Vide supra.
201. Ibid.
202. Ibid.
203. Ibid.
204. Vide supra.
205. SRO RS35/5 fo 150, 15.1.1673.
206. Ibid.
207. SRO RS35/1-RS35/7, passim.
208. SRO RS35/3 fo 144, 22.8.1666.
209. SRO RS35/3 fo 1666.
210. SRO GD16/41/456, 18.10.1666. Letter from William Gray to the Earl of Airlie.
211. Vide supra.

212. Dickinson, Court Book, lex-lxi.
213. Vide infra.
214. Vide supra.
215. Vide infra.
216. SRO RS35/3 fo 208, 8.2.1667.  
SRO RS35/3 fo 209, 8.2.1667.
217. SRO RS35/3 fo 209, 8.2.1667.
218. SRO RS35/3 fo 249, 1.6.1667.
219. SRO RS35/3 fo 289, 1.8.1667.
220. SRO RS35/3 fo 357, 7.12.1667.
221. SRO RS35/3, passim.
222. SRO RS35/4, passim.
223. SRO RS35/4 fo 62, 20.9.1668.
224. Ibid.
225. SRO RS35/4 fo 36, 8.7.1668.
226. Ibid.
227. SRO RS35/4 fo 98, 12.12.1668. Sometimes called  
the lands of the Church of Lundie.
228. SRO RS35/4 fo 128, 9.2.1669.
229. Ibid.
230. Ibid.
231. Vide supra.
232. Vide supra.
233. SRO RS35/2 fo 316, 26.7.1665.
234. Ibid.
235. Ibid.
236. Ibid.

237. Vide infra.
238. SRO RS35/1-RS35/7, passim.
239. Ibid.
240. SRO RS35/4 fo 340, 19.1.1671, et passim.
241. Ibid.  
SRO RS35/1-RS35/8, passim.
242. SRO RS35/4 fo 189, 6.7.1669.
243. Ibid.
244. Ibid.
245. SRO GD16/31/192, 9.1.1670.
246. Ibid.
247. SRO RS35/4, passim.
248. SRO RS35/4 fo 328, 30.11.1670.
249. Ibid.
250. Vide infra.
251. SRO RS35/4 fo 329, 1.12.1670.
252. Ibid.
253. Ibid.
254. Vide supra.
255. Ibid.
256. SRO RS35/4 fo 332, 29.12.1670.
257. Ibid.
258. SRO RS35/4, fo 385, 8.5.1671.
259. Ibid.
260. SRO RS35/4 fo 90, 22.6.1672.
261. SRO RS35/3 fo 123, 8.10.1672.
262. SRO RS35/4, passim.

263. SRO RS35/5 fo 222, 5.7.1673.
264. Ibid. He was the provost of Dundee.
265. Vide supra.
266. SRO RS35/5 fo 294, 22.5.1674.
267. Ibid.
268. Vide supra.
269. SRO GD16/31/163, 3.12.1670.
270. Ibid.
271. Vide supra.
272. SRO RS35/4 fo 322, 1.11.1670.
273. Ibid.
274. SRO RS35/9 fo 324, 11.11.1670.
275. SRO GD16/31/163, 16.11.1670.
276. SRO GD16/31/163, 3.10.1670.
277. Ibid.
278. Ibid.
279. Ibid.
280. Ibid.
281. Ibid.
282. Ibid.
283. Ibid.
284. Ibid.
285. Vide supra.
286. Ibid.
287. SRO RS35/4, passim. SRO RS35/1-RS35/7, passim.
288. Vide supra.
289. SRO RS35/5 fo 217, 21.6.1673.

290. SRO RS35/5 fo 217, 21.6.1673. See also  
SRO GD16/41/616, passim.
291. SRO RS35/5 fo 175, 22.1.1673.
292. Ibid.
293. Vide supra.
294. SRO RS35/5 fo 175, 22.1.1673.  
SRO RS35/5 fo 223, 31.7.1673.
295. Ibid.
296. Wilson, Airlie, i, 268-73.
297. SRO GD16/34/225, 2.7.1679.
298. SRO GD16/41/616, passim, SRO GD16/31/163, passim.
299. SRO GD16/34/225, 2.7.1679.
300. SRO RS35/7 fo 79, 21.8.1679.
301. Vide supra.
302. Ibid.
303. Ibid.
304. SRO RS35/7 fo 163, 15.4.1680.
305. Ibid.
306. Vide supra.
307. SRO RS35/7 fo 268, 1.1.1681.
308. Ibid.
309. Ibid.
310. Vide supra.
311. Vide infra.
312. Vide supra.
313. Ibid.
314. SRO RS35/7 fo 517, 18.9.1683.

315. SRO RS35/7 fo 268, 1.1.1681.
316. SRO RS35/7 fo 517, 18.9.1683.
317. Ibid.
318. Vide supra et infra.
319. SRO GD16/41/616, passim.
320. SRO GD16/26/154, 23.10.1686.
321. Ibid.
322. SRO RS35/7-RS35/8, passim.
323. Dickinson, Court Book, lxi. Probably, like the other officials of the court the clerk relied upon the fees he was able to exact to bring him in a return for the burden of office.
324. SRO GD16/50/40, SRO GD16/50/49, SRO GD16/50/37, SRO GD45/14/81.
325. SRO GD45/1/163. The way of lenning and borrowing of monies in Scotland, the extortion of the brocker, the preiudice that both lenner and borrower susteaneth, with the remedie and way to discover and prevent usurie and concealing of mony upon occasion of a taxation. Hereafter SRO GD45/1/163.
326. Vide supra et SRO RS35/1-RS35/8, passim.
327. Vide supra.

DEBTORS AND CREDITORS 1660-1690



The need for finance in Forfarshire landed society was as integral a part of landed business as the transfer of land itself. Available funds for borrowing came from two main sources, estate profits and outside landed society. The former was the major source of capital but outside borrowing constituted significant additional backing and was a considerable force in the economy of most estates. Depending on the relationship between debtor and creditor loans could be registered, especially when due for repayment, or unregistered. Since the latter was more advantageous to the borrower, many estate lawyers devoted much of their energy to keeping loans in that state. While such deals have left a large body of unclassifiable evidence which demonstrates the importance of this unofficial structure, registered loans are much more quantifiable and instructive.

Registered financial deals based on Forfarshire land consisted of approximately 27 per cent of registered transactions affecting that territory.<sup>1</sup> That figure was made up on 71 per cent borrowing, 19 per cent renunciations or repayments and 10 per cent wadsets.<sup>2</sup> Finance was largely provided by Forfarshire society itself, few creditors outside the shire being invited to fund the activities of heritors.<sup>3</sup> Those who were, however, generally entered their deals in the General Register of Sasines held in Edinburgh<sup>4</sup> and made up only 19 per cent of total financial involvement.<sup>5</sup> Post-Restoration financial deals also

included bargains outwith the 1660 to 1690 period. Particularly in the 1660's debts which were renounced originated during the Interregnum and many debts were outstanding beyond the Revolutionary period.<sup>6</sup> Indeed the inordinate length of time some debts remained unpaid is characteristic of Forfarshire landed society after 1660.<sup>7</sup> This may have been an effect of the isolation of the Forfarshire landed sector or of the priorities of borrowing within it. For example, those who needed to borrow money first considered as creditors their immediate family, then the extended family, the landed group to which they belonged, Forfarshire landed society and, only as a last resort, society in general.<sup>8</sup> Just as relationships were a major aspect of the landed sector, they were also the most significant characteristic of financial deals in that society and a major force for the stability of landed holdings.<sup>9</sup>

The second half of the 1660's and the beginning of the 1680's were particularly depressed periods in Forfarshire landed society.<sup>10</sup> Financial transactions were at a high level mostly consisting of borrowing and, particularly in the 1660's with the addition of the most considerable group of wadsets in the period,<sup>11</sup> there was a very wide discrepancy between borrowing and renunciation.<sup>12</sup> Indeed if the two main types of borrowing in the Registers of Sasines are considered together, that is wadsets and borrowings

on annual rent,<sup>13</sup> and renunciations are offset, it is clear that the most depressed years in Forfarshire landed society,<sup>14</sup> were 1670 and 1680.<sup>15</sup> However, years in which repayments were declining or non-existent<sup>16</sup> must also be considered periods of depression. Those criteria show that the immediate post-Restoration period was one of considerable confidence<sup>17</sup> but that it lasted only until 1663. 1662 to 1663 was the period when borrowing and repayment most closely came together.<sup>18</sup> Thereafter the widening gulf for the remainder of the 1660's and the beginning of the 1670's was the most pronounced between 1660 and 1690.<sup>19</sup> Since that was also a period of political instability<sup>20</sup> it seems certain that it had an effect on landed developments and particularly their funding, even although the shire in which they were taking place was peaceful and secure. The 1670's in general, after the opening two years of the decade<sup>21</sup> were a period of recovery and consolidation in Forfarshire rural society, with a general reduction of indebtedness and fewer new agreements being made.<sup>22</sup> 1679 was one of the best years in the financial development of the shire landed sector since the early 1660's,<sup>23</sup> the whole of the 1670's again reflecting the political condition of the country.<sup>24</sup> The change in trend in 1680<sup>25</sup> presaged a troubled decade both politically<sup>26</sup> and economically.<sup>27</sup> Though they appear not to have been as debilitating as the 1660's,<sup>28</sup> the 1680's, especially 1683 and 1686, were marked by wide fluctuations

of financial conditions affecting the land market. It is noticeable, however, that there was something of a recovery towards the end of the decade.<sup>29</sup>

A comparison of landed group involvement in financial transactions demonstrates that gentry participation, at 52 per cent, superseded all others. The aristocracy were involved in 11 per cent of deals, the tenantry in 8 per cent and the clergy in 6 per cent. Craftsmen took a 5 per cent share, the mercantile sector 4 per cent and other urban dwellers 3 per cent, while doctors, lawyers and portioners all had one per cent each.<sup>30</sup> Nine per cent of financial deals cannot be attributed to any particular group with certainty.<sup>31</sup> However, if the town dwellers were removed from their varied professional groups and consolidated under urban financial participation, they would form a considerable financial block second in priority to the gentry who might be swollen by the one per cent of portioners and still retain outright and overwhelming priority. It is an indication of gentry status in post-Restoration Forfarshire society and of the vigour of parts of that group, notably the middle gentry,<sup>32</sup> that their financial bargains totalled more than all other Forfarshire landed groups together between 1660 and 1690. If it is difficult to speculate on the status of individual lairds and on the condition of certain estates,<sup>33</sup> the financial characteristics of the gentry group as a whole are more certain.

<u>Year</u>	<u>Debts</u>	<u>Renunciations</u>	<u>Wadsets</u>
1660	0	0	1
1661	7	2	1
1662	6	6	0
1663	4	9	1
1664	16	10	5
1665	13	8	2
1666	16	3	1
1667	27	12	4
1668	31	12	7
1669	21	8	5
1670	31	2	9
1671	10	3	4
1672	18	6	6
1673	9	4	0
1674	9	3	4
1675	2	1	0
1676	17	5	2
1677	11	4	2
1678	18	3	4
1679	9	4	1
1680	31	1	1
1681	14	5	0
1682	12	7	2
1683	21	2	1
1684	5	3	2
1685	9	0	4
1686	14	0	4
1687	14	0	3
1688	16	1	0
1689	13	1	1
1690	18	3	0

The Incidence of Financial Transactions based on Forfarshire  
Land in the Particular Register of Sasines 1660-1690.

Table 1a

<u>Year</u>	<u>Debts</u>	<u>Renunciations</u>	<u>Wadsets</u>	<u>Total</u>
1661	3	1	0	4
1662	2	1	0	3
1663	2	0	0	2
1664	5	1	0	6
1665	8	0	0	8
1666	4	1	1	6
1667	3	0	0	3
1668	5	0	0	5
1669	3	1	0	4
1670	5	3	0	8
1671	7	1	0	8
1672	4	1	0	5
1673	8	0	0	8
1674	4	0	0	4
1675	14	2	1	17
1676	4	2	0	6
1677	2	3	0	5
1678	2	0	0	2
1679	3	2	0	5
1680	4	0	0	4
1681	2	0	1	3
1682	3	0	0	3
1683	6	1	0	7
1684	8	0	0	8
1685	4	1	0	5
1686	6	4	0	10
1687	1	0	0	1
1688	1	2	1	4
1689	0	0	0	0
1690	2	0	0	2
<b>Totals</b>	<b>125</b>	<b>27</b>	<b>4</b>	<b>156</b>

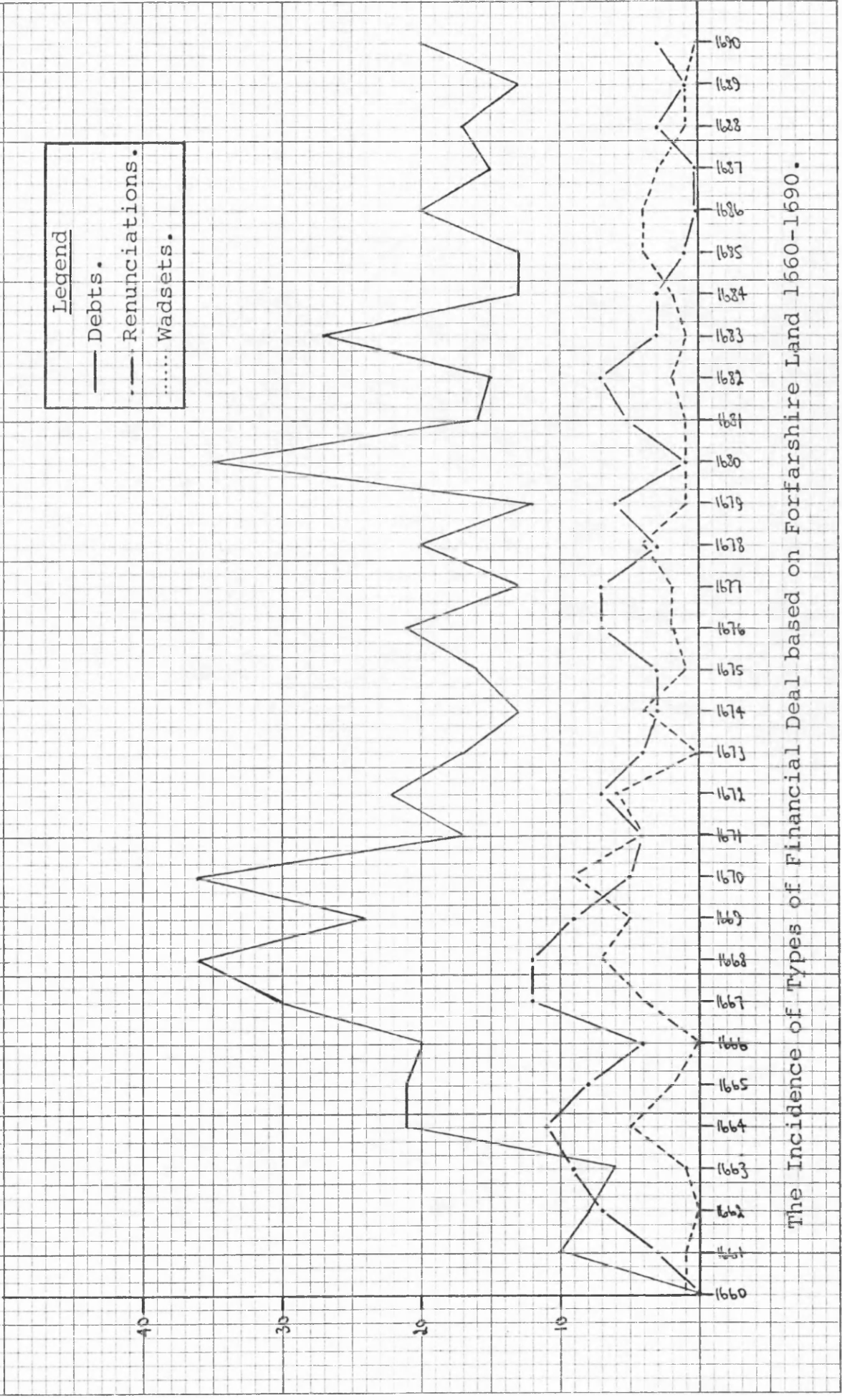
The Incidence of Financial Transactions based on Forfarshire  
Land in the General Register of Sasines 1660-1690.

Table 1b

Year	Debts	Renunciations	Wadsets
1660	0	0	1
1661	10	3	1
1662	8	7	0
1663	6	9	1
1664	21	11	5
1665	21	8	2
1666	20	4	0
1667	30	12	4
1668	36	12	7
1669	24	9	5
1670	36	5	9
1671	17	4	4
1672	22	7	6
1673	17	4	0
1674	13	3	4
1675	16	3	1
1676	21	7	2
1677	13	7	2
1678	20	3	4
1679	12	6	1
1680	35	1	1
1681	16	5	1
1682	15	7	2
1683	27	3	1
1684	13	3	2
1685	13	1	4
1686	20	0	4
1687	15	0	3
1688	17	3	1
1689	13	1	1
1690	20	3	0

The Incidence of Financial Bargains  
based on Forfarshire Land 1660-1690.

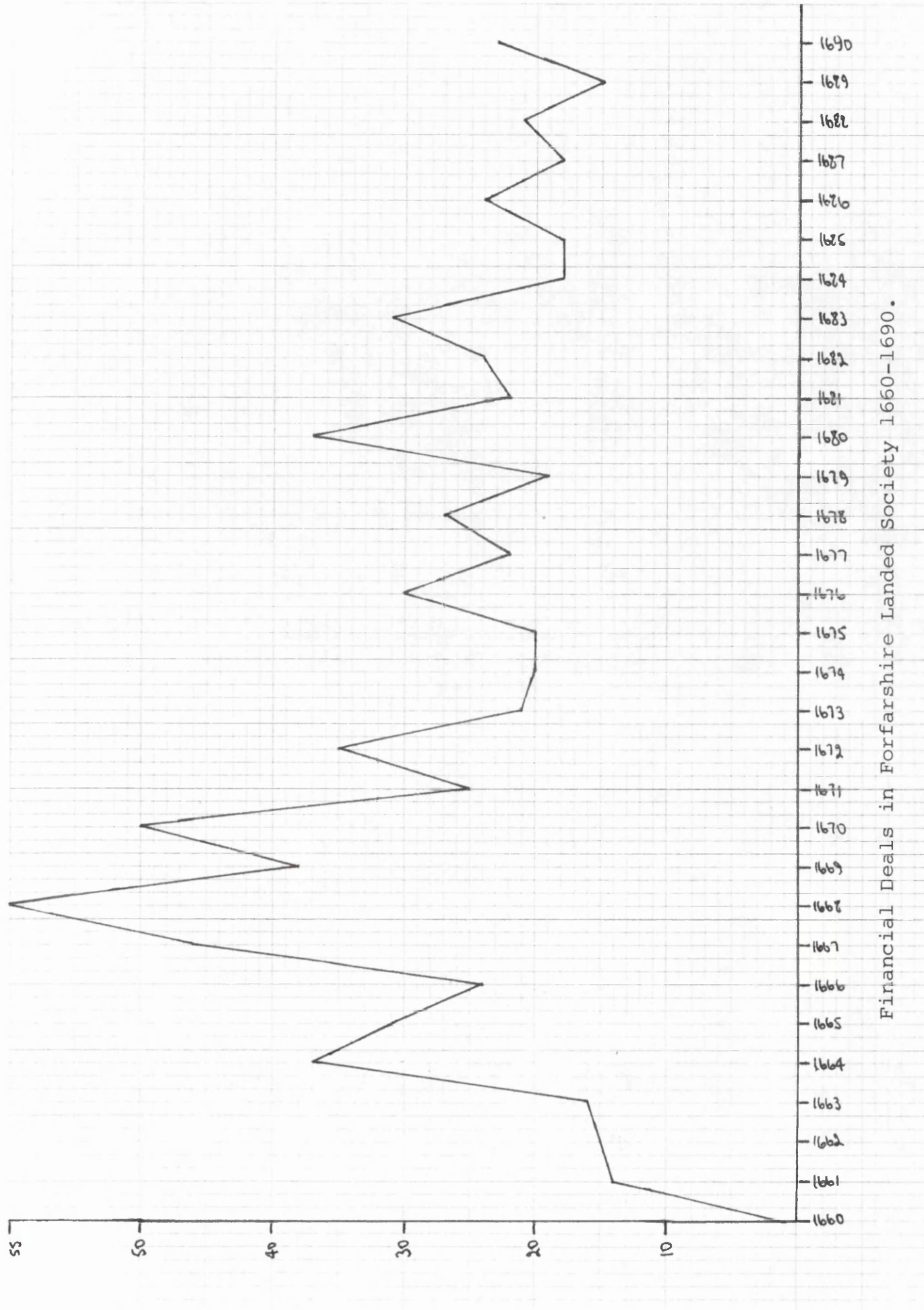
Table 1c



The Incidence of Types of Financial Deal based on Forfarshire Land 1660-1690.

(fig.1)

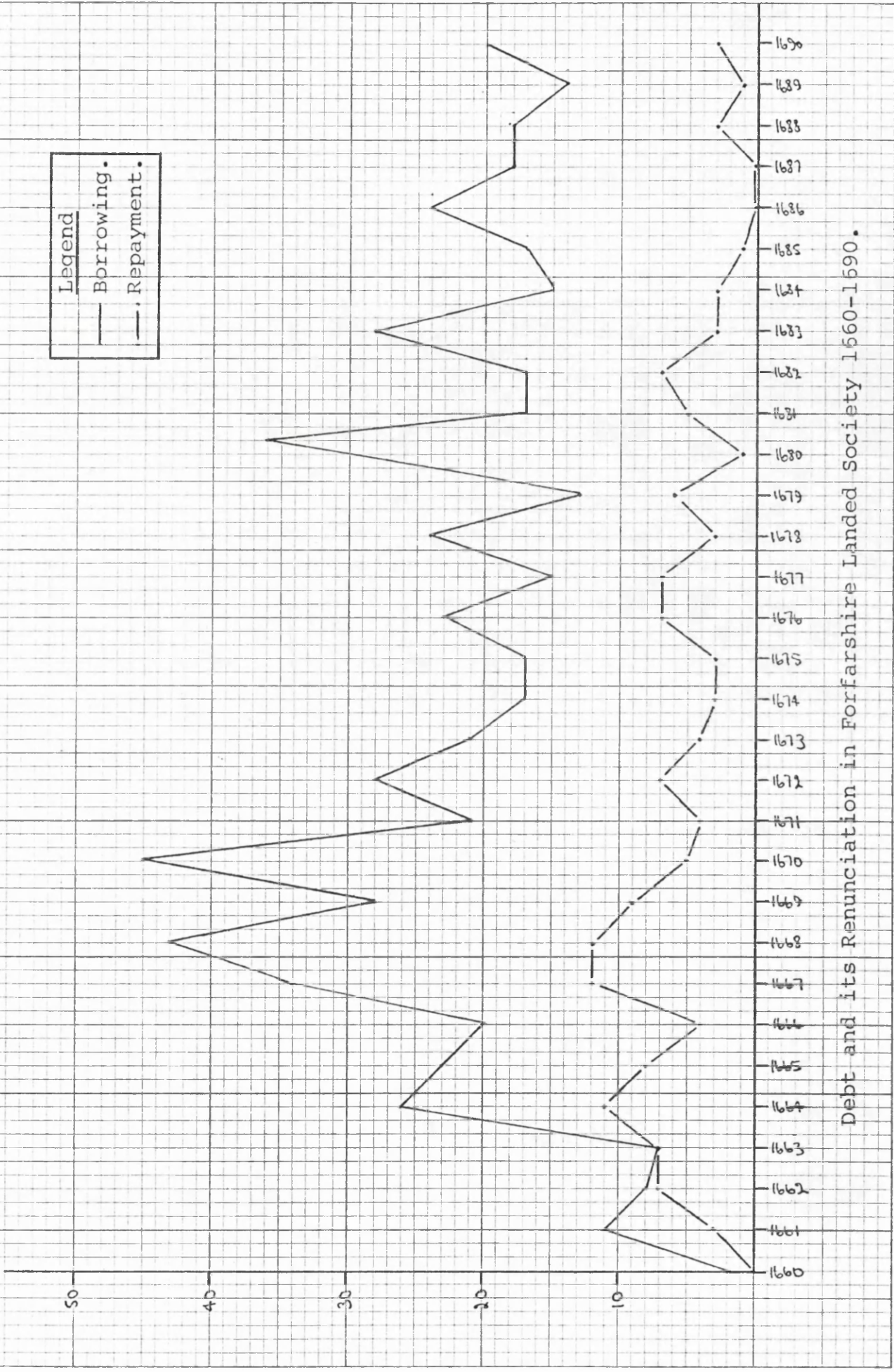




Financial Deals in Forfarshire Landed Society 1660-1690.

(fig.2)

Legend  
 — Borrowing.  
 - - - Repayment.



Debt and its Renunciation in Forfarshire Landed Society 1560-1590.

(fig. 3)

So little was known of financial activities in the Restoration era,<sup>34</sup> that a near contemporary account<sup>35</sup> sought to solve all problems of land investment by a register of available funds.<sup>36</sup> The account was by a Mr. Melville who reverted to Roman times for his advice. He considered that one of the best methods for the prevention of usury and the avoidance of taxation was to have someone appointed publicly "for finding and laying out of monies." He compared writers, notaries and clerks to "usuriers", and berated them for their venality and incompetence in dovetailing the needs of debtors and creditors. The result, he argued, was that those with money to lend often kept it themselves to "the ruine of many mens credit." Melville's concern appears to have been less for the land market than for tax evasion by "This privat way of laying out of monies," and the undue profit of the lawyers which he considered to be ten times greater than it should have been. To remedy such matters an office should be kept in the head burgh of every shire, following the example of the register of sasines, so that every person who had money to lend "wpon wedsett or annualrent or upon exchaing" could give his name and the amount he was prepared to lend. The borrower could then easily investigate who could advance him the amount he required. Melville believed that the government should make it illegal, under pain of confiscation, for anyone else to deal in financial matters and thereby "usurie wilbe

absolutely prevented." He also considered the government's six per cent interest rate<sup>37</sup> excessive and arbitrary. He was obviously not alone in that for there were some minor variations of interest charged in the early 1660's<sup>38</sup> until the six per cent norm became known and worked its way through the system. Then the rate stabilised.<sup>39</sup> Stability, however, neither reduced the complexity of the group inter-relationships of lenders and borrowers nor equalised the amount of credit available to the requirements of the borrowers.<sup>40</sup>

The aristocracy reached their peak of financial activity in 1663, dealing in twenty two per cent of such bargains.<sup>41</sup> Thereafter they were less vigorous,<sup>42</sup> although they were particularly active in 1666 and 1675.<sup>43</sup> Throughout, however, they were the most consistent borrowers in Forfarshire landed society.<sup>44</sup> Only in 1660, 1661, 1674 and 1689 was their registered borrowing at nil while in those same four years they advanced only two loans.<sup>45</sup> Their borrowing was especially noticeable between 1664 and 1682,<sup>46</sup> noble fortunes thereafter recovering,<sup>47</sup> and was again at a peak in 1686,<sup>48</sup> as high as it had even been.<sup>49</sup> However, from about 1683 aristocratic borrowing was less widely fluctuating and at a much lower level than it had earlier been.<sup>50</sup> A more definite trend is noticeable in renunciations to the aristocracy.<sup>51</sup> Throughout the first half of the

1660 to 1690 period debts were being repaid to them as though they were taking control of their property after the difficulties of the 1640's and 1650's. They were also renouncing debts to creditors, a trend which increased after about 1675.<sup>52</sup> The period between then and 1690 was one of considerable economic advance and improvement for aristocratic properties.<sup>53</sup> Renunciations in their favour after 1660 may have been their source of investment, and their repayments late in the post-Restoration period the result of that investment.

Noble landowners in Forfarshire on the whole inclined to borrowing rather than lending<sup>54</sup> in their financial bargains, drawing more loans from the gentry than from their own resources. Generally, however, considering the position and extent of their estates,<sup>55</sup> they made only limited use of finance legally secured on land, using it as a last resort. The Earl of Kinghorn was a notable exception to this in the 1660's<sup>56</sup> though his estates were in particularly poor condition at that time. However, even he began to withdraw from the land market as his properties recovered,<sup>57</sup> while others such as the Earls of Airlie and Southesk, as they experienced problems getting financial assistance, entered it.<sup>58</sup> Where it could possibly be achieved the aristocracy relied on personal relationships for funding rather than involve themselves in legal work and increased calls on their property.<sup>59</sup> They were singular, however, in that what

funds they did borrow they took not only from shire gentry and their own group but also from outside aristocracy.

The Earl of Kinghorn characterised many of the group's financial attitudes. His debts were as much inherited by him from his father<sup>60</sup> as negotiated by himself.<sup>61</sup> He was indebted to the Earl of Ethie for 50,000 marks Scots in early 1662<sup>62</sup> and to the Earl of Linlithgow at the same time for £14,000 Scots.<sup>63</sup> He also owed William Gray of Hayston 23,000 marks Scots around the same time.<sup>64</sup> From his position it can be seen that although the aristocracy were to some degree financially introverted in a shire and family sense, they were much less so than the lairds who rarely borrowed beyond Forfarshire and where possible made their financial bargains within the gentry family and group.<sup>65</sup> Therefore the highest echelons of landed society for a considerable period after 1660 were immune to financial penetration from other sectors of that society. As the period progressed, however, this exclusiveness was broken down, a fact common to the ancient gentry and the nobility, who late in the post-Restoration era could no longer fund their activities alone. The second Earl of Airlie, for example, only entered the market for financial support late in the post-Restoration period<sup>66</sup> possibly to back further development of his estates.<sup>67</sup>

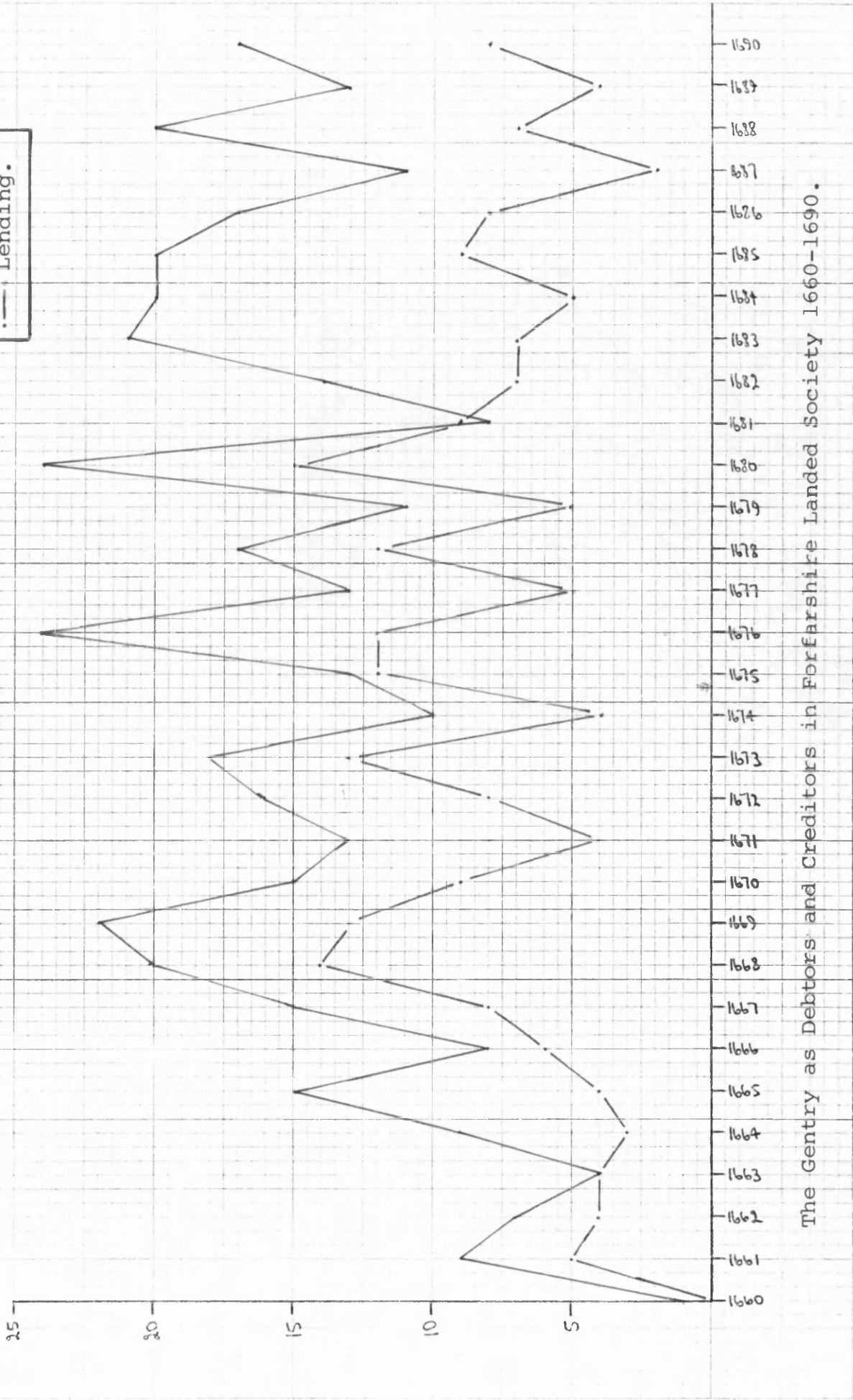
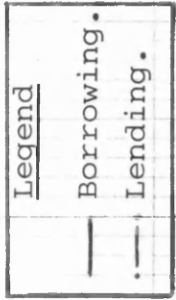


There was, therefore, a broadening of the aristocratic credit base in the late 1670's and 1680's<sup>68</sup> as indicated by increased activity among that group seeking credit from rural and urban society.<sup>69</sup> Evidently the economic instability of the 1680's reached even the nobility and obliged them to diversify their backers. Such changes were not confined to creditors, however. Early in the period aristocratic debtors had mainly been represented by the Earl of Kinghorn.<sup>70</sup> By the 1680's that had changed to include a wider spectrum of the group. Kinghorn was still involved<sup>71</sup> but so also was the Earl of Panmure<sup>72</sup> and the Earl of Airlie.<sup>73</sup> Creditors were mainly gentry<sup>74</sup> but also included merchant burgesses<sup>75</sup> and tenantry.<sup>76</sup> It was therefore not the credit base of any one landed group which was widening in Forfarshire but the whole of the credit structure. The limits of a system which had served landed society well were much too restrictive by the 1680's and although internal forces were readjusting themselves to accommodate new requirements, that was inadequate and credit expansion was tested. Such experiments were doubtless initially considered temporary but increasingly they became established features of the credit system available to rural society.

The Forfarshire nobility had a realistic approach to the finance market. They used it only temporarily and, while borrowing larger sums than the gentry,<sup>77</sup> renounced them

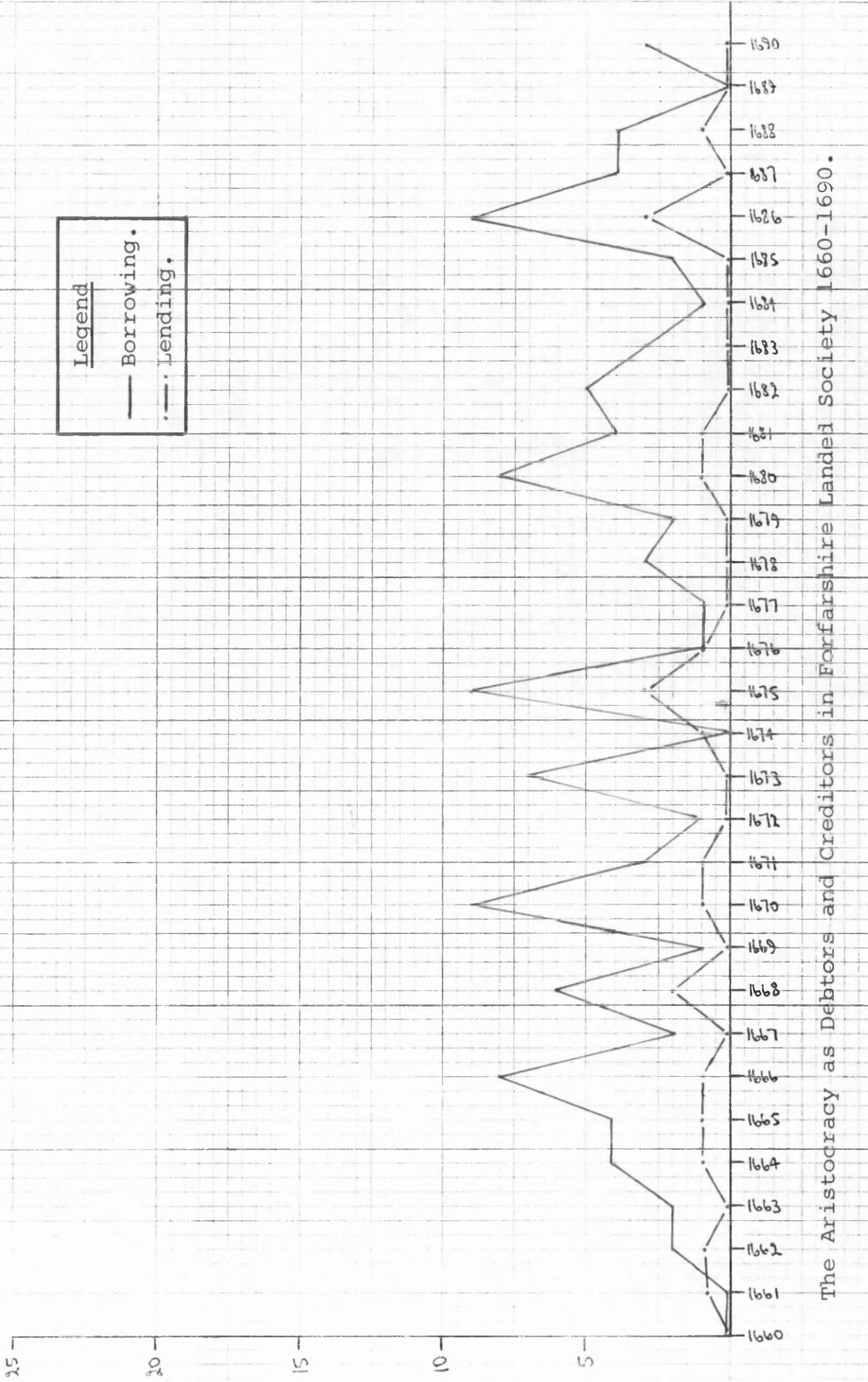
more punctually. They refused to allow their holdings of land to become the victims of multiple calls for annual rent<sup>78</sup> which they could not control. This was particularly true in the early 1660's when the Earl of Kinghorn was attempting to repay his creditors,<sup>79</sup> and when the Earl of Ethie was deeply involved in financial matters only to later withdraw.<sup>80</sup> The major noble families initially felt that finance, especially from their own group, was the basic solution to most problems.<sup>81</sup> That restrictive attitude was only of limited assistance, however. A much more fundamental reevaluation of their position and the development of their properties was necessary for economic salvation. This the Forfarshire nobility partially attempted to achieve by broadening their group of creditors and by making much more use of unregistered funds than any other landed group. Those funds were less subject to land market fluctuations, and as a result the policies some nobles had set for estate development<sup>82</sup> were allowed to come to fruition free of excessive dependence on the economic trends in the land market.<sup>83</sup> The evolution of aristocratic property may therefore be considered a favourable comment on the number of relationships they could initiate and maintain in periods of crisis.<sup>84</sup> Variations in estate performance<sup>85</sup> were not only the result of size, productivity and the efficiency of personnel. They were also a consequence of financial trends in the land market and how prone some superiors were to their capriciousness.





The Gentry as Debtors and Creditors in Forfarshire Landed Society 1660-1690.

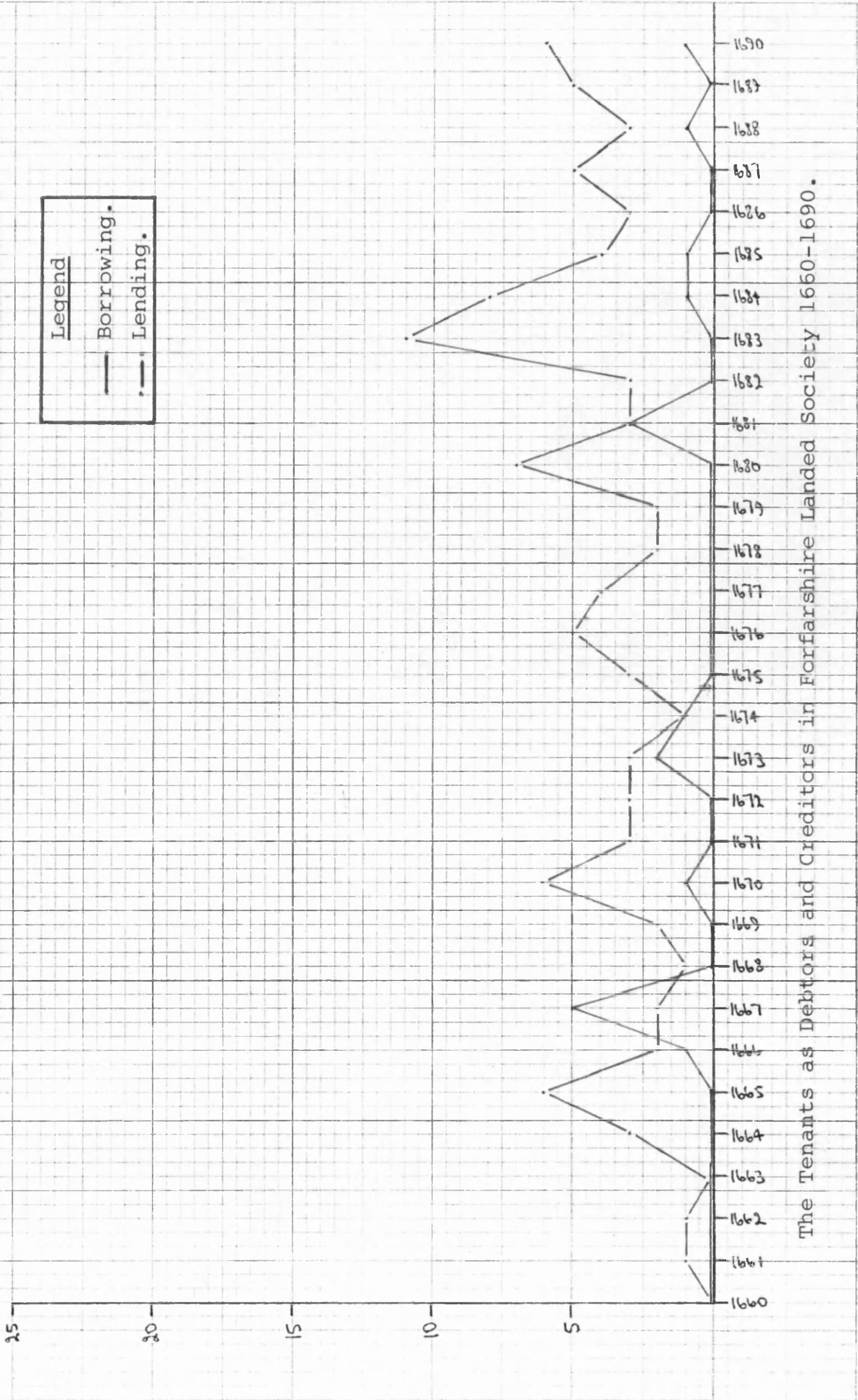
(fig. 4.1)



The Aristocracy as Debtors and Creditors in Forfarshire Landed Society 1660-1690.

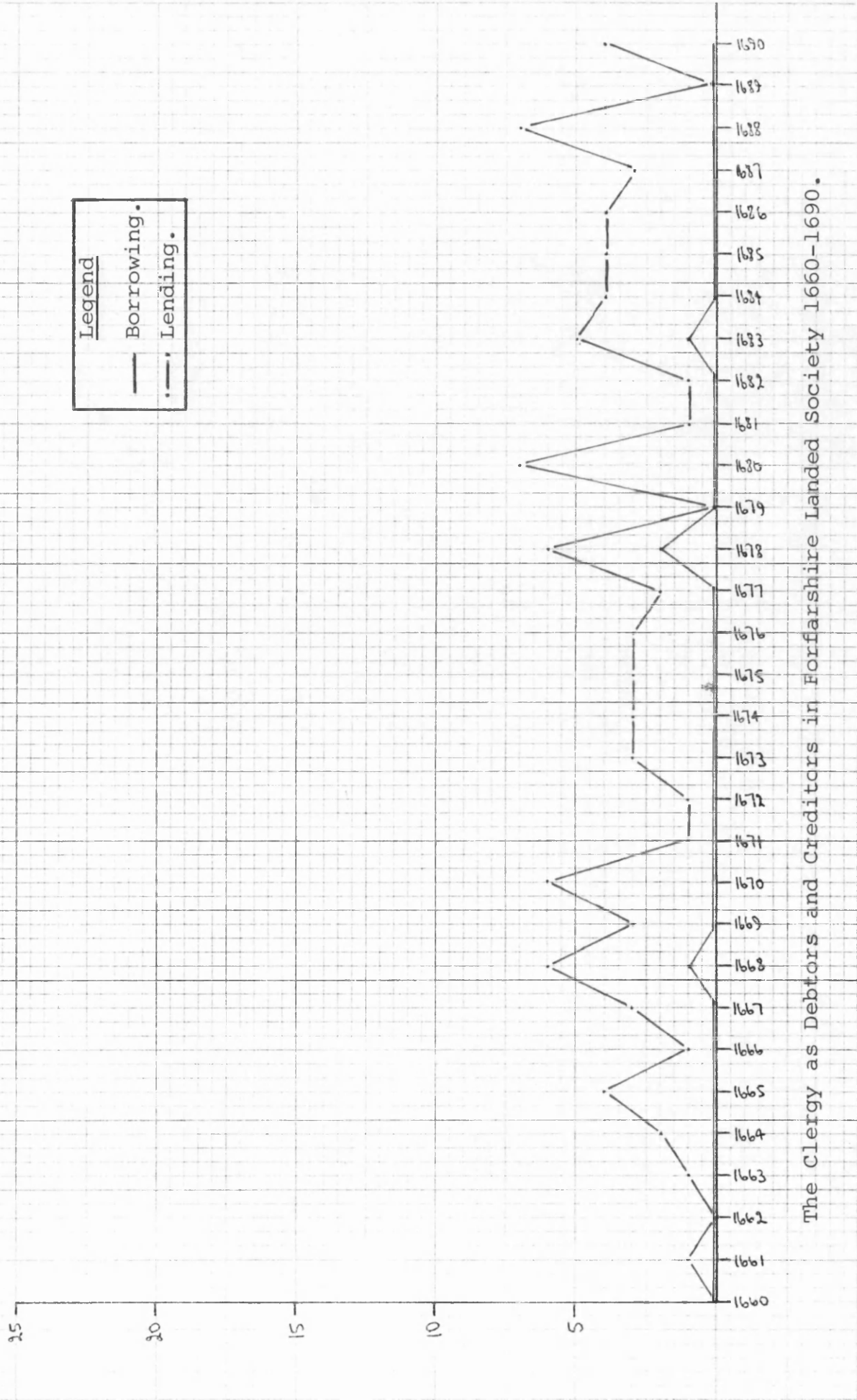
(fig.4.2)





The Tenants as Debtors and Creditors in Forfarshire Landed Society 1660-1690.

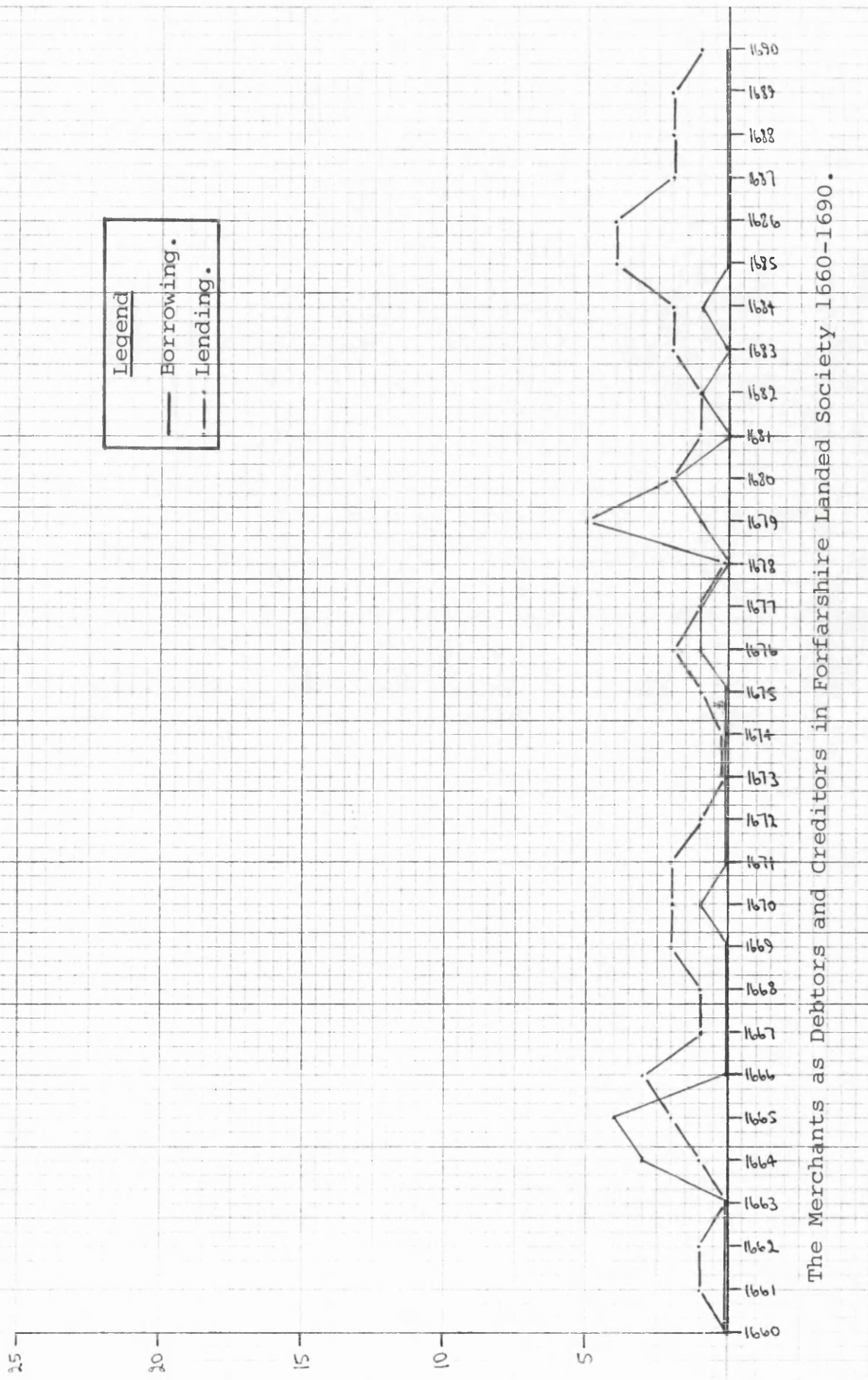
(fig.4.3.)



The Clergy as Debtors and Creditors in Forfarshire Landed Society 1660-1690.

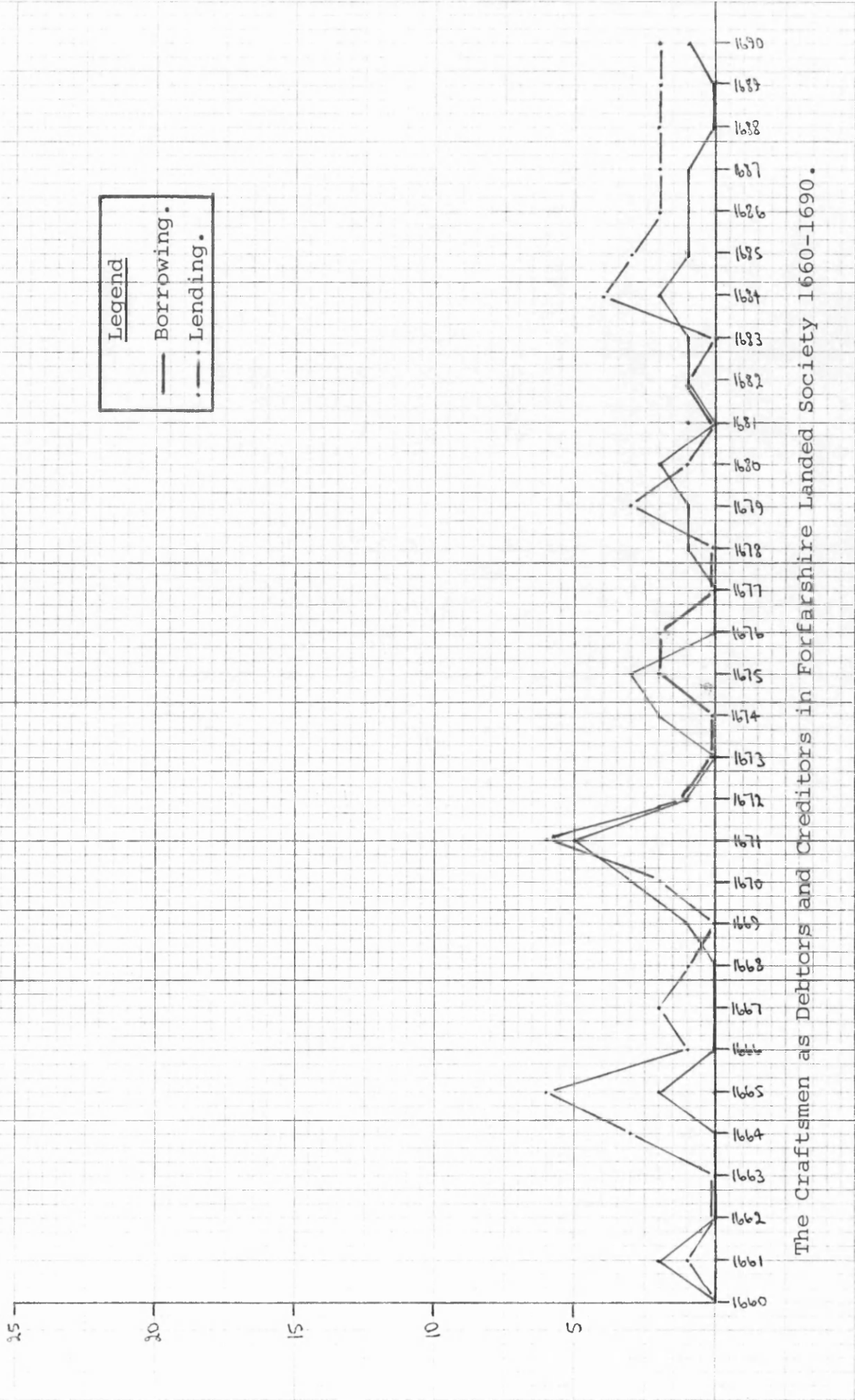
(Fig. 4.4.)





The Merchants as Debtors and Creditors in Forfarshire Landed Society 1660-1690.

(fig.4.5)



The Craftsmen as Debtors and Creditors in Forfarshire Landed Society 1660-1690.

(fig. 4.6)

Within the very wide social spectrum of the shire gentry<sup>86</sup> what shall be called the middle<sup>87</sup> and ancient gentry<sup>88</sup> predominated in financial deals with the former more vigorous than the latter. The criteria for membership of the various sectors seem to have been wealth, antiquity,<sup>89</sup> size and condition of estate, level of transactions and relationships within landed society.<sup>90</sup> William Gray of Hayston/Carse the sheriff clerk of Forfar, for example, was the most active laird in Forfarshire financial deals after 1660.<sup>91</sup> He was a member of the middle gentry group,<sup>92</sup> probably situated there because of his legal profession and his humble origins.<sup>93</sup> On the other hand David Carnegie, laird of the dilapidated estate of Craig,<sup>94</sup> whose fortunes declined from the time he succeeded until his death,<sup>95</sup> was a member of the ancient shire gentry. The economic state and activities of Gray and Carnegie were in general indicative of the condition of the gentry strata to which they belonged.

Although the trend of financial bargains as a percentage of total Forfarshire landed transactions increased between 1660 and 1690,<sup>96</sup> the gentry stake in that trend, after a peak of activity in 1662,<sup>97</sup> was not as widely variable as that of other groups. Lairds were involved in approximately 77 per cent of financial bargains,<sup>98</sup> borrowing being always more significant to them than lending<sup>99</sup> at about 65 per cent of their financial business.<sup>100</sup> The group as a whole was

the greatest debtor and creditor in Forfarshire after 1660, being deeply involved in financing itself. Exclusively gentry financial deals, for example, were at a peak of 61 per cent in 1662 thereafter fluctuating around a median of about 30 per cent.<sup>101</sup> No other group could claim such self-involvement.<sup>102</sup> Despite such activity the nobility and baronage of the shire, groups to which the gentry socially aspired, were also their debtors,<sup>103</sup> while in particular ministers and tenants made up any shortfall in their credit.<sup>104</sup> The extent of gentry financial deals within their group, therefore, somewhat moderated their overwhelming financial superiority although that did not apply equally throughout the group. The ancient shire gentry,<sup>105</sup> for example, were all but incapable of maintaining themselves and borrowed from other sections of the group without offering many compensatory loans. A broad spectrum of borrowing drawn from every section of society was one of the features of the development of the gentry and its properties. There was also a degree of duplication in their financial matters which, had it been rationalised, might have led to greater and speedier landed development. For example if those gentry with money to lend<sup>106</sup> had applied it to their own properties there might well have been a section of highly evolved estate enterprise for others to attain to, emulation being a considerable force in Forfarshire after the Restoration.<sup>107</sup>



The figures for the repayment of debt confirm the financial position of the gentry between 1660 and 1690.<sup>108</sup> With the exception of the beginning and end of that period the lairds had more debts repaid to them than they repaid<sup>109</sup> although the two trends were more closely intertwined among them than any other group<sup>110</sup> because debt was such an integral part of their group relationships.<sup>111</sup> The peak of repayments in the early to middle 1660's appears closely associated with post-Restoration expansion,<sup>112</sup> thereafter generally declining.<sup>113</sup> Although on this diminishing scale, however, in the late 1680's renunciations by the gentry were greater than repayments in their favour. That was one of their most uncertain economic periods,<sup>114</sup> and it was evidently thought that indebtedness was one cause. Consequently some attempt at the repayment of debt and the freeing of territories from calls on them was made though possibly by that time the demands of backers outside as well as inside the group had to be taken account of.

The difference between gentry borrowing and lending<sup>115</sup> may be seen as the financial requirements of that group.<sup>116</sup> Since the former two followed similar trends until at least the middle of the 1670's,<sup>117</sup> this suggests that their financial requirements, although entirely fluid,<sup>118</sup> remained relatively constant during that period.<sup>119</sup> Thereafter, particularly in the late 1670's<sup>120</sup> and after 1681, the only year in which the gentry lent more than it borrowed,<sup>121</sup> the

discrepancy increased. Possibly as a reaction to the poor year of 1680<sup>122</sup> indebtedness increased significantly while group provision of credit fluctuated around a lower level than previously.<sup>123</sup> The search of the lairds for credit had always been extensive but by the late post-Restoration period it penetrated every sector of rural society where the influence of their relationships was felt. It demonstrated not only gentry anxiety to perpetuate their families and estates but also the complexity of financial relationships, and was not always an unmitigated success. Deep gentry participation in financial matters incurred problems which overwhelmed some properties and families. Too few lairds were prepared to give the necessary attention to financial management that it needed to make it as effective as possible.<sup>124</sup> Therefore gentry dependence on finance from the land market and their obsession with their own group in many cases had the opposite of the intended effect. Although it happened over an extended period, prolonged indebtedness could lead to confusion, excessive calls on estate profits and ultimately sequestration. There were other effects. Credit fluctuations affected the estates and efficiency<sup>125</sup> of those deeply involved in registered financial deals particularly badly and it is a tribute to the performance of some estates and their administrators that they managed to overcome such fluctuations.<sup>126</sup> It is also instructive to note that the properties of the ancient shire gentry were most suspect in financial dealings,<sup>127</sup> and that if their creditors were lairds themselves

they had a professional background.<sup>128</sup> Clergymen and tenants however, increasingly took the fruits of general gentry property through lending<sup>129</sup> as the 1660 to 1690 period progressed.

As they were major lenders<sup>130</sup> and borrowers,<sup>131</sup> it is in gentry financial arrangements and relationships that the development of debt and credit after 1660 can best be seen. In them are also manifest the internal dynamics of shire landed society invisible in physical evolution, and the emergence and decline of various constituents of the gentry. It is apparent, for example, that the major lairds, those anciently connected with the shire establishment, were in greatest difficulty throughout the 1660 to 1690 period. They engaged in what can only be called labyrinthine relationships to help solve their financial problems. One of those so involved was Sir Patrick Maxwell of Tealing whose debts on 1st June 1661 totalled £20,066 13.4 Scots.<sup>132</sup> He owed 4,000 marks Scots to his brother-in-law or father-in-law Robert Clayhills,<sup>133</sup> and 7,000 marks Scots to relatives called Maxwell in Tealing.<sup>134</sup> There was little stigma attached to accumulated debts among the gentry, even when repayment was slow. There was, however, possibly some outside censure, and keeping debts within families and social groups was one way of diminishing it. Maxwell of Tealing was not to allow his debt to stand at such an unacceptably high level for long. On 15 September 1662 he repaid 8,000 marks Scots to James Clayhills of Netherliff his brother-in-law<sup>135</sup> and

£5,100 Scots to Thomas Fotheringham of Denoon, a debt outstanding since 3 August 1650.<sup>136</sup> The rights of property in Tealing, Newark and Balmachrenzie were consequently returned to him.<sup>137</sup> Maxwell's repayments to relations were not confined to in-laws. On 17 February 1664 he repayed his tenant brother Hugh Maxwell, earlier designed "indweller in Tealing",<sup>138</sup> 5,000 marks Scots.<sup>139</sup> What percentage of debt was inherited by the gentry is impossible to definitely establish.<sup>140</sup> It was, however, considerable. It is more certain that some members of the ancient gentry found their debts unacceptably large in the immediate post 1660 period and attempted to reduce them.

The debts of another two major gentry creditors in the immediate post-Restoration period raise significant elements in the financial structure of landed society. David Carnegie of Craig owed Hercules Scot of Clushmylne or Bridertoune 11,703 marks Scots<sup>141</sup> and was obliged to dispose of part of his property, Scotistoune and Justlie of Craig, in Scot's favour.<sup>142</sup> The latter uplifted produce as interest rather than money<sup>143</sup> obviously having the facilities for disposing of it. The laird of Craig belonged to one of the most ancient shire families,<sup>144</sup> even more so than Patrick Maxwell,<sup>145</sup> and his financial status was not too far removed from others in his gentry stratum. He virtually equalled the status of Sir David Ogilvy of Clova<sup>146</sup> although he did not acquit himself as well as the latter.<sup>147</sup> During his possession of the Craig estate he accumulated large debts and

"greatly dilapidated the estate."<sup>148</sup> He was heirless and settled Craig on his nearest male cousin David Carnegie of Pitarrow<sup>149</sup> on condition that he should be relieved of his debts of £59,000 Scots,<sup>150</sup> and that his liferent and his wife's dowry should be preserved.<sup>151</sup> Pitarrow played false, however. He tried to have important parts of the disposition set aside by act of parliament in 1661 on grounds of fraud and circumvention but was unsuccessful.<sup>152</sup> By the time the laird of Craig died in 1663 he had finally disposed of his property to the Earl of Dundee<sup>153</sup> against whose intervention Pitarrow and the second Earl of Southesk complained to no effect.<sup>154</sup>

David Ogilvy of Inverquharinity was another major laird in deep financial trouble,<sup>155</sup> though whether he had inherited the debts of his father, Thomas Ogilvy, cannot be proved.<sup>156</sup> However, demonstrating the variety of solutions available to those gentry in economic trouble, he did not use his relatives as major creditors but rather merchants and a well known participant in the land market. He owed 10,000 marks Scots to William Gray of Hayston the sheriff clerk of Forfar<sup>157</sup> and the shire's principal landed speculator<sup>158</sup> and reversibly alienated Crawmondjuschlie in his favour.<sup>159</sup> Inverquharinity also borrowed from merchants. He reversibly alienated Newton of Kirriemuir in 1663 to Andrew Mearns<sup>160</sup> and Dimiedale in 1664 to John Fithie<sup>161</sup> both merchants in Kirriemuir. The laird of Inverquharinity was unusual in the level of registered mercantile participation in his credit,

a result of his overwhelming influence around Kirriemuir and the expansionist early 1660's. In general the gentry kept merchant creditors at bay<sup>162</sup> although this was less true of estates in urban hinterlands<sup>163</sup> particularly the major aristocratic properties.<sup>164</sup>

The lairds of Craig and Inverquharity were deeply indebted to various persons for different reasons and with a variety of results. They belonged to important families with large landholdings and could afford substantial debts. It is apparent from cases like theirs, and from a study of debt between 1660 and 1690, that gentry financial transactions adequately if not accurately reflected the positions of lairds and their estates in gentry, especially rural gentry, society. Such a layering of debts compatible with social stratification is necessarily crude and unpolished. Its basic tenets, however, can be confirmed by a considerable weight of evidence.<sup>165</sup> The most popular size of debt was between three and five thousand marks Scots.<sup>166</sup> This suggests a wide middle gentry group of debtor lairds, the bedrock of their class, with moderately sized estates and incomes, having plans and pretensions which could be attained by medium sized, short-term debts. Very rich and very poor lairds were, if not unique, at least uncommon.

Even late in the century gentry creditors remained much as previously although by that time the internal constitution of credit had somewhat changed. The major landowners and

heritable proprietors remained the borrowers, the tacksmen, clergy and urban dwellers in that priority the creditors, but within those wide limits several important features emerged. The instances of exclusively gentry financial deals diminished,<sup>167</sup> and the aristocracy were much more involved than earlier but mainly as debtors.<sup>168</sup> Gentry creditors tended to be tenantry and those from the urban sector,<sup>169</sup> while the aristocracy borrowed from the gentry and townsmen.<sup>170</sup> The latter were thus a common constituent of both major groups seeking backing. Their infiltration of the landed sector, however, may be seen to be essentially based on landed needs rather than on urban vigour, and there is little evidence to establish their professions.<sup>171</sup> Mercantile backing was not canvassed<sup>172</sup> but rather evolved out of business arrangements for the disposal of produce, and there was a noticeable absence of any deep craft involvement in borrowing or lending in the period after about 1680.<sup>173</sup> If, therefore, neither craftsmen nor merchants were largely responsible for urban loans, town dwellers left to perform that function were the municipal officials and professional men such as writers.<sup>174</sup> This appears to have been what happened.

The dynamics of landed society's debt and credit system therefore clearly changed in the post-Restoration period. For example although certain lairds shortly after 1660 used

a particular group of creditors as Colin Campbell of Lundie used tenantry,<sup>175</sup> later in the 1660 to 1690 period that was being modified. By then borrowers had a much more socially diverse credit base than before even although the focus of financial transactions remained the gentry. Indebtedness, however, was responsible for more than disposition of property and its fruits in Forfarshire. For example, what mercantile credit there was had a significant result. The merchants seemed anxious to take over rights in consolidated blocks of property. The force for consolidation of holdings had therefore not died in the pre-Restoration era<sup>176</sup> and seems to have been a part of the mentality of merchant creditors of rural society, possibly promoted by a more rigid accounting and administrative system than was the case in landed society. Debt and credit had far reaching consequences involving the dilution and demise of some gentry families as well as different administration of property and attitudes to it.

Relationships remained significant in gentry financial deals up to and beyond 1690 but by the 1680's the cohesion which had for so long been a part of that group was slowly decomposing. Of three inter gentry debts registered in 1680 at least two, and possibly all of them, had family connections.<sup>177</sup> More important, however, was the fact that one of the arrangements involved the family of a Banffshire baronet<sup>178</sup> and another gentry wealth evidently accrued in the legal profession.<sup>179</sup> Even within the gentry some widening of credit



arrangements is noticeable towards the Revolution. For example on 11 May 1680 half of an annual rent of £720 Scots was sold by David Erskine of Dun to James Ramsay fiar of Banff.<sup>180</sup> The interest had to be uplifted out of the Mains of Dun and had originally belonged to Elizabeth Ramsay presumably a relation of the fiar of Banff.<sup>181</sup> Such agreements with outside interests released the hold of the Forfarshire gentry over their financial business. Much more significant in this release and clearly more important for gentry evolution, however, was the financial agreement between Walter Lyell of Balhall and John Lyell of Murthill.<sup>182</sup> The laird of Balhall lent Murthill 5,000 marks Scots at an interest rate of 300 marks Scots<sup>183</sup> out of the Mains of Murthill and its mill and mill lands.<sup>184</sup> There was some family relationship between the Lyells<sup>185</sup> but Walter Lyell had also been a clerk in Montrose for a considerable number of years.<sup>186</sup> He had at least added to, if not built, his fortune in an urban environment before moving into the countryside as a heritable proprietor and a creditor of the gentry. Whether he inherited the Balhall estate is not clear.<sup>187</sup> However, he brought funds to the Forfarshire rural sector acquired in a professional capacity.

By the 1680's the Forfarshire lairds were becoming less and less financially independent and were obliged to seek support not only outside the native gentry but outside that general group itself. The reasons are difficult to find. The economic environment does not seem to have been good<sup>188</sup>

and doubtless at such times calls on estates became all the more pressing and additions to credit less possible.<sup>189</sup> Equally it is likely that not all Forfarshire gentry were involved in what Professor Wilson has called "the pyramid of debt and credit,"<sup>190</sup> admittedly in a different environment, but only a few of them. That corpus of activists would probably be worse affected by the vagaries of the economic climate than a larger group. Additionally economic depression increased those who wished to borrow while reducing the numbers of those prepared to lend, that discrepancy making group financial independence less possible.

The concern of the gentry with family engendered one of the major financial calls on landed property, that of provision. This was normally for the lifetime of the provided and effectively reduced estate profitability and investment when written into marriage contracts or sasines. It was not universal, however, being the personal award of the principal. Gentry offspring were usually the best provided in landed society. The sons of that group in particular received support not only because the eldest would succeed but also because all of them carried the family name. For that reason the extended gentry family also received assistance from the head of the family. Provision may be seen therefore, as an indication of the relationship between father and son, the tenor of relationships in the gentry family and the fruitfulness of estates. In early 1680 David Erskine of Kirkbuddo awarded his third son Francis<sup>191</sup> £1,000 Scots at

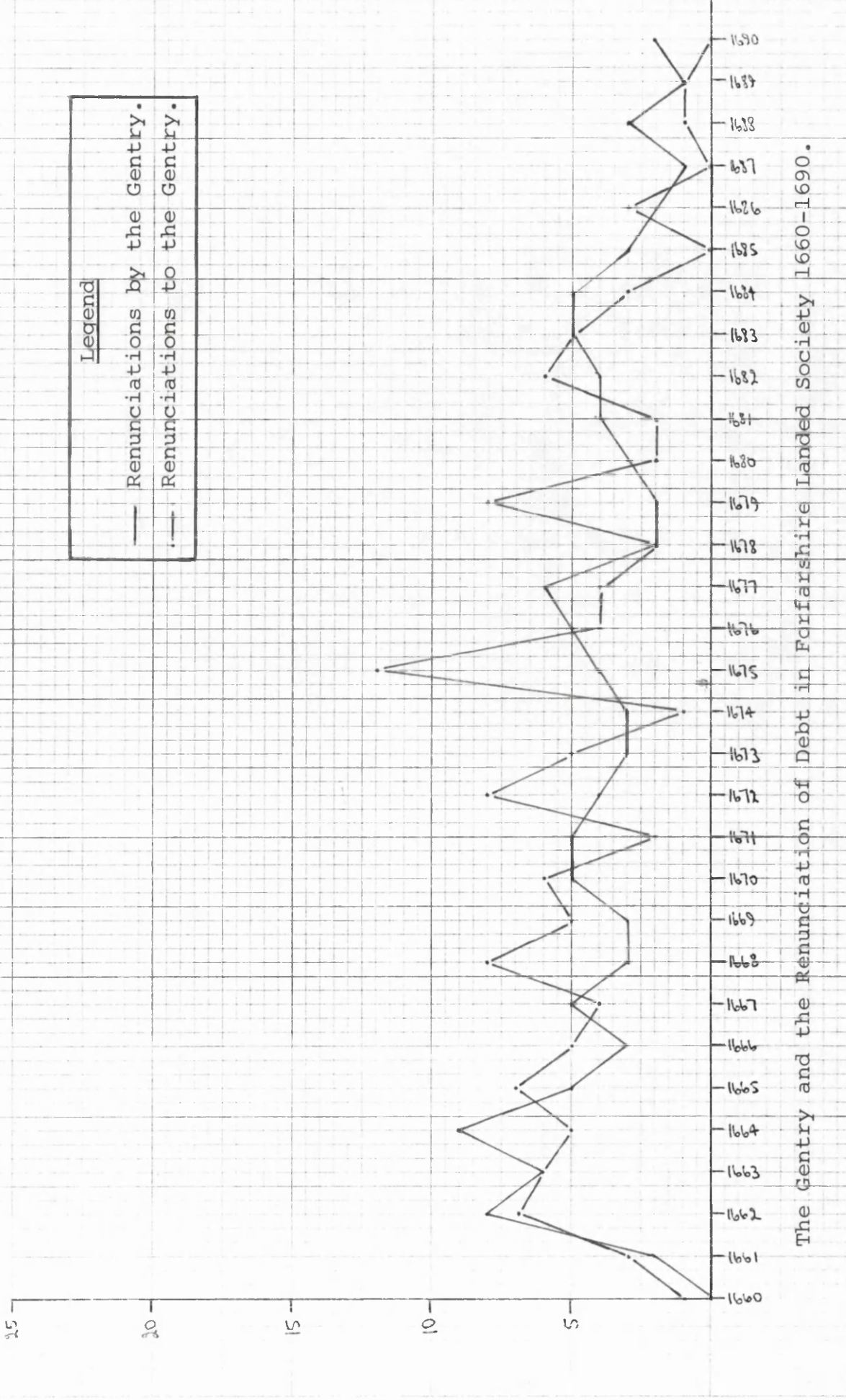
an annualrent of £60 Scots out of the land of Frierstable in Kirriemuir then in possession of one Robert Stephan.<sup>192</sup> He was also given £56 Scots by his father on a principal sum of 1,400 marks Scots.<sup>193</sup> The Erskines were one of the ancient shire families<sup>194</sup> but possibly provision was even more important to those who had recently attained gentry status since they wished to maintain their position. Certainly this seems to have been so in the case of Robert Leslie, a Dundee merchant who became the laird of South Tarrie after buying that property from Andrew Lamb.<sup>195</sup> On 1 June 1680 Leslie provided his son James and his wife Jean Ramsay with a chalder of victual annually, made up of half bear and half meal.<sup>196</sup> James Leslie was also named as heir of his father in South Tarrie estate and its pendicles in Punderlawfield, Arbroath.<sup>197</sup> Sisters, daughters and wives were also provided for, the latter generally in contracts of marriage<sup>198</sup> and the former two by brothers and fathers.

It is easy to assume when legal documents are the basis of knowledge of gentry landed business that the group was motivated only by succession, status and property.<sup>199</sup> This was not always so in Forfarshire. Some family welfare was prompted as much by affection as anything else.<sup>200</sup> A case in point occurred in November 1680 when David Ogilvy of Inverquharity granted his sister Anna an annualrent of £240 Scots on a maintenance sum of £6,000 Scots.<sup>201</sup> Inverquharity's sister was obviously well enough taken care of by her husband,<sup>202</sup>

however, since she divided that annual rent equally between her daughters Helen and Isobel.<sup>203</sup> The provision of landowners for their families was at once an indication of the insecurity of that group, their desire for the perpetuation of their class and their anxiety to tie their offspring as close to the land as they could. In their latter objective they were not very successful. A great deal of the resources donated for provision seems to have gone beyond the confines of the estate and was not re-invested in the land or personnel in which it originated. Provision was also, in many cases, an indication of lack of diversification and undue dependence on the land by many whose contribution to it left a great deal to be desired. Those who were provided for might well have been those who had no occupation or who were professional failures,<sup>204</sup> and had returned to the land to be maintained by their family. That was scarcely a recommendation for the quality of property management or the future of estates. Before land could be profitable of itself it was necessary that individual units had to be made to pay. Profitable estates had to cease sustaining an extended family or a lifestyle beyond their capacity. The social extent of Forfarshire landed families is easy to discover<sup>205</sup> and its advantages clear enough. There were, however, compensating disadvantages. If Forfarshire estates and agriculture in general were to flourish they had to have fewer unproductive dependants and their profits had to be re-employed within them. Most

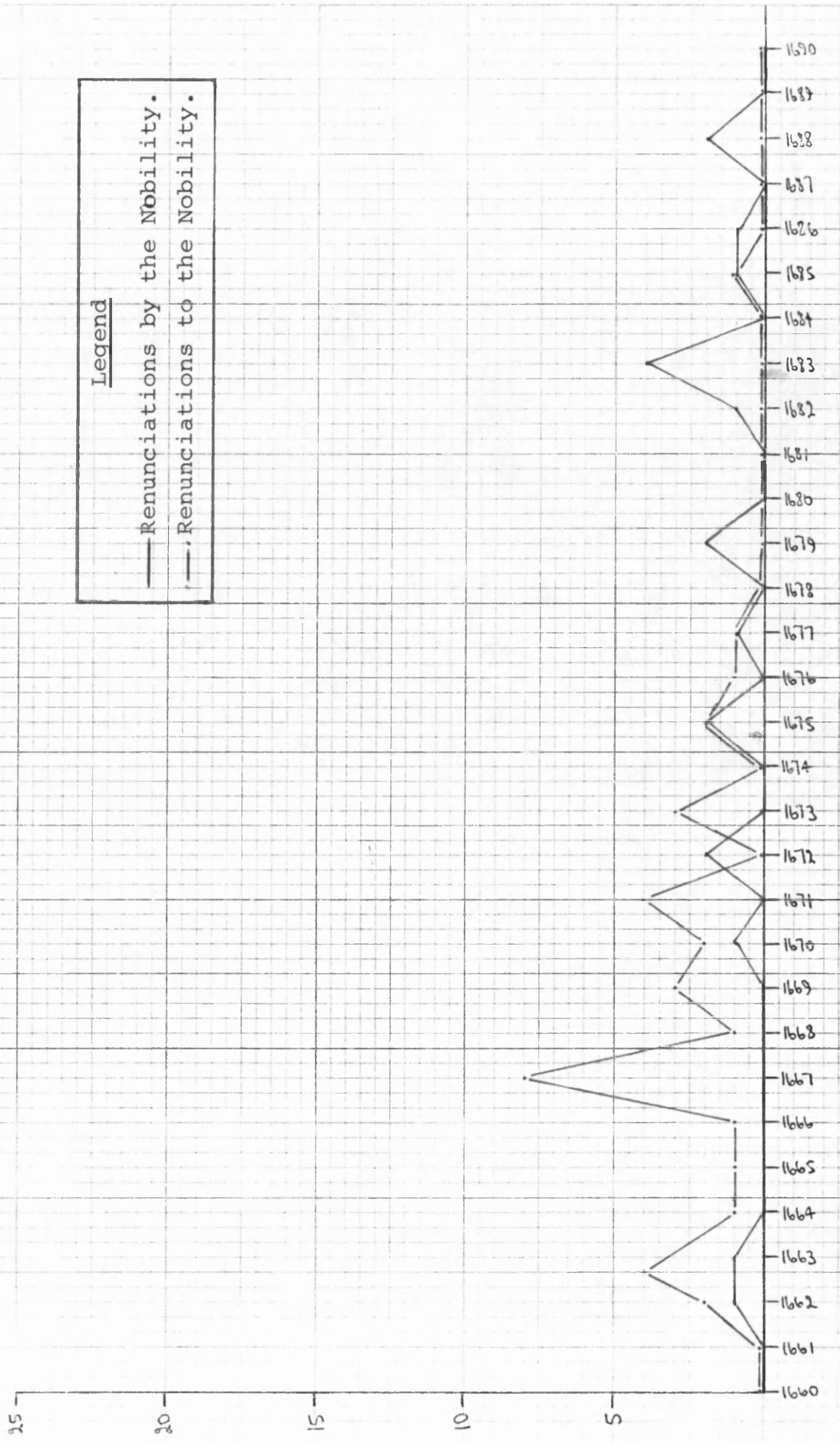
importantly, however, its constituent groups had to diversify and successfully vertically integrate those areas useful to them where their resources would be profitably applied. They also had to horizontally integrate through other groups in landed society so that the social, economic and tenurial as well as the product and profit bases of that society might be broadened.

Tenants were also involved in the financial life of Forfarshire landed society between 1660 and 1690. The early 1660's were a relatively quiet period for their financial deals but after 1667, when they registered their maximum involvement in such deals at 16 per cent,<sup>206</sup> their participation remained very stable.<sup>207</sup> They were some of landed society's major creditors<sup>208</sup> in the post-Restoration era, increasing in significance as the period progressed,<sup>209</sup> and, certainly from the 1670's, being indispensable to it,<sup>210</sup> an importance with which they have not always been attributed. Only in 1674 did their significance as creditors falter, otherwise improving throughout the period from about 1668.<sup>211</sup> They borrowed more than they loaned only in 1678,<sup>212</sup> the years around which were particularly depressed among them<sup>213</sup> and, similar to the aristocracy, repaid their debts predominantly in the middle to late 1660's and the mid 1670's,<sup>214</sup> and appear to have been preparing to assert themselves as more important creditors than they had been.<sup>215</sup> Tenants, however, backed heritors in more ways than



The Gentry and the Renunciation of Debt in Forfarshire Landed Society 1660-1690.

(fig. 5.1)



Legend

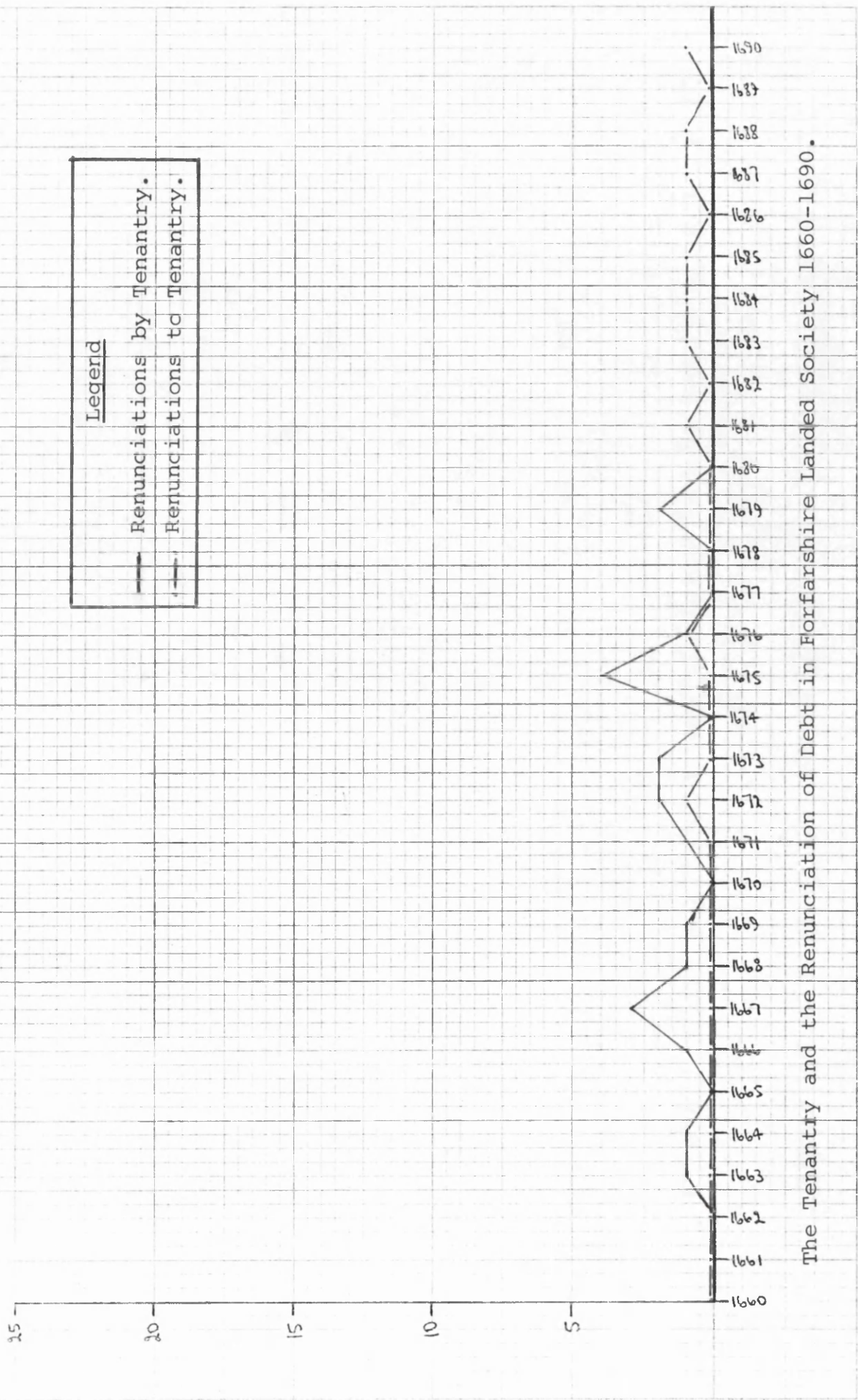
— Renunciations by the Nobility.

- - - Renunciations to the Nobility.

The Aristocracy and the Renunciation of Debt in Forfarshire Landed Society 1660-1690.

(fig.5.2)

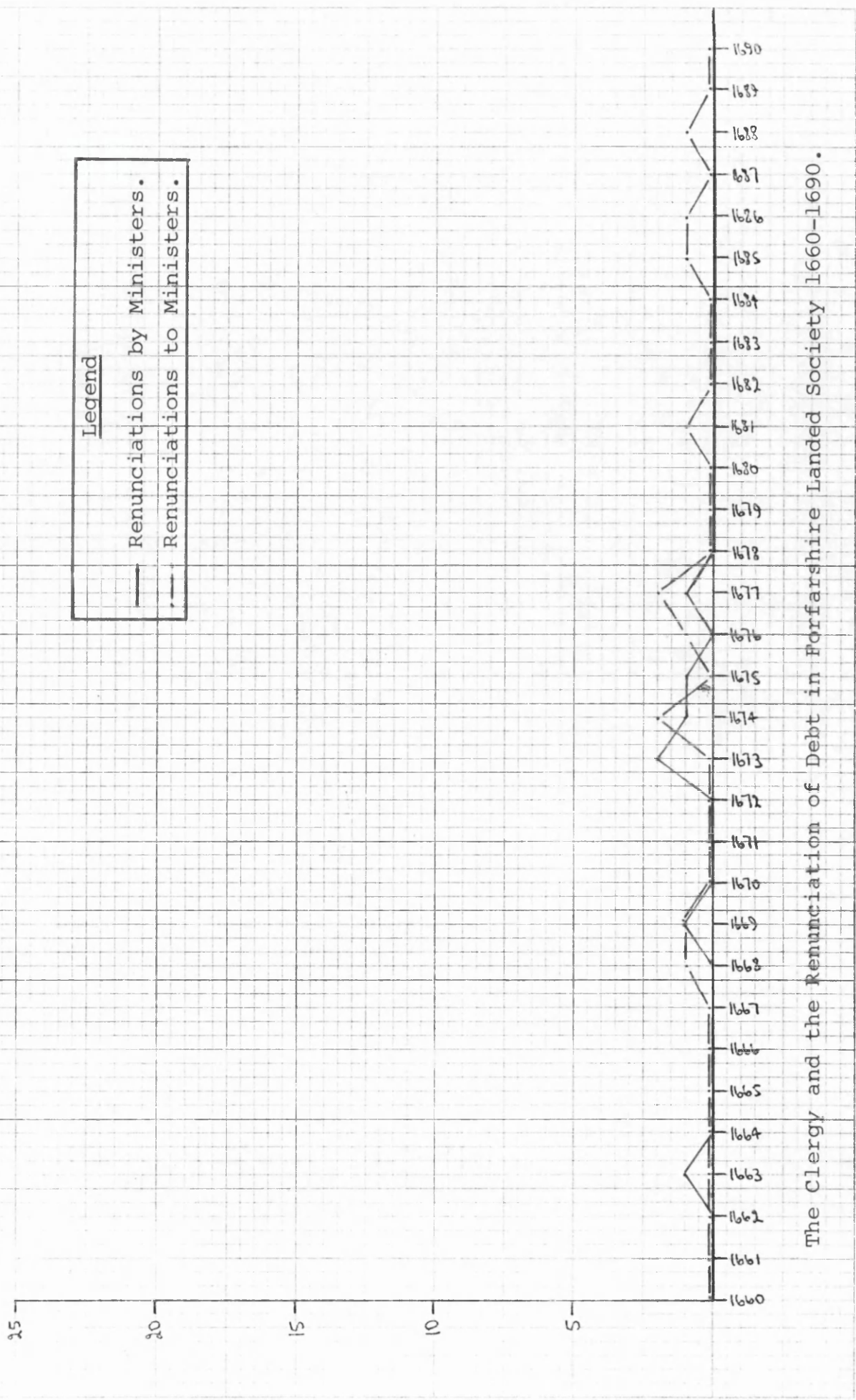




The Tenantry and the Renunciation of Debt in Forfarshire Landed Society 1660-1690.

(fig.5.3.)



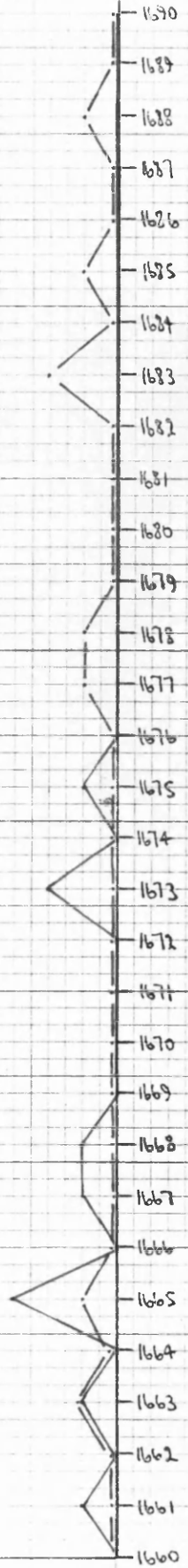


The Clergy and the Renunciation of Debt in Forfarshire Landed Society 1660-1690.

(fig.5.4)

25  
20  
15  
10  
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Legend  
— Renunciations by Merchants.  
- - - Renunciations to Merchants.



The Merchants and the Renunciation of Debt in Forfarshire Landed Society 1660-1690.

(fig.5.5)

through registered financial deals. There is evidence that some of their number who loaned money to their landlords were given remission of their rentals in lieu of repayment and/or annualrent.<sup>216</sup>

Tenant loans were not all that large,<sup>217</sup> although the significance of the group as creditors was increased by their availability, approachability, ubiquity and dependence. They made particularly valuable contributions to gentry backing as that group's need for funds outstripped its capacity to provide them. On 8 June 1664 John Hood a tenant in Airlie parish gave a loan of 1,000 marks Scots to Alexander Arbuthnot elder, the laird of Blackstokoune, for an annualrent of £40 Scots.<sup>218</sup> Five months later the laird of Ruthvens, James Crichton, borrowed 2,000 marks Scots from one Andrew Johnstone at six per cent per annum.<sup>219</sup> If tenantry were approachable and dependent they were by no means downtrodden. They seem very often to have been the motivators in financial matters rather than the moved,<sup>220</sup> the richer members of the group being vociferous, aware and well connected.<sup>221</sup> The Ruthven estate seems to have been in serious decline in the mid 1660's for in addition to his debt from Johnstone the laird borrowed a similar amount from James Small, the son of the like named tenant in Middle Dundees.<sup>222</sup> Tenant families were often as much involved in credit to heritors as the principals. This was especially true of sons who doubtless hoped to advance in status beyond the position of their fathers either to become wadsetters or

minor gentry. Clearly the tenant group as a whole emerged from the troubles of the Interregnum in a healthier economic state than their superiors and increased in vigour from 1660 to 1690. It is equally obvious that there were those gentry in the post-Restoration period who had to depend mainly on creditors outwith their own group, being socially and economically isolated from it either because of bad management, poor economic prospects, unwillingness to subscribe to group practices or simply through personal hostility. Crichton of Ruthvens was in that position and had a much better relationship with tenantry than with other gentry. He was not alone. The estates of Peter Lyon of Coissins were undergoing similar troubles<sup>223</sup> and the heritor took the same defensive action. Some members of the middle to lower gentry may have been able to find no other creditors than tenantry who aspired to gentry status and would take any risk to infiltrate that sector. Certainly the declining properties of the lower gentry appear not to have attracted the saving attentions of more fortunate lairds.

The ancient shire gentry also used tenant credit. Colin Campbell of Lundie virtually depended on it<sup>224</sup> and became so involved with that group that he left his son with insoluble financial problems which resulted ultimately in the alienation of family property.<sup>225</sup> Tenants were not easy creditors. They may have seemed so to those gentry who gave them remission of their rentals in lieu of interest<sup>226</sup> but there

were definite limits to such action and the reconciliation of even the most moderate creditors. The laird of Lundie as well as exceeding those limits appears to have mismanaged his finances, getting himself into complex difficulties he could not resolve.<sup>227</sup> One member of the ancient shire gentry whose decline is better documented than most is Sir John Wood of Bonitoun,<sup>228</sup> a decline which appears to have been mainly based on pressures from his creditors.<sup>229</sup> They ranged from shire aristocracy to tenantry<sup>230</sup> and although he made some significant improvements in his properties<sup>231</sup> his family, particularly his son James, was careless of its inheritance.<sup>232</sup> James was more interested in spending estate revenue and in his career as a soldier than in his patrimony.<sup>233</sup> The position of the Bonitoun estates demonstrates that for gentry property to survive economic stringency, more than simply adequate financial backing was required. There had to be a commitment by the superior and his heir to that end. On 8 December 1665 Sir John Wood borrowed 1,750 marks Scots from John Mudie who had to uplift the annual rent out of the Templelands of Inverkeillor.<sup>234</sup> This provided only temporary relief and was the beginning of the decline of the Woods, more grievous financial difficulties later emerging.<sup>235</sup> Borrowing was often an indication particularly among the older shire gentry, that the estate involved was not performing as efficiently as it might. Fundamental reorganisation and an increased participation was required, particularly from the ancient families, rather than

borrowing to ward off the effects of years of loss and implement superficial cosmetic change.

Clergy credit was less buoyant than that of tenantry with longer depressed periods.<sup>236</sup> Virtually the whole of the 1670's and the beginning and end of the 1680's were times when their credit was lower than average.<sup>237</sup> Possibly because they were not essentially members of landed society their position as creditors was secondary to those who were,<sup>238</sup> a characteristic of finance in the Forfarshire landed sector where credit was based on a system of relationship priorities.<sup>239</sup> Ministers also borrowed much less than tenantry although they were sometimes debtors,<sup>240</sup> notably in 1678.<sup>241</sup> When this did occur, however, the phenomenon of the minister laird was responsible.<sup>242</sup> Overall clerical participation in financial deals was increasing in the 1660 to 1690 period, with some minor interruptions at the beginning of the 1670's and in 1674,<sup>243</sup> though the group was particularly vigorous throughout the 1670's.<sup>244</sup> Renunciations by and to ministers are complicated by the fact that some of them were lairds.<sup>245</sup> Up to about 1680, however, the pattern of repayments by and to them was similar,<sup>246</sup> clerical debtors renunciations being affected by the general trend thereafter.<sup>247</sup>

The total credit of urban groups to landed society was considerable.<sup>248</sup> First among these was the merchants<sup>249</sup> who lent more and borrowed less than any other non-landed group.

Even they, however, made an uneven contribution. They had some importance until about 1665.<sup>250</sup> Thereafter they were virtually ousted from financial involvement in the land<sup>251</sup> to return with reduced and fluctuating importance after about 1677.<sup>252</sup> In post-Restoration Forfarshire merchants did not have the significance in financial assistance to landed society which might be expected in a shire with a fair percentage of important royal burghs and ports.<sup>253</sup> Renunciations to them and repayments by them<sup>254</sup> were always at a much lower level than in any other group<sup>255</sup> and indeed it may well have been that the lack of pressure for repayment from such creditors as the tenants and merchants was as important as credit itself. Registered financial bargains were not the only ones in which merchants were involved, however. Some made personal bargains with major estates<sup>256</sup> whose produce they sold and sometimes transported, although whether their credit was the prerequisite of a commercial understanding is unclear.

Town dwellers in general had a constant, if minor significance as backers in landed society. Their overall three per cent participation<sup>257</sup> was increased in the six year period between 1669 and 1674 when they had their greatest involvement in financial business.<sup>258</sup> Doctors of medicine, lawyers and portioners were all represented in such deals though the medical profession was especially significant in 1674.<sup>259</sup> Among the minor groupings the importance of the craft group should not be underestimated.



Their credit, amounting to about five per cent of financial bargains<sup>260</sup> was especially buoyant in the mid 1660's and early 1670's<sup>261</sup> but was principally granted to other craftsmen or urban dwellers and had no great significance for rural society.<sup>262</sup> It was, however, an important financial reservoir which was occasionally tapped, and which showed the resources which were available in the Forfarshire burghs.<sup>263</sup> If all such urban groups had joined forces they would have formed a considerable financial block second in priority to the gentry. However, it cannot certainly be ascertained what percentage of financial bargains was purely urban in character. Both sections of Forfarshire society inclined to financial isolation though this was evidently more true of the country than the towns.<sup>264</sup> The former sector, as well as being predominant in landed and financial transactions, had a much greater need for funds<sup>265</sup> than the latter and was increasingly unable to fulfil them becoming more diverse in its search for backing as the period between 1660 and 1690 progressed.

Other types of borrowing were less significant. Personal credit was widespread but relatively minor if at times troublesome<sup>266</sup> and borrowing from servants, legal, factorial and personal, and from families with whom the debtor had a long connection, not uncommon.<sup>267</sup> Finance therefore had its official and unofficial sides. Together they formed a complex structure without which post-Restoration Forfarshire landed society could not have survived. From extant



information it is unquestionable that the gentry predominated in the official sector with the aristocracy, second to the lairds in obtaining finance in the land market, adding to it in the unofficial. Both of those major groups virtually controlled finance through their heritable positions.

Just as the Register of Sasines regularised landed transactions,<sup>268</sup> Mr. Melville's rationalisation of the financial structure of Forfarshire landed society<sup>269</sup> would have equalised some of the fluctuations in the provision of finance if it had been made law and implemented. Nevertheless in spite of the fact that financial deals were unstable, and were an integral part of landed transactions, they provide their own insights into the landed sector. The first and most important was the obvious need for finance. Credit was a mainstay of the existence of major estates and it is perfectly clear that there were those groups in landed society which were lenders, and those which were borrowers. The upper, heritable strata were borrowers while those non-heritors of the tenantry and below were lenders,<sup>270</sup> a fact which was true of registered and unregistered bargains alike. Secondly financial transactions between 1660 and 1690 demonstrated the subtle changes in the relationships of the constituents of the landed sector. The major landed groups sought financial independence but were unsuccessful and canvassed support from the lower echelons of landed society and from outside their traditional

body of debtors. One main participant, the aristocracy, had a practical approach to finance which was probably the surest way to success in landed society, and one reason why they retained their properties virtually unchanged after 1660. They preferred unofficial arrangements and did not overindulge in the registration of bonds.<sup>271</sup> That policy did have a major disadvantage, however. The aristocracy were not as successful in keeping their financial business within their own shire group as the gentry.<sup>272</sup> The latter were themselves the most important debtors and creditors in Forfarshire landed society after the Restoration and filled a large part of their own requirements, especially the middle gentry.<sup>273</sup> However, in general the void between the funds heritors needed and what they could provide for themselves widened as the 1660 to 1690 period progressed. It was mainly filled by tenants and ministers who increased in financial significance during that period and merchants who held their position.<sup>274</sup> The changing importance of the various groups in financing landed society underlies their developing relationships which were in turn responsible for broadening that society's financial and tenurial bases, so important to future development.

FOOTNOTES

1. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
2. Ibid.
3. Ibid.
4. SRO RS3/1-RS3/61, passim.
5. Ibid.
6. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
7. Ibid.
8. Ibid.
9. Ibid.
10. See Tables 1a, 1b, 1c and Figure 2.
11. See Figure 1.
12. Ibid.
13. See Table 1c.
14. SRO RS35/4-RS35/7, passim.
15. See Figures 2 and 3.
16. See Figure 3.
17. Ibid.
18. Ibid.
19. Ibid.
20. J. King Hewison, The Covenanters (1913), ii, 221f.  
I.B. Cowan, The Scottish Covenanters 1660-88 (1976), 76f.
21. SRO GD16/29/140/Box 2/Bundle 2 1670-1680.
22. See Figure 3.
23. Ibid.
24. Smout, Union, 241f.  
G.S. Pryde, Scotland from 1603 to the present day (1962)  
24-34.

25. See Figure 3.
26. G. Donaldson, Scotland James V-James VII (1971), 370f.
27. See Figure 3.
28. Ibid.
29. Ibid.
30. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
31. Ibid.
32. Ibid.
33. Vide supra.
34. SRO RS35/1-RS35/8, passim.
35. SRO GD45/1/163. There is no date on Melville's dissertation but from the information given it seems to have been written in the second half of the seventeenth or early eighteenth century. It is noticeable that he recommends the English system of a type of register of those willing to lend money while the English thought that the Scottish system of registering land deals was one which could solve some of their land problems. See Thirsk and Cooper (eds.) Seventeenth Century Economic Documents (1972), 76-77.
36. Except where otherwise stated this paragraph is based on SRO GD45/1/163.
37. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
38. SRO RS35/1 fo 99, 23.8.1661, SRO RS35/1 fo189, 15.9.1662.
39. SRO RS35/1-RS35/8, passim.
40. Ibid.
41. SRO RS35/1-RS35/8, passim, SRO RS3/1-RS3/61, passim.
42. Ibid.
43. Ibid.
44. Ibid et vide figures 3 and 4.
45. Ibid.
46. See Figure 4.2.

47. Ibid.
48. Ibid.
49. Ibid.
50. Ibid.
51. See Figure 5.2.
52. Ibid.
53. SRO GD16/26/147, SRO GD188/35/1, SRO GD45/18/530,  
SRO GD45/18/138.
54. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
55. SRO GD16/29/140 Airlie Miscellaneous Estate Accounts,  
passim.
56. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
57. Millar, Glamis, xviii f.
58. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
59. SRO GD130, passim, SRO GD16/31/94, SRO GD45/14/166,  
SRO GD45/17/508, SRO GD45/14/122, SRO GD45/14/162,  
SRO GD16/31/70.
60. Millar, Glamis, xiif.
61. Ibid.
62. SRO RS35/1 fo 164, 29.5.1662.
63. SRO RS35/1 fo 137, 18.2.1662.
64. SRO RS35/1 fo 229, 5.3.1663. SRO RS35/1 fo 225, 4.3.1663.
65. SRO RS35/1-RS35/8, passim.
66. SRO RS35/3 fo 102, 29.6.1666, SRO RS35/4 fo 240, 31.3.1670.  
SRO RS35/6 fo 468, 18.2.1678, SRO RS35/1-RS35/8, passim.
67. Ibid.
68. SRO RS35/1-RS35/8, passim.
69. Ibid.
70. Ibid.

71. SRO RS35/7 fo 149, 9.4.1680, SRO RS35/7 fo 154, 9.4.1680.  
 Millar, Glamis, passim.
72. SRO RS35/7 fo 159, 10.4.1680.
73. SRO RS35/7 fo 232, 24.8.1680.
74. SRO RS35/7 fo 154, 9.4.1680, SRO RS35/7 fo 159, 10.4.1680.
75. SRO RS35/7 fo 149, 9.4.1680.
76. SRO RS35/7 fo 232, 24.8.1680.
77. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
78. SRO RS35/1, passim.  
 Millar, Glamis, passim.
79. SRO RS35/1, passim.
80. Ibid.

It is also remarkable that the first and second Earls of Airlie, for all the difficulties of their properties, did not involve themselves in the land market for finance to a degree commensurate with their depressed position.

81. Mingay, Gentry, 109f, 11f.
82. SRO GD16/26/83, SRO GD16/26/147, SRO GD16/31/143, GD45/14/163, SRO GD45/14/166, SRO GD45/17/508.  
 Stuart, Reg. Pan. xliii-xlvi.  
 Millar, Glamis, xxvf.  
 SRO GD16/29/140, Miscellaneous Airlie Estate Accounts, passim.
83. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.  
 On this see J.R. Elder, The Highland Host of 1678 (1914), 137.
84. SRO GD16/31/94, SRO GD45/17/508, SRO GD45/14/122, SRO GD45/14/162.
85. SRO RS35/1-RS35/8, passim.

86. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
87. Ibid.
88. Ochterlony in Warden, Forfarshire, ii, 252-78.
89. Mingay, Gentry, passim.
90. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
91. Ibid.
92. SRO RS35/7 fo 517, 18.9.1683, SRO GD16/26/154, 23.10.1686.
93. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
94. His predecessors cannot be traced in the sasines and he appears not to have been connected to the family of Lord Gray.

The Scottish Family of Gray (1914).

P. Gray, The Descent and Kinship of Patrick Master of Master Gray (1903), passim.

95. Fraser, Southesk, 121.
96. SRO RS35/1-RS35/8, SRO 3/1-RS3/61, passim.
97. Ibid.
98. Ibid.
99. Ibid.
100. Ibid.
101. Ibid. "Exclusively gentry" bargains were those in which the debtor and the creditor were both lairds.
102. Ibid.
103. Ibid et Mingay, Gentry, 109-110 et passim.  
R.H. Tawney, The Rise of the Gentry 1558-1640, Econ. Hist. Rev. xi, 1941, 1-38.  
H.R. Trevor Roper, The Rise of the Gentry: A Postscript Econ. Hist. Rev. vii, 1954, 91-7.
104. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.



105. Ibid et vide figures 3 and 4.
106. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
107. Ochterlony in Warden, Forfarshire, ii, 252-78.
108. See Figure 5.
109. See Figure 5.1.
110. Ibid.
111. SRO RS35/1-RS35/8, passim.
112. See Figure 5.1.
113. Ibid.
114. See Figure 4.1.
115. See Figures 4.1 and 4.2.
116. Ibid.
117. See Figure 4.1.
118. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
119. See Figure 4.1.
120. Ibid.
121. Ibid.
122. Vide supra.
123. See Figure 4.1
124. The application of the laird of Hayston/Carse and his sons was almost full time. This was probably one of the reasons for their success. See SRO RS35/1-RS35/4, passim, and the chapter on landed speculation.
125. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim. See Figure 4.
126. SRO GD188/32/9, SRO GD188/32/10, SRO GD45/21/1.
127. Ibid et SRO RS35/1-RS35/8, passim.

128. Note for example the activities of William Gray of Hayston/Carse the sheriff clerk of Forfar and his sons William, Michael and George.

SRO RS35/1-RS35/4.

Note also the troubles of the Woods of Bonitoun.  
SRO GD45/21/1, SRO GD16/31/252.

The old laird had great difficulty in interesting his son, a soldier, in estate matters.

129. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim et vide infra.

130. Vide supra.

131. Ibid.

132. SRO RS35/1 fo 48, 1.6.1661.

133. Ibid. No indication is given whether it was Clayhills junior or senior who was the creditor.

134. Ibid.

135. SRO RS35/1 fo 186, 15.9.1662.

136. SRO RS35/1 fo 189, 15.9.1662.

137. Ibid.

138. SRO RS35/1 fo 31, 21.2.1661.

139. SRO RS35/1 fo 355, 17.2.1664.

140. SRO GD188/27/7, SRO GD188/32/9, SRO GD188/32/10,  
SRO RS35/1-RS35/8, passim.

141. SRO RS35/1 fo 31, 21.2.1661.

142. Ibid.

143. Ibid.

144. Fraser, Southesk, cvi, 120.

145. Vide supra.

146. SRO GD16/26/55, passim.

147. Ibid et SRO GD16/29/131.

148. Fraser, Southesk, 121.

149. Fraser, Southesk, cvi.
150. Fraser, Southesk, 121.
151. Ibid.
152. Ibid.
153. Fraser, Southesk, 122.
154. Ibid.
155. SRO RS35/1 fo 79, 21.8.1661, SRO RS35/1 fo 356, 17.2.1664.
156. SRO RS35/1 fo 356, 17.2.1664.
157. SRO RS35/1 fo 79, 21.8.1661.
158. See chapter on landed speculation.
159. SRO RS35/1 fo 79, 21.8.1661.
160. SRO RS35/1 fo 292, 3.11.1663.
161. SRO RS35/1 fo 357, 17.2.1664.
162. Vide infra. Figures 4.5. and 5.5
163. SRO RS35/1-RS35/8, passim.
164. SRO GD16/26/65, SRO GD16/31/70, SRO GD16/31/213,  
SRO GD45/17/508, SRO GD45/14/122, SRO GD45/14/162.
165. See for example in the period of Inverquharity and  
Craig's debts SRO RS35/1 fo 22, 31.12.1660,  
SRO RS35/1 fo 185, 15.9.1662, SRO RS35/1 fo 50, 1.6.1661,  
SRO RS35/1 fo 68, 17.8.1661, SRO RS35/1 fo 215, 12.12.1662,  
SRO RS35/1 fo 353, 12.2.1664.  
SRO RS35/1-RS35/8, passim.
166. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
167. SRO RS35/7-RS35/8, passim.
168. Ibid.
169. Ibid.
170. Ibid.
171. Ibid.
172. SRO RS35/1-RS35/6, passim.
173. SRO RS35/7-RS35/8, passim.

174. Ibid.
175. SRO RS35/4 fo 252, 24.4.1670, SRO RS35/1-RS35/6, passim.
176. Wilson, Airlie, i, 227f.
177. SRO RS35/7 fo 172, 11.5.1680, SRO RS35/7 fo 180, 22.5.1680, SRO RS35/7 fo 199, 18.6.1680.
178. SRO RS35/7 fo 172, 11.5.1680.
179. SRO RS35/7 fo 199, 18.6.1680.
180. SRO RS35/7 fo 172, 11.5.1680.
181. Ibid et V. Jacob, The Lairds of Dun (1931), 213f.
182. SRO RS35/7 fo 199, 18.6.1680.
183. Ibid.
184. Ibid.
185. Ibid et Warden, Forfarshire, iv, passim.
186. SRO RS35/1-RS35/6, passim.
187. SRO RS35/7 fo 199, 18.6.1680. Warden, Forfarshire, ii, 267.
188. Vide supra et SRO RS35/1-RS35/8, passim.
189. Ibid.
190. C. Wilson, England's Apprenticeship (1967), 206.
191. SRO RS35/7 fo 138, 6.2.1680.
192. Ibid.
193. SRO RS35/7 fo 141, 6.2.1680.
194. V. Jacob, The Lairds of Dun (1931), passim.
195. SRO RS35/3 fo 258, 8.6.1667.
196. SRO RS35/7 fo 189, 1.6.1680.
197. Ibid.
198. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim et vide supra.

199. Mingay, Gentry, 108f.
200. SRO RS35/1-RS35/8, passim.
201. SRO RS35/7 fo 253, 9.11.1680.
202. Ibid.
203. Ibid.
204. SRO GD130/Box 6/Bundle 13.
205. SRO RS35/1-RS35/8, passim.
206. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim et vide supra.
207. Ibid.
208. Ibid.
209. See Figures 4.3 and 4.4.
210. SRO RS35/1-RS35/8, SRO RS3/1-RS3/6, passim et vide supra.
211. See Figure 4.3.
212. Ibid.
213. Ibid.
214. See Figure 5.3.
215. See Figure 4.3.
216. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/9, SRO GD188/32/10.
217. SRO RS35/1-RS35/8, passim.
218. SRO RS35/2 fo 29, 8.6.1664.
219. SRO RS35/2 fo 190, 16.11.1664. The six per cent rate of interest was standard in financial transactions between 1660 and 1690. In the early part of the period, however, apparently until the rate stabilised there were some minor variations. On this see SRO RS35/1-RS35/2, passim. See especially SRO RS35/1 fo 138, 18.2.1662, SRO RS35/1 fo 286, 28.7.1663.

220. SRO GD16/31/194, SRO GD16/26/70, SRO GD16/29/140/Box 2/  
Bundle 3/48.
221. Ibid et SRO RS35/1-RS35/8, passim.
222. SRO RS35/2 fo 300, 31.5.1665.
223. SRO RS35/2 fo 317, 26.7.1665, SRO RS35/2 fo 373, 8.12.1665.
224. SRO RS35/4 fo 250, 20.4.1670, SRO RS35/4, fo 280,  
22.6.1670, SRO RS35/4 fo 255, 3.5.1670, SRO RS35/1-  
RS35/6, passim.
225. SRO RS35/6 fo 34, 15.11.1675, SRO RS35/1-RS35/8, passim.
226. SRO GD188/27/7, SRO GD188/27/8, SRO GD188/32/10,  
SRO GD188/32/11.
227. SRO RS35/2 fo 233, 29.12.1664, SRO RS35/3 fo 374,  
20.12.1667, SRO RS35/4, fo 159, 28.5.1669,  
SRO RS35/1-RS35/6, passim.
228. SRO GD45/21/1, SRO GD45/21/2, SRO GD45/21/3,  
SRO GD16/31/252, SRO GD16/26/103, SRO GD16/31/285.
229. Ibid.
230. Ibid et SRO RS35/2 fo 377, 8.12.1665, SRO RS35/1-/8,  
passim.
231. SRO GD45/21/1.
232. SRO GD16/31/252, SRO GD16/26/103, SRO GD16/31/285.
233. Ibid.
234. SRO RS35/2 fo 277, 8.12.1665.
235. SRO GD45/21/1, SRO GD16/31/252, SRO RS35/8 fo 155,  
7.1.1687, SRO RS35/8 fo 26, 2.2.1685.
236. See Figure 4.4.
237. Ibid.
238. See Figure 4.
239. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim et vide supra.
240. See Figure 4.4.
241. Ibid.

242. SRO RS35/3 fo 386, 10.1.1668, SRO RS35/1-RS35/8, passim.
243. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
244. Ibid.
245. SRO RS35/4 fo 321, 30.11.1670, SRO RS35/5 fo 285,  
4.4.1674.
246. See Figure 5.4
247. Ibid.
248. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
249. See Figure 4.5.
250. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
251. Ibid.
252. Ibid.
253. Ibid.
254. See Figure 4.5.
255. See Figure 5.5.
256. SRO GD16/31/94, SRO GD45/17/508, SRO GD45/14/122,  
SRO GD45/14/162, SRO GD16/31/143. See chapter on  
external influences.
257. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
258. Ibid.
259. Ibid.
260. See Figure 4.6.
261. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim.
262. Ibid.
263. Ibid.
264. Ibid. See chapter on landed business.
265. Ibid.
266. Estate and personal papers are full of tradesmens  
accounts, letters asking for the repayment of small  
debts and letters seeking financial help.

- SRO GD16/26 passim, SRO GD188 passim, SRO GD45 passim.
267. SRO GD45/17/508, SRO GD45/14/166, SRO GD45/14/122,  
SRO GD16/31/213.
268. See chapter on landed business.
269. Vide supra.
270. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.  
See Figures 3 and 4.
271. See Figures 4.2 and 5.2.
272. See Figures 4.2 and 5.2.
273. See Figures 4.1 and 5.1.
274. Vide supra. See Figures 4 and 5.



THE FACTORS OF FORFARSHIRE

LANDOWNERS c. 1660 - 1690

The achievement of a sound financial and tenurial base on which to promote future landed development was dependant upon efficient estate administration which increasingly turned upon the efficiency and reliability of the factor.<sup>1</sup> He was responsible for the implementation of the dictates of the superior,<sup>2</sup> the day-to-day running of estates,<sup>3</sup> yearly accounts<sup>4</sup> and the general condition of estate relationships.<sup>5</sup> The factors, by the nature of their position, were very powerful men. They were aware of virtually everything that was happening on their charges, situated as they were between superior and tenants,<sup>6</sup> a position in which all information filtered through them.<sup>7</sup> In that position their independence grew and they became a powerful force in the development of property, executing the decisions of the superior, which they had initially influenced, to their own rather than the latter's satisfaction.<sup>8</sup> In order to make the greatest contribution to estate development factors had to have a level of freedom in the implementation of policies<sup>9</sup> and be delegated the requisite degree of authority for their position.<sup>10</sup> They also had to be trusted by their superiors,<sup>11</sup> be able to communicate with them<sup>12</sup> and implement some kind of overall estate policy<sup>13</sup> rather than arranging piecemeal solutions which would see them from one crisis to the next.<sup>14</sup> In these respects there was an evolution of the factorial position itself between 1660 and 1690<sup>15</sup> although the degree to which it was dependant on the personal authority of the factor involved or the status of the estates for which he worked is unclear. Factors tended to become more authoritative the

longer they held office<sup>16</sup> and there is evidence that theirs was a job for life once appointed.<sup>17</sup> Equally there was more status in being the factor of a major property than in controlling a gentry estate. Alexander Innes of Blairtoun, for example, the factor of the Earl of Panmure's estates at Belhelvie in Aberdeenshire,<sup>18</sup> had more prestige than Harry Lindsay of Cairne the factor of the Guthrie estates in Forfarshire<sup>19</sup> and Northern Ireland.<sup>20</sup> The factorial position also depended on the status and authority of his superior.<sup>21</sup> It is not without significance that the most successful factors were those who worked for superiors committed to the development of their estates<sup>22</sup> and whose position vis-a-vis their property was the thoughtful execution of policy decisions.<sup>23</sup>

Factorial independence and superior's ~~lack of~~ interest had one other important consequence. Some factors were dishonest, leading their charges to the brink of ruin while adding to their own fortunes. The contention that they were the selfless and altruistic servants of their masters<sup>24</sup> caring only for their charges cannot be substantiated for Forfarshire.<sup>25</sup> Evidence indicates, on the contrary, that a fair proportion of factors were involved in one kind of chicanery or another,<sup>26</sup> particularly on properties outside their home estates.<sup>27</sup> The fishing sector of estates was a notorious hotbed of deceit and improbity with almost unlimited opportunities for a factor with nerve to improve his salary and do himself some commercial good.<sup>28</sup> This was nowhere more true than on the Airlie estates in Banffshire.<sup>29</sup> There fishing was of

singular importance and was responsible for making and destroying the reputation of at least two factors.<sup>30</sup>

The origins of estate factors in Forfarshire after 1660 were six-fold. Firstly there were those who emerged from the family or retinue of the superior.<sup>31</sup> The second Earl of Airlie's family and retainers appear to have provided the greatest number of estate officers of any Forfarshire superior.<sup>32</sup> Thomas Ogilvy, who had earlier been with Lord Ogilvy in London,<sup>33</sup> became his factor in Banffshire in 1665 or 1666,<sup>34</sup> a retainer turned estate factor. Others emerging from the families of superiors were Harry Lindsay of Cairne, the factor of the Guthries of that Ilk<sup>35</sup> and the cousin of John Guthrie,<sup>36</sup> and John Maule, the factor of the Earls of Panmure.<sup>37</sup> Factors originated, secondly, in the gentry group. Lindsay of Cairne was born into that group<sup>38</sup> as was George Erskine<sup>39</sup> of the Kirkbuddo family<sup>40</sup> whose base as a Panmure factor was Brechin Castle.<sup>41</sup> Such certainty is not attainable concerning the origins of Alexander Innes of Blairtoun, Panmure's factor at Belhelvie although as in other cases he certainly became a laird<sup>42</sup> as a result of his position.<sup>43</sup> The third source of Forfarshire factors was the tenantry,<sup>44</sup> some of whom seem to have progressed through the whole estate structure gaining experience before becoming factors. John Maule, a Panmure factor,<sup>45</sup> was the tenant in Achranney<sup>46</sup> while James Ogilvy of Stronend, a factor of the second Earl of Airlie,<sup>47</sup> originally tenanted those properties.<sup>48</sup> Fourthly, factors came from the merchant group.<sup>49</sup> William Fyffe, who followed Thomas

Ogilvy as Airlie factor in Banffshire,<sup>50</sup> cannot be proved a merchant himself<sup>51</sup> but had very definite mercantile connections.<sup>52</sup> The importance of the fishing sector in Banffshire<sup>53</sup> made it imperative that someone with experience of distribution was factor. Robert Hamilton, for example, was essentially a merchant who was also a factor.<sup>54</sup> By the nature of their position most factors had relationships with merchants<sup>55</sup> but only in a few instances was it considered beneficial to combine the two positions. There were, fifthly, those who considered the position of factor as a profession.<sup>56</sup> The Leslie family, related to the Guthries of that Ilk<sup>57</sup> fell into this category. Patrick Leslie gave up the factorship of the Earl of Dalhousie<sup>58</sup> and attempted to buy or to have himself installed as factor of Guthrie estates in Ireland.<sup>59</sup> At the same time, his brother or nephew<sup>60</sup> James Leslie was a major Guthrie tenant in Ireland<sup>61</sup> and seemed to be bidding for the factorship himself.<sup>62</sup> Lastly there are those factors of unknown or uncertain origin.<sup>63</sup> The origins of Patrick Lawson, the successor of William Fyffe on the Airlie Banffshire estates, are obscure<sup>64</sup> although a number of his letters and tickets are extant.<sup>65</sup> More obscure are the origins of factors like William Gray,<sup>66</sup> William Lindsay<sup>67</sup> and John Donaldson<sup>68</sup> about whom only their position and one or two facts survive. The origins of Forfarshire factors were as diverse as the lands they administered, their performance as different as their personalities. Their professional relationships with their superiors, if in most cases complementary, varied according to their own authority, the condition of the estate they managed

and the commitment of their superior.

Most factors seem to have been well educated, being able to read and write,<sup>69</sup> although experience was considered more important than education. Generally they had a knowledge of accounting<sup>70</sup> and the myriad skills it took to be a successful estate manager<sup>71</sup> but even those qualifications were not all that significant. More important was some municipal or political position or some wide associations with such classes. So also were personal acquaintance with the superior, some personal wealth and business acumen. Previous experience of the factor's position seems to have been unnecessary although of course some factors were lairds themselves and thus accustomed to the administration of property.<sup>72</sup> No two careers had the same beginnings or followed the same course. Appointment was largely through expedience and continuation in the position depended upon success. That in turn depended on the relationships factors engendered, particularly with tenants and merchants, their demeanour in executing their office, their ability to satisfy their superior, efficient organisation and good productivity. One additional element in factor appointment should be mentioned. The position was seen by some factors as hereditary<sup>73</sup> or as a family right.<sup>74</sup> This differed between estates being insignificant on the Airlie<sup>75</sup> and Northesk<sup>76</sup> properties though important to the Panmures<sup>77</sup> and Guthries.<sup>78</sup> Such a practice might be thought to exclude the appointment of

able men but the Panmure estates, on which it was most prevalent, were among the best administered in Forfarshire.<sup>79</sup> The art was in the choice of men and the setting of a stable course for estate development which did not vary with every fluctuation of family fortunes. Continuity, stability of policy and commitment were as important among factors as superiors. When, as on the Panmure estates, those constituents of property development were enhanced by the close co-operation of superiors and factors the benefits were visible to all. Each needed the other's support. The one, if not useless without the other, was severely restricted. Where the duties of both could be efficiently joined and harmonised, there lay as important a course for estate development as any physical improvement.

Factorial responsibilities consisted principally of the execution of the superior's policy, day-to-day estate management and the presentation of annual accounts. The first two were much more flexibly interpreted than the last and consequently included a variety of informal duties which enormously widened the factor's influence. The factory could be broadly or narrowly interpreted.<sup>80</sup> It was generally to the benefit of Forfarshire estates that the former interpretation was taken. With that interpretation, however, it is not surprising that there were few completely successful factors. Only a few could combine all the qualities required.

Accounting has been considered more fully elsewhere as a function of estate development<sup>81</sup> but as a factorial duty certain features are significant. The factor was obliged to present yearly accounts,<sup>82</sup> although they were often several years behind<sup>83</sup> and evidently a cosmetic exercise.<sup>84</sup> Certainly their accuracy is at the very least suspect,<sup>85</sup> the factor appearing to use one year's surplus to cover deficits elsewhere.<sup>86</sup> The provision of written accounts, however, was itself something of an innovation on some estates after 1660<sup>87</sup> and some factors were specifically appointed to put a new accounting system into operation.<sup>88</sup> If they are somewhat tedious reading they at least show a degree of accounting and management skill in the factors so appointed.

One of the widest and least recognised factorial duties was the responsibility for communications inside and outside their charge. Forfarshire factors had a wide circle of relationships<sup>89</sup> and their personal contacts with all social and economic levels<sup>90</sup> were important for the effective performance of their duties<sup>91</sup> as well as increasing their own value to the superior.<sup>92</sup> Personal relationships could also ease their communications duties. These basically consisted of keeping in touch with tenantry, keeping the superior informed and maintaining correspondence with those dealing with the estate. That spawned an immense amount of informal and personal correspondence. The informal communications duties consisted of receiving reports from all sections of



estate life almost on the level of gossip,<sup>93</sup> sifting through it and reporting what was considered important to the superior, as well as keeping in touch with extra-estate events and being at ease in all the main business centres.<sup>94</sup> Factors appreciated the value of effective communications and their own positions as storehouses of information. They also realised, however, how vulnerable they were and how that could be helped by interaction and the passing of information between them, particularly on one estate. Such relationships appear to have been particularly strong on the Panmure<sup>95</sup> and Strathmore<sup>96</sup> estates. They were less noticeable on Airlie,<sup>97</sup> Northesk<sup>98</sup> and Southesk<sup>99</sup> properties and may have been one reason for their poor performance. Although the factor's principal communications duty was in negotiations with tenantry, secondary and informal duties could only be ignored at a cost.

Communications within the home estate and within Forfarshire were also important to factors but were not without difficulties since they were less of an independent remit and more a consequence of other duties.<sup>100</sup> On the Airlie estates in north west Forfarshire the factor, James Ogilvy of Stronend, attempted to maintain a dialogue between himself, the superior and associates important to efficient estate administration.<sup>101</sup> His activity was somewhat one-sided, however, since the superior gave no undertaking to keep his officers abreast of events. It seems that the superior had always to be asked for information

rather than volunteering it.<sup>102</sup> The factor, on the other hand, felt obliged to keep the superior informed<sup>103</sup> but also had to make sure that he himself had adequate and relevant information which was not always readily available.<sup>104</sup> On 12 November 1669 the laird of Stronend wrote to the second Earl of Airlie that he had spoken "to James farquharson for the names of the formans that Traviles Our brayes"<sup>105</sup> though the recalcitrant Farquharson denied knowing them.<sup>106</sup> Stronend knew Farquharson was lying, however, for he added that he had also written "to david lindsay thrys for a list of their names he knows and hes resaud no answr as yet".<sup>107</sup> A factor had to contend with hostility as well as slowness, inaccuracy and loss of correspondence in maintaining communications.

Factors of charges beyond Forfarshire had more onerous communications duties than those based in that shire because of distance, travel difficulties and superiors expectations. Even so some of them added to their own difficulties by being remiss in corresponding with the home property. Robert Buchanan, the Guthrie factor on their estates in County Fermanagh,<sup>108</sup> appears to have been not only a recalcitrant correspondent but also a negligent steward.<sup>109</sup> Robert Hamilton, the Airlie factor in Banffshire until 1665,<sup>110</sup> although a frequent correspondent<sup>111</sup> was remiss in sending accounts,<sup>112</sup> doubtless intentionally, since his dishonesty would have been discovered.<sup>113</sup> The amount of paper bought by Hamilton's two successors<sup>114</sup> and the

travelling expenses incurred by Thomas Ogilvy,<sup>115</sup> however, suggests that the importance of personal contact and written communication was increasing after 1665. They were a cause for concern long before then, however. In the mid 1650's Robert Hamilton was deeply concerned about correspondence which disappeared in transit,<sup>116</sup> and about using untrustworthy servants to carry letters between Banff and Cortachy.<sup>117</sup> He also travelled south himself,<sup>118</sup> as did his successor, to see the superior<sup>119</sup> but even personal contact could not solve existing communications problems, particularly the transmission of up-to-date technical and legal specifications on estate matters. For example in connection with fishing Robert Hamilton asked Lord Ogilvy to "send me the geag of the croufes I mein the geag of the heckes and forgett nott to send me ane tolerence for wining of stones ffor the dames."<sup>120</sup> Laws on fishing were being implemented on Airlie estates but communications were so poor that the factor did not have adequate recent information on the legal situation and had to apply to his superior for it. The speed of communication clearly left a great deal to be desired.<sup>121</sup> Those two elements, the restriction of information and tardiness of dissemination, when combined with distance from centralised control, made the work of factors very difficult.<sup>122</sup> They added considerably to their responsibilities, particularly to those for making their charges settled and efficient.<sup>123</sup>

As the post-Restoration period progressed the significance of good communication in all its forms increased.<sup>124</sup> The position of an estate, whether or not it was geographically divided, for example,<sup>125</sup> and the relationship between the superior and his officers were of vital importance in this. On Airlie estates, for example, the relationship between superior and delegates was on a one to one basis<sup>126</sup> and there was little evidence of a stratified communications and management structure as on other properties.<sup>127</sup> Even towards the Revolution there had been little development of communications on those estates. There is evidence for the evolution of other types of communications in landed society, however. By the late post-Restoration period estate personnel, as well as being able to read and keep accounts, were using books and almanacs for professional purposes.<sup>128</sup> By that time communications had also become more formalised.<sup>129</sup> For example one feature of the letters between superiors and their officers on estate business after 1660 was that those of the former were much less complex than the replies.<sup>130</sup> They were essentially directives on building, planting or general estate work and problems.<sup>131</sup> Communications could also be well or badly affected by absentee ownership, such as that of the Earl of Airlie from his Banffshire estates<sup>132</sup> or Panmure from his property in Belhelvie, Aberdeenshire,<sup>133</sup> according to the position of the delegates involved. In the latter case because of the personal authority of the Innes

family<sup>134</sup> communications did not suffer. On the other hand in the case of the Airlie Banffshire properties, particularly after the death of Thomas Ogilvy in 1685<sup>135</sup> and the hostility caused by filling his position,<sup>136</sup> the conventional communications structure was seriously dislocated. Rather than information coming from estate personnel to the factor and from him to the superior, each individual appeared to be reporting to the superior independently.<sup>137</sup> Whatever the individual causes by the late 1680's and early 1690's it seems to have been conventional for estate personnel to be in direct contact with their superior bypassing the factor in so doing.<sup>138</sup> Thereby not only was a unique estate structure maintained but the duties of estate personnel took on a new dimension and communications gained added significance.

The importance of communications on any estate is nowhere clearer than in the relationship of factors and tenants. The maintenance of that relationship was the primary official duty of the factor. It depended on his personality, estate conditions and the economic and political situation. It is noticeable, for example, that general difficulties with tenantry, as opposed to specific cases,<sup>139</sup> occurred on Forfarshire estates or their pendicles in the late 1650's and 1660's, a time of economic difficulties.<sup>140</sup> The later post-Restoration period was comparatively free of serious tenant disturbance. On the whole, however, only a

minority of the tenants of Forfarshire landowners caused difficulty. The vast majority, if not contented, were at least settled on their holdings, their settlement and the occupation of the land being a goal of estate factors<sup>141</sup> which they attempted to achieve in various ways.<sup>142</sup> Their main problems after 1660 were in unconsolidated holdings outside Forfarshire<sup>143</sup> which had not been as rigorously controlled during "the troubles" as home properties.<sup>144</sup> The cause was almost invariably tenant poverty<sup>145</sup> and that, when combined with the desire to keep land occupied, put immense pressure not only on estate viability but also on the position of the factor. On the Airlie Banffshire estates the Bogmuchs area was a source of trouble for factors Hamilton and Ogilvy from about 1656<sup>146</sup> until well into the later factorship.<sup>147</sup> Hamilton reported at the earlier period that the reason no decreets had been issued to tenants for getting debts from them was that there was no sheriff.<sup>148</sup> He seemed, however, to be flying in the face of estate practice in using legal means to get tenants to pay their dues. Generally factors relied on persuasion and conciliation to do that, and attempted to reduce contentious litigation.<sup>149</sup> Hamilton undermined his own position and jeopardised what relationships he had with tenantry by recourse to the law. It was one of the features of the factorial position, however, that such intransigence was moderated by experience, especially in tenant affairs. Hamilton's inflexibility was soon tempered. He, like his successor,<sup>150</sup> underestimated the problems of tenantry.

Presumably because of his merchant/urban background he felt that the law was the ultimate weapon which, in the closed rural society, it was not.

A change in Hamilton's attitude can be noticed after his dealings with John Thomson early in 1658.<sup>151</sup> A tenant on the Airlie estates, he was in poor condition and was quitting his possession.<sup>152</sup> He had many children<sup>153</sup> and Hamilton was moved to pity.<sup>154</sup> Whether this was purely charitable or the factor was moved by the fact that a number of houses and goodwill were involved is unclear.<sup>155</sup> By April 1659, however, the advantages of compromise had clearly become evident to him<sup>156</sup> and he had come to appreciate the tenant position. He pointed out that those tenants in the Forest of Boyn who had not fully paid their ferme meal did not themselves have enough seed to plant their ground and could get no money until the summer markets.<sup>157</sup> From the threatened legal remedy of three years before in Bogmuchs the factor's opinions had gone full circle to interceding on tenants behalf. If the ground was to be worked at all compromise and conciliation were the major influences. This was obvious in the negotiations of Thomson's successor Alexander Davidson.<sup>158</sup> He was a wealthier man than Thomson<sup>159</sup> and made clear the conditions under which he accepted the holding. He "desayres ffaive yeires tack of the Roum and he will geive me What tuoe honest men I please coatione ffor the yeirlie deutie conform to his tacks."<sup>160</sup> Forcible eviction of tenantry and

sustained opposition were rare and unwelcome occurrences at which landowners and factors blenched. Although many debts were overdue,<sup>161</sup> there was little irritancy.<sup>162</sup> Exactly the opposite was the case, indeed, the factor often persuading people to stay who had decided to quit their holdings.<sup>163</sup> Certainly such was the case with Robert Hamilton when tenants in Tippetty complained that their possessions were too dear.<sup>164</sup> Palpably the contrariness of tenantry had to be recognised and if possible neutralised if it was not to burst forth in an expression of real discontent. It is noticeable, for example, that each complaint from tenants during Hamilton's factorship came from different estate areas.<sup>165</sup> If they were not to become the focus of greater trouble they had to be eliminated by compromise and conciliation as far as possible.

The relationship of a factor to tenants depended in part whether they held their lands heritably or not. The factor of the Earl of Panmure on his Belhelvie estates, Alexander Innes of Blairtoun, <sup>166</sup> dealt with such tenants in two very different ways. Tacksmen he was anxious to settle with as little trouble as possible<sup>167</sup> while he made heritors aware of their duties and insisted that what responsibilities they had must be performed.<sup>168</sup> In the former case negotiation and placation was the rule while in the latter confrontation and inflexibility were the order. It is evident that the Panmure factor, as was the case with his opposite number on the Airlie properties in the north east,



spent much of the late 1650's settling tenants. Innes was primarily interested in having his charge held by settled occupants and directing the remainder of estate business from that base. He was very close to his superiors and his authority and responsibility appeared to enlarge thereby.<sup>169</sup> He seems, for example, to have made arrangements with tenantry and then had these authorised rather than vice versa.<sup>170</sup> His position was an example of how powerful the factor could be and how critical the pre-1660 situation was. He wrote to Lord Brechin asking to be allowed £50 Scots in his accounts which he had paid "to the contentious wedow of his byrons who possessed a plough of Lands called bogis of the baronie of belhelvie."<sup>171</sup> The money was given in return for the widow's peaceful quitting of her property "at witsunday nixt qrbv the enterant tenant may peaceablie enter to the biggings yroff."<sup>172</sup> Sitting tenants were difficult to remove and had to be persuaded, virtually on their own terms, to vacate their holdings. The relationship of factors and tenants was an affair unique to each estate and each situation. However it is clear that in the late 1650's the factors of Forfarshire landowners were busily trying to keep their lands occupied by acceptable and contented tenantry.

If conciliation brought results to the factor, so also did belligerence. It may be of significance that at least two of the removing tenants Innes was dealing with were women.<sup>173</sup> Obviously, however, each situation moulded the the factor's approach to tenants as did the administrative

hierarchy of the estates of which he was part. With no little animosity from Innes "Sunawayes wife"<sup>174</sup> left her plough of land in Wester Halton receiving only two bolls of meal in compensation.<sup>175</sup> She had "givein the enterant tennant peaceable possession of the sd plough of Lands and biggings yroff."<sup>176</sup> Whether "Sunawayes wife" was a widow we are not told, but it is apparent that her lack of aggressiveness did her little good. Her speedy compliance with the steward's wishes achieved what would seem to have been a less beneficial settlement than Innes might have offered had he been obliged to do so.<sup>177</sup> Despite the changes in his attitude when dealing with different tenants it is clear that Innes's relationships with them was in general very good. It was one reason for the efficiency of his factorship. He was at pains to maintain such relationships at almost any cost. He was anxious to attract and retain efficient, peaceful and satisfied tenants and if that involved him in negotiations and give and take he did not appear to mind. His attitude towards tenantry was closely tied to that of his philosophy towards the land. He wanted occupation of territory, effective working and the cultivation of as much of the land he was responsible for as possible, including extension of the arable area.<sup>178</sup> Innes's obvious pleasure at getting a tenant to accept two ploughlands of Powestoune cannot be doubted.<sup>179</sup> Evidently land brought under the plough was a considerable achievement especially if done while maintaining peaceful relationships with tenantry. It was a

good gauge of factorial efficiency and of the general state of relationships on the estate.

After 1660 there was a marked change in the policies of factors. Although the anxiety to keep property in occupation remained,<sup>180</sup> the emphasis changed in the factors' minds. It no longer consisted of regarding tenants simply as occupiers of ground but of the search for able tenants<sup>181</sup> and the arrangement of tacks acceptable to them and the landowner.<sup>182</sup> The policies of factors towards tenants were therefore a direct evolution of what had happened in the late Commonwealth period. On the Airlie Forfarshire estates after 1666 when the second Earl succeeded there was a systematization and consolidation of what already existed. The succession of a new superior brought with it not only new ideas on estate management<sup>183</sup> but also a desire for the settling of old accounts with tenants and new demands on officers. What was done, however, seems to have been effected largely in opposition to the wishes of tenantry.<sup>184</sup> James Ogilvy of Stronend an Airlie factor, for example, sought to renew written tacks, or employ them where none existed before, while simultaneously attempting to introduce some order into rental books.<sup>185</sup> Tenants on the other hand, were most recalcitrant. Despite the factor's undertaking that all willing tenants would be perfectly discharged and all promises to them kept,<sup>185</sup> as well as the Earl of Airlie's good reputation as a superior,<sup>186</sup> they remained unco-operative. They refused initial or renewed written tacks where that was proposed, presumably seeing

them as inhibiting their freedom of action. Their only concession, which they no doubt saw they legally had to implement if they wished to retain their properties, was to agree to the punctual payment of their rents. That was scarcely a substitute for the alterations being sought by the factor. Rather it was a neutralisation of any legal action their superior might take for their non-co-operation in other matters.

The strength of such trends and their impression on factors as a responsibility may be seen from their desire to bring even outside pendicles under control. This was particularly relevant in the Airlie possessions in Perthshire and Banffshire. Tenants around Alyth and in eastern Perthshire, especially around Glenshee, not only had no tacks but owed rent.<sup>187</sup> When Ogilvy of Stronend went to Alyth to consult with them only one "Barron Raid" came, with his son,<sup>188</sup> "wt whom I spak at length".<sup>189</sup> Even they could not give the factor money but promised payment the following Martinmas.<sup>190</sup> Not wishing to be tied to any agreements they also refused to give the factor their bond.<sup>191</sup> Attitudes to Airlie tenants after 1660 were affected by more than the desire for estate consolidation, however. His tenants in separated properties appear to have manifested an independence of spirit which had to be brought under control. More instructive than Reid's refusal to sign a bond was his admission that "he never saw ane tak of your Lo predisesors amongst his wrots."<sup>192</sup> Having evidently never had a written tack, the factor could not

persuade the old baron to accept one and "to tak ane new tak he said he wold not."<sup>193</sup> The factor and superior saw the absence of written tacks for tenants in east Perthshire as one reason for their insolence. They hoped that by imposing tacks tenants would become more amenable to persuasion. They reckoned without the effects such freedom had bred, the apparent lack of supervision before 1666<sup>194</sup> and remoteness from Cortachy. Other four major tenants around Alyth did not even trouble to reply to the factor, assiduously trying to bring all tenants into the line imposed on him by his superior.<sup>195</sup> Their silence made Stronend believe that "they war as ill provydit as baron raid was."<sup>196</sup> His attempts at mediation had been unsuccessful and he tried another course. He met Andrew Clune,<sup>197</sup> evidently an Alyth lawyer, whose advice was that the defaulting tenants "sould be charged befor the commischer of Dunkald."<sup>198</sup> Such uncompromising and censorious attitudes were alien to most factors as was legal recourse, except, as in Stronend's case, as a last resort. However, legal intervention may have been forced on him earlier than usual because he did not know the area all that well, having to employ one James Soutar to help him,<sup>199</sup> and because rental books for the area were in utter chaos.<sup>200</sup> Any factorial responsibility for dealing with tenantry depended on accurate information and personal knowledge especially when, as after 1666, some consolidation and rationalisation was planned. They were the prerequisites of any reorganisation which factors had to implement.<sup>201</sup>

The picture was much the same on Airlie estates in the north-east. The apathy and procrastination of Robert Hamilton<sup>202</sup> left grievous problems of tenant relationships for Thomas Ogilvy.<sup>203</sup> His major problem was to convince tenants themselves that the old days were gone for good and that efficiency was as desirable as possession. On 6 February 1666 he asked the second Earl "to send a precept of horning to remove the unable tenants"<sup>204</sup> and "it shall be execute."<sup>205</sup> The most obstructive tenants were situated in the Bogmuchs area in the south of Fordyce parish. Banff parish was little better although the estate officer in Alvah seems to have performed his duties with some competence and to have maintained current structure and rental arrangements.<sup>206</sup> The factor made his intentions plain at the outset. "I did convene the tenants in Bogmuchs and have cleared accounts with them which truly was exceeding troublesome in respectt some of their possessions hath been changed from hand to hand neverthelese I have put them in as good order as I can."<sup>207</sup> However, if the new order considered titles to land and regular accounts were a necessary appurtenance of efficient estate management, there was little that could be done to relax the burden of tenant debts. Ogilvy noted that in Bogmuchs "the rests are insufferables being in that Barronie alone near 6,000 marks due by them to your Lo."<sup>208</sup> Additionally four or five tenants had deserted.<sup>209</sup> He was able to report however "thatt there is some able tenants inquiring for them."<sup>210</sup> If the factor

began inflexible in his demands of tenants, experience diminished his expectations and mellowed his intolerance. After being in office for less than a year he was making excuses for the Bogmuchils tenants. The bear rent of the area was only 140 bolls "unlese you force the tennents in Bogmuchils to pay bear which they are neither able nor have been accustomed to pay."<sup>211</sup> The factor had managed to enumerate the problems of his charge. Poor productivity, little diversification, an impoverished and lethargic tenantry and an existence to all intents and purposes finely balanced between subsistence and famine.<sup>212</sup> Even his preoccupation with able tenantry could not eliminate the difficulties of the estate. In 1669 the Bogmuchils tenants "fauld in no less then the just halff of what they promised."<sup>213</sup> Nevertheless factorial relations with tenants seem to have been very good,<sup>214</sup> although most factors recognised that was necessary if estate problems were not to be aggravated.<sup>215</sup> Ogilvy quickly discovered that accounts were not all important.<sup>216</sup> Good relationships also had some significance and could be engendered by the judicious if temporary relief of debtors dues.<sup>217</sup> Such magnanimity was politic but not common.

Of the three major areas of Airlie influence in Banffshire the factor found that around Alvah the best ordered with uncomplicated tenant relationships.<sup>218</sup> This seems to have been due to the attentions of estate officers.<sup>219</sup> Ogilvy tried to build on what he found. He introduced a wadset<sup>220</sup> since tenants were settled, not in too much debt and amenable

to inducement. Around Alvah some kind of estate structure existed<sup>221</sup> and where the factor did not have such original building to do, his connections with tenantry were on a secure and dependable foundation. A wadset of the Mill of Alvah had previously been offered to Thomas Mill who refused it.<sup>222</sup> It was again offered, along with the Nethertoun for 3,500 marks Scots.<sup>223</sup> Mill would give no more than 3,000 marks for both of them, however, and eventually agreed on 2,000 marks for the wadset of the mill alone.<sup>224</sup> The whole arrangement seems to have been calculated to minimise the losses the tenant could expect.<sup>225</sup> However the bargaining which had to be gone through even in a settled area between the factor and tenant is a good example of how, after about 1660 to 1665, tenant opinions and rights could not be ignored simply for the sake of the occupation of land. Ogilvy noted with some conviction that in comparison with those of other landowners Airlie wadsets in Banffshire were not a good investment,<sup>226</sup> and he was not unduly impressed by the tenurial advances offered. Factorial negotiations on such matters seem generally, as in Ogilvy's case, to have made them favour greater tenant rights. That trend, of course, was not purely voluntary. Landowners were obliged to improve rights because the tenant group would no longer accept the imposition of adverse conditions and, where they were able and settled, negotiated for amendments. The tenant body unquestionably taught estate managers the value of compromise just as the experience of factors with tenants



was that their freedom of action was restricted.

Forfarshire factors in the 1680's seem no less to have learned that lesson.<sup>227</sup> By the late post-Restoration era their dealings with tenants had developed considerably so that both knew their rights. Factors were concerned with tenant entry to and their exit from property. They were willing to recommend tenants to their superiors if they did not seek "gryt Conditions"<sup>228</sup> and were concerned to advise what tack conditions should be offered to certain members of that group, presumably since they knew them and had to work with them. As far as possible they also attempted to maintain existing tenants peacefully in their possessions although when there was a change they tried to ensure that no vacancy occurred between the old and new occupier. It is noticeable, however, that superiors retained the right to decide on entry or evacuation. The conduct of John Maule, the Panmure factor, substantiates the contention that in many cases the agency of the factor along with the consultation of tenants was responsible for the tacks offered to the latter.<sup>229</sup> Two other elements in factors dealings with tenantry emerged from the manoeuvres of John Maule and the Earl of Panmure in relation to the tack of David Kyd, his two sons and Nicoll Crichton.<sup>230</sup> These were the urgency of maintaining a uniform estate policy on tacks or, where such invariability was impossible, keeping better conditions for certain tenants secret.<sup>231</sup> Such importance placed on uniformity was a late post-Restoration phenomenon, a further development of estate

practice. If David Kyd and his partners took Ballwossie<sup>232</sup> then Thomas Kyd in Carmyllie was to be granted twenty marks and a seven years tack<sup>233</sup> "or longer in tym Comeing."<sup>234</sup> The length of tacks was dependant on more than the whims of the superior and his stewards but on the performance and demeanour of the sitting tenant. It is clear from the work of the Panmure factor in the 1680's that although religious conformity of tenants was considered an unalterable maxim,<sup>235</sup> those elements affecting the leasing of territory were negotiable within relatively wide limits.

The relationships of factors with merchants were complicated by the fact that sometimes one man held both positions.<sup>236</sup> The benefits of such an arrangement were obvious, the dangers only too apparent if the duties could not be kept separate.<sup>237</sup> Robert Hamilton led the Airlie Banffshire estates into utter chaos because of his inability to effectively isolate his factorial function from his business commitments.<sup>238</sup> More than just the sale and transport of produce was involved. After tenants had taken produce to a port<sup>239</sup> there were negotiations on sale price<sup>240</sup> and the amount of produce which could be sold<sup>241</sup> to be conducted. Since estate profitability and the balance of estate accounts<sup>242</sup> depended on such negotiations they were of great importance. Harry Lindsay of Cairne, the factor of John Guthrie of that Ilk, for example, as well as endeavouring to reduce estate expenditure, tried to sell as much produce as possible to merchants.<sup>243</sup> The money he received kept his discharges

consistently lower than his charges,<sup>244</sup> a vital consideration.

The attempts of some factors to make their produce acceptable to merchants demonstrates how significant a part the latter and the amount of produce sold to them played in the estate economy. Before 1660 Alexander Innes of Blairtounne the factor of the Earl of Panmure was attempting to sell the bear from the Belhelvie estates "at the best rait I can."<sup>245</sup> Aberdeen merchants offered him £6 Scots per boll, evidently a low price, with "Lambes payment,"<sup>246</sup> and he rejected it out of hand.<sup>247</sup> Inflexibility paid no dividends with merchants, however. They simply "resiled from the bargaine and will not buy it at all by resone the prices of the Malt is falling in thir feelds."<sup>248</sup> Over supply was forcing prices down and the factor had to price his produce as attractively as possible. Merchants, however, still refused to buy it<sup>249</sup> because of its poor quality.<sup>250</sup> Innes would have been glad to have had the responsibility for sale lifted from his shoulders and to have had the meal sold further south.<sup>251</sup> He doubted, however, that it could be sold even there.<sup>252</sup> He had a great deal of experience of merchants and knew that poor quality was the one thing they would not tolerate.<sup>253</sup> The extent of the factor's significance and inventiveness then became evident. Rather than sell the 1671 crop, he advised Panmure to "forbear the selling thereof till this yeirs meall fearme come in that both may be putt off together."<sup>254</sup> He wanted to overcome merchant objections to the quality of his produce and

doubtless minimise estate losses by mixing "the victuall  
of this and the last cropt to make all good merchant stuff."<sup>255</sup>  
The superior considered this an unfortunate solution.<sup>256</sup>  
The factor, however, more involved with the day-to-day running  
of the estate, thought it was the only course to take.<sup>257</sup>  
Problems of storage were than added to those of sale. Innes  
assured his superior, however, that "I shall use my best  
endeavors to keepe it skaith of the winter stormes by helping  
the old Rooff the best way I can."<sup>258</sup> Probably the variety  
of qualities within any crop was the worst problem any factor  
could experience. Merchants expected uniform quality and  
they had to be persuaded of a produce's consistency. The  
method Innes put forward for doing that was neither new  
to him nor uncommon. He noted that "I have done the lyke  
in your Los noble fathers tyme by his order when there was  
a remainder of meall over yeir in the girnar."<sup>259</sup> His  
opportunism was as remarkable as his advice to the superior.  
He would not, however, act on his own authority.<sup>260</sup> There  
were patently those features of estate life which went beyond  
the factor's remit and independently interfering with the  
crop was one of them. By his position Innes was obliged to  
educate the superior to the hard facts of estate life and  
attempt to increase his own authority over areas for which he  
was held mainly accountable. That and his dealings with  
merchants were central to his own and estate performance.

Factor-merchant relationships were affected by the product  
involved, distance from the market and the location of the

estate. Where the product was very perishable, as in the case of fish,<sup>261</sup> the maintenance of relationships was at a premium, the capacity of factors for manoeuvre somewhat restricted. In such a sector merchants had to be depended on for supplies of salt, cork, hemp and other necessities.<sup>262</sup> Their alienation not only meant that supplies of fish did not reach market but that the producer's supplies for preserving his product were cut off. Cordial contacts were necessary and the efforts of the two Airlie factors in Banffshire in the period from the late 1650's to the middle of the 1680's to maintain them are obvious.<sup>263</sup> Having a merchant, Robert Hamilton, as factor may well have helped<sup>264</sup> but his successor Thomas Ogilvy tried just as hard to maintain relationships.<sup>265</sup> The only difference between their factorships, indeed, seems to have been the extent of the influence of the "forehand bargain,"<sup>266</sup> a method of sale to specific merchants before production. Hamilton, with his mercantile background and mentality, thought it beneficial while Ogilvy saw it as oppressive and restrictive. The difference was rather one of emphasis than of policy. Those merchants responsible for the sale and transport of produce from the Airlie dependencies in Banffshire, as well as those dealing in household consumables and estate working capital, found themselves dealing with factors well attuned to the mercantile mentality and well adapted to trenchantly trading with them on their own ground. Robert Kyle, a northern merchant, was recommended because he had a great trade and

could supply most estate needs at the most economic price.<sup>267</sup> The same fulsome reference was not applied to Bailie Ronald of Montrose,<sup>268</sup> who acutely felt the edge of Thomas Ogilvy's business acumen. He seems to have been a merchant involved in the luxury trade and was selling wine at £7 sterling "the peice."<sup>269</sup> Ogilvy had travelled to Montrose to taste it but not only did he find it too dear, it was also "nott very good."<sup>270</sup> With such a condemnation it is doubtful if Ronald's wine was bought.<sup>271</sup> The factor demonstrated that if his group depended on merchants to dispose of estate produce, it was very much a two way relationship. Ronald's inflexibility on price and credit lost him custom.<sup>272</sup>

If compromise was relevant to merchants dealing in the luxury trade it was no less applicable to salt, that indispensable article of trade.<sup>273</sup> In such merchandise the market was obviously flexible and lent itself to give and take between buyer and seller. Salt was a much used commodity with highly inelastic demand. Thomas Ogilvy knew instinctively how to use its inelasticity to his own rather than the seller's advantage. As a bulk buyer he bargained on the basis of strength and merchants made appropriate concessions from price reductions to sale on a use-or-return basis.<sup>274</sup> After five or six years as factor, Ogilvy's sources of supply had widened and his knowledge of national prices had improved.<sup>275</sup> By then he better appreciated the advantages of scale economies and decided that to that end

he would purchase his salt requirement along with one Bailie Stewart.<sup>276</sup> Certainly some considerable gain was involved for the vendors Sir William Bruce and a Mr. Mill were not to be told of the arrangement.<sup>277</sup> It would appear that some kind of personal bargain, of the nature of a gentleman's agreement, had been reached between the factor and the merchants. From them "Your Lo may have as much fishing salt as you please."<sup>278</sup> A bargain for cheap salt was too good to miss even if it meant deceiving the opposite party to the agreement.<sup>279</sup> The factor was willing to take any step, particularly but not exclusively against those outside the estate, to benefit his charge. Presumably that would reflect well on him.

Factorial awareness of the personalities of the merchants they were dealing with, the importance of good relationships, the significance of price and price setting, and the quantity and type of produce being bought and sold all were critical in the deals between merchants and factors. Although wider relationships existed,<sup>280</sup> those in the local market were most important. The Panmure factor John Maule, for example, had closest associations with Montrose merchants<sup>281</sup> that port being the one Panmure produce was focussed on. Maule dealt in bear, wheat and meal and was not averse to sending produce by ship to areas where he could get a better price,<sup>282</sup> a common concern of Forfarshire factors throughout the post-Restoration period.<sup>283</sup> It is clear, nevertheless, especially in relation to the Panmure estates, that the local

merchant community increased in significance for factors between 1660 and 1690.<sup>284</sup> Although in 1674 John Maule only mentioned that he had managed to get "merchants" "for all the ferme bear that I have under my Charge except it be verie Litell",<sup>285</sup> by 1685 he was dealing specifically with the merchants of Montrose.<sup>286</sup> Equally although in the earlier period he spoke of disposing of all ferme bear to "sufficient merchantis",<sup>287</sup> later he informed the third Earl of Panmure that he had "Cleired accompts with the merchants of Montross"<sup>288</sup> not only for bear but also for wheat and meal. Of bear alone by May 1685 the Montrose merchants had received 2009 bolls,<sup>289</sup> and that was not the entire production of the estate. One Archibald Kerr had been given 122 bolls<sup>290</sup> because in a very good year the Montrose merchants had only bargained for 2,000 bolls.<sup>291</sup> Kerr seems to have been a merchant either in Dundee or further north,<sup>292</sup> and was a creditor of the third Earl of Panmure<sup>293</sup> who was invited to extend marketing facilities.<sup>294</sup> Despite such minor incursions, however, by the 1680's the existing merchant-factor relationships seem in general to have been capable of disposing of estate produce and could effectively take care of surplus. Entry to the merchant side, however, was by invitation from the factor or superior and dependant on the size of the crop and whether or not existing merchants could handle it rather than through the efforts of merchants themselves.



When large quantities of produce were being disposed of the factor had to be sure of replacing defaulters and of uniformity of price level. One merchant, Andrew Bathgaitt,<sup>295</sup> was not willing to offer the ten marks per boll Maule wanted for bear in early 1672<sup>296</sup> although he earlier would have done so.<sup>297</sup> A general fall in prices had taken place<sup>298</sup> and Bathgaitt seems also to have felt that because he was dealing in large quantities<sup>299</sup> he should be given some price reduction.<sup>300</sup> Maule was adamant, however, and hoped "to gitt it all sold by (i.e. bypassing) him to honest men that will pay it verie wel."<sup>301</sup> He jaundicedly noted that he would "rather Sell it to any uther honest man for sex pound befor I sold it to him."<sup>302</sup> Six pounds Scots equalled nine marks Scots and the factor's opinion in this shows how narrow a price negotiating range he worked in. Bathgaitt appears to have been offering between nine and ten marks the boll<sup>303</sup> and some personal hostility between the two men seems to have halted the deal. Factors faced grievous problems in disposing of large amounts of produce if they did not have existing and permanent, reliable mercantile connections. They were under severe pressure to maintain good relationships with the merchant group which was itself not unaware of the power it had.

Finance was central to factorial duties. They were expected to keep accurate and balanced accounts and satisfy the superior's needs for money, the latter being partially responsible for the very poor financial state of some properties.

Landlords, for example, often borrowed from tenants offsetting it against rents and accumulated complex accounts for their factors to settle.<sup>304</sup> The two main financial responsibilities of the factor, as accountant and provider of funds, were therefore essentially incompatible.<sup>305</sup> This problem became more acute since more often than not money rent could not be collected because tenants had no money<sup>306</sup> and superiors made continual financial demands refusing to recognise the financial plight of their properties.<sup>307</sup> The correspondence of Robert Hamilton and Thomas Ogilvy is replete with references to such difficulties,<sup>308</sup> the separated properties they administered being particularly badly affected by them. In the early years of the Ogilvy factorship of Airlie Banffshire estates money was especially unobtainable, with late 1667 and the first half of 1668 particularly ill-supplied. On 12 April 1667 there was "nott one penny to be gott heer till the summer mercatts come."<sup>309</sup> Seven months later the factor indignantly wrote "your Lo knows indifferentt well whatt difficulty ther is to gett mony for upon my conscience I cannott gett so much mony as will pay the present cess."<sup>310</sup> The second Earl had previously issued orders for his factor to pay 2,100 marks Scots to creditors manifesting an ignorance of reality and lack of sympathy the latter found difficult to comprehend. By mid 1668 matters had so little improved that Ogilvy despairingly averred "as for mony rentt lett me nott live if ever I knew such famin of any thing as

ther is of itt att this place."<sup>311</sup> Successful financial stewardship was largely dependant on effectively persuading the superior of the finite capabilities of his properties. The wisdom of anticipation and forecasting was also important, as was the mollification of creditors who would only be satisfied with payment in money, and the minimising of public dues owed by the estate. Those who were owed money by Airlie should not have been surprised by tardiness in the payment of debts. It seems to have been an unwritten law that debts were not settled until the final demand was made<sup>312</sup> or until legal action was threatened or taken to recover them.<sup>313</sup>

Finance could be a much more personal affair for factors. They appear to have negotiated their own salaries in money and kind,<sup>314</sup> based very loosely on the scope of their duties and how highly they were regarded by their superior.<sup>315</sup> They were, of course, in a position to make their own salaries and obviously some of them, like Robert Hamilton, took the opportunity.<sup>316</sup> The laird of Stronend, however, an Airlie factor in Forfarshire, is the only recorded instance of factorial dissatisfaction with his official salary. He is also, along with Hamilton<sup>317</sup> and James Lindsay,<sup>318</sup> and probably Robert Buchanan on the Northern Irish estates of the Guthrie family,<sup>319</sup> one of the examples of financial incompetence among factors.<sup>320</sup> If keeping accounts was a factorial duty, it is as well that auditing was not, or at least was not as generally stringent as in the case of Panmure factors.<sup>321</sup>

Some factors seem to have been models of probity,<sup>322</sup> particularly where formal auditing procedures were in practice.<sup>323</sup> A considerable percentage, however, were either dishonest or financially incompetent.<sup>324</sup> Stronend heightened his misdemeanours by complaining that his salary was low and not punctually paid. He also felt that his own business was impaired by connection with his superiors.<sup>325</sup> As a result Airlie initiated the process of terminating his factor's term of office<sup>326</sup> by appointing James Ogilvy in Newgrange to inspect his accounts, doubtless in the hope of highlighting major inconsistencies.<sup>327</sup> Stronend's discontent was not abated. He protested at the end of 1669 that if he continued "long in obeying your commandis my frindis may feall it at chaip rait."<sup>328</sup> He had clearly discovered that in comparison with other factors he was not well paid. Until he received his salary, almost as a token of his superior's goodwill, he hoped that Airlie "will bay me ane handsom chep pairiwik and I schall allow the prys of it in the first end of my cellirie."<sup>329</sup> Stronend does not appear to have been a rich man, or one deeply involved in landed affairs, both considerable disadvantages for the manager of an extensive area.<sup>330</sup> At the beginning of the 1670's the relationship between him and his superior deteriorated further.<sup>331</sup> It was more than simply an end of mutual affection and loyalty. Rather it was at base financial on both sides. Airlie was dissatisfied with the accounting and administrative efforts of his factor who in turn was unhappy with his status and his

salary.

To collect money from tenantry and generally improve his management of estate affairs,<sup>332</sup> Stronend held courts at the end of 1669. Even from these, however, there "hes com littel spaid of money."<sup>333</sup> As a result he moved to a higher authority in an attempt to reduce tenant debts and increase his own prestige. In a letter to Airlie he noted that he had "dechreits in your owne courtes and in the schiروف court that was not lyabill to your owne to poynd wt in ten dayes" and he wanted to "procied and poynd."<sup>334</sup> He was totally adamant that "if I heir not from your lo befor the said tym I am fullie resolved to poynd thir cornes."<sup>335</sup> He was not, however, acting in the best factorial tradition. Although the legal function of estate factors was an important part of their duties, recourse to the law was in general the last one to be taken.<sup>336</sup> The factor was expected, by compromise and conciliation, to keep estate business out of the courts, presumably because of the time and expense involved in litigation.<sup>337</sup> This was an important, if unexpressed, facet of estate policy.<sup>338</sup> James Ogilvy of Stronend appears to have been too quick to resort to legal remedies and this may well have further jaundiced relationships between him and his superior.<sup>339</sup> Factors had to become involved in some legal action, however, and this was most predominant in areas where central control was weakest,<sup>340</sup> on estates separated from major family properties.<sup>341</sup> Although there the hostility to the use of legal remedies

remained strong,<sup>342</sup> it could be disregarded by the factor where appropriate with less fear of the disapproval of the superior.<sup>343</sup> For example, whereas Robert Hamilton had been most loathe to go to court,<sup>344</sup> Thomas Ogilvy was by no means so recalcitrant although the superior seemed unwilling.<sup>345</sup> There was a unity of intent but a duality of method and a difference of emphasis. The superior tended to favour the use of his own court while the factor, more attuned to the day-to-day reality of estate life, was in favour of action in the sheriff court.

In many ways the legal duties of the factor were synonymous with those of the legal adviser.<sup>346</sup> In 1686 two bailies of Banff, bailies Gordon and Sanders, took legal steps to attach Airlie property for debts<sup>347</sup> accrued by Thomas Ogilvy before his death.<sup>348</sup> His successor as factor William Fyffe noted sarcastically that the two "out of the abundanc of ther wisdom have pronounced tuo sumer decreits against Mistres Ogilvy and yor Lo servants."<sup>349</sup> The latter had consequently sent for an "advocation"<sup>350</sup> to appeal against the comprising but poor weather held it up.<sup>351</sup> The case was more complex than that however. The bailies appear not to have been acting for themselves but either for the laird of Balnamoon or for Lord Banff or both, or were in partnership with them.<sup>352</sup> Fyffe, realising that there was almost a conspiracy against his superior, advised him to discover his true legal position in the situation which had arisen.<sup>353</sup>

Evidently with the demise of Thomas Ogilvy the control he exerted was, temporarily at least, relaxed. Creditors began to besiege the new factor who sought refuge in legal remedies, the placation of creditors and maintaining confidence among them. Fyffe felt things were so bad that his brother bailies "for what I know ..... will also Break up the doores after six dayes."<sup>354</sup> In other words they would possess a vacant property for the satisfaction of debt. He advised that the legal way to avoid that was to have the house occupied<sup>355</sup> and if he had not been a magistrate himself he would have occupied it until a suspension had been obtained.<sup>356</sup> He promised, however, to get four men to stay in the house<sup>357</sup> though he was realistic enough to believe that the position he had taken up could not be indefinitely maintained<sup>358</sup> since Airlie rights in the matter were "not perfyted."<sup>359</sup> The factor, believed, however, that he had legal right on his side and could prove his case.<sup>360</sup> Nevertheless he did not want to go to court. He had another course of action. He threatened that if Airlie "got not fair play yet yor Lo wold charg him (sic) befor the privi Counsell for way takeing of peits and clay and for casting up of Midow ground."<sup>361</sup> He had been working hard to neutralise Gordon and Sanders by both legal and quasi-legal methods and threats. It was difficult since his superior's rights were not on a solid foundation but he hoped that would be rectified before long and he could proceed with his work. Fyffe used the law to intimidate his

opponents. It seemed to work.<sup>362</sup> The introduction of any kind of legal sanction by any member of landed society appears to have been enough to induce compromise and the continuation of landed business if not the reduction of tension.

More appropriate to the legal function of the factor was ensuring the implementation of acts of parliament relating to estate practice. This was particularly the case on property removed from centralised control,<sup>363</sup> the superior having a major share of responsibility for enforcing the law on the home estate. Enforcement and even knowledge of acts of parliament, however, were less problematical in the landed than in the fishing sector of estates. In 1657, for example, Robert Hamilton had sought his superior's advice on the legal sizes of cruves and stones to be used in fishing on Airlie Banffshire property.<sup>365</sup> Thomas Ogilvy, his successor, was less perspicacious and tended to use fishing laws designed for the conservation of stocks and the outlawing of illegal catching equipment to his own advantage.<sup>366</sup> In his case, however, the envy of competitors and their accusations before local courts caused reduced profits and the bringing of his illegal practices to the attention of the authorities.<sup>367</sup> He considered such efforts by competitors to be "underhand dealing,"<sup>368</sup> and was most indignant that his misdemeanours were highlighted. As in Ogilvy's case most factors had double standards in attitudes to the law. While being obliged to implement them Ogilvy was certain that the legal



restrictions in force in the 1660's could make the fishing industry difficult to organise and unprofitable for producers, and demonstrated how far outside the law estate factors and owners would work to maintain their advantages. He wrote on 23 February 1680 that "on Thursday last the Laird of Forglen and Eden did convene Bailiff Russell and me before the sheriff court for not rectifyinge the cruves conforme to actt of parliamentt."<sup>369</sup> Forglen<sup>370</sup> clearly had some influence with the sheriff, the laird of Auchmeddin. He felt that his own fishings were prejudiced by Airlie methods or had the opportunity of redressing some wrong<sup>371</sup> or, in the factor's opinion, was simply acting out of malice.<sup>372</sup> Ogilvy, however, had been a member of parliament<sup>373</sup> and his ignoring of that body's statutes must have caused considerable hostility. Whatever the cause, events moved very fast against Ogilvy. He wrote that "notwithstanding off all the defences I could make even off protestinge for ane dilator or time till your Lo rights and writes should be seen yett I was (I may say summarly) sentenced to have every ruing off the haiks three inches wide and that within fourtie eightt hours efter the sentence otherways the Sheriff himself would cause raze outt the damm itt selff."<sup>374</sup> Not only was judgement against him, however. The sheriff additionally "discerned us in fiftie pund for every tyd the cruves had been in before that day so that now my Lord we ar necessitat to obtempter the will of the decreett which truly will make that fishing ineffectual to us."<sup>375</sup>

Ogilvy was of the opinion that profitability could only be maintained by acting illegally. For being brought to court he blamed those who "adventured to meddle in thatt affair withoutt first acquainting your Lo with itt,"<sup>376</sup> and painted a picture of growing difficulty for all with fishing rights on the Deveron if the acts of parliament continued to be applied.<sup>377</sup> He realised, however, that his superior would probably suffer most. Personal animosity and family hostility were also involved in the court action<sup>378</sup> and may have been responsible for the factor's inability to halt it. That the course was taken at all, however, and even more that he was found guilty, seems to have been considered a sign of failure. Although he appears to have been acting with the consent of his superior in risking the neglect of fishing regulations and was achieving greater productivity,<sup>379</sup> that was no excuse. Neither was the determination of the shire legal establishment that acts would be implemented and defaulters would be prosecuted, a determination reinforced by the hostility and jealousy of competitors.<sup>380</sup> All the influence the factor could muster could not change that. The application of the law as expressed in the acts of parliament, as opposed to what was considered right by custom and tradition and practised for profit, seems to have been very much a matter for the personal initiative of estate officials and law officers. It also depended, however, on the extent of change to existing practices and the relationships between the parties involved.

The legal course forced on Ogilvy was most unwelcome. As well as being expensive and time consuming such actions opened family business to outsiders and in some sense reduced the superior's authority in family matters. However, in the case of the Ogilvy family in Banffshire and Forfarshire that power of the Earl of Airlie remained relatively undiminished.<sup>381</sup> For example Thomas Ogilvy showed its strength when he used it to settle disputes after his own efforts had failed.<sup>382</sup> In 1675 he wrote that Lord Banff "is very sensible of your Lo kyndness to him and hath assured me thatt whattever is betwixtt your Lo and him shall never come to any judge determinatn butt thatt he will leave itt to your selff to discerne all the differences betwixtt your lo and him. And really I think it very much your lo concerne to interteim his so friendly profer."<sup>383</sup> The intervention of the superior at the request of the factor was therefore significant in the settlement of disputes and in the avoidance of legal action as was the appointment of independent arbiters. Again in 1675 Lords Banff and Meldrum met about a dispute between them concerning Craigston.<sup>384</sup> They did not settle, however, even although "Ther trysters ar the Master of Salton Boynd Auchmedden and Sir Harie Guthrie,"<sup>385</sup> a body which included a fair amount of legal expertise.<sup>386</sup> The factor's legal function included the use of a whole range of informal steps for settling disputes before the last resort of the courts was considered. The number of them taken depended on the personalities and the dispute involved, the status of the

factor, the condition of the estates, the conscientiousness of the legal establishment and not least the determination and expediency of the factor and superior.

One notable characteristic of the factorial remit was its breadth. As well as being responsible for accounting and public order on their charges<sup>387</sup> factors undertook a wide range of subsidiary activities. These were not necessarily on the home estate but often on the estates of relations of the superior. In some cases, indeed, such as that of John Maule, the designation of family factor rather than the factor of a particular estate is applicable.<sup>388</sup> He seems to have had overall responsibility not only for the property of the Earl of Panmure but also for that of his sons Harry Maule of Kelly and James Maule of Ballumbie.<sup>389</sup> Apparently, therefore, as well as being a factor himself, Maule supervised other factors on the Panmure estates, particularly in certain major areas such as the sale of produce and inter estate relationships.<sup>390</sup> The breadth of the factor's duties is nowhere more obvious than in the multiplicity of minor, unclassifiable tasks that he had to undertake by the very nature of his position.<sup>391</sup> For example he was expected to be aware of the legal deeds which affected his charge, keep trace of them and maintain them in presentable condition.<sup>392</sup> The arbitrariness of such duties could often cause difficulties. Other duties, however, were more practical and specific. He had to oversee the building of equipment for the estate and ensure that it

came up to standard.<sup>393</sup> Just as James Ogilvy of Stronend supervised the construction of ploughs and harrows,<sup>394</sup> William Fyffe oversaw the construction of boats.<sup>395</sup> The amount and type of such duties depended on the position of the estates, the interests of the factor and the demands of the superior, the most serious of which were the unforeseen requests for the payment of minor creditors.<sup>396</sup> They made efficient accounting hazardous even for an experienced factor and their generally unfortunate timing,<sup>397</sup> combined with the timespan and items covered by accounts,<sup>398</sup> must often have made the total annual discharge a matter of chance.

The factor was also responsible for the dialogue between himself and estate workers,<sup>399</sup> for the correspondence between members of his superior's family,<sup>400</sup> for interceding with the superior on behalf of tenantry<sup>401</sup> and for the transport of produce.<sup>402</sup> The organisation of the latter was complex. It was mostly shared among tenants<sup>403</sup> but at least one factor, James Ogilvy of Stronend, felt it should be more justly apportioned according to wealth, social position and estate status and interceded for tenants on that basis.<sup>404</sup> Apparently tenants who had held their lands over a long period had managed to get relief of carriage duties to the detriment of newer tenants.<sup>405</sup> Stronend felt that this was unjust since "your lo pour tenentis is so over burdind alreadie (my oppinion war)."<sup>406</sup> He suggested,

demonstrating the unhappy state of inter-estate communications and factorial authority, that Airlie should write direct to John Pedie his grieve<sup>407</sup> "to go to all your former tenanties desyring ther assistances."<sup>408</sup> The factor, therefore, was independently attempting to maintain a dialogue between the superior and those officers important to efficient estate administration, his family connection<sup>409</sup> and his contact with municipal affairs<sup>410</sup> helping him in this. Apparently, however, this was a somewhat one sided undertaking, no promise being given by the superior to maintain communications.<sup>411</sup> The factors also had other duties. They maintained buffer stocks against famine<sup>412</sup> and gave advice on virtually every topic from the maintenance of peace to how to urge the superior into action. Some used their families to help them in what they considered to be their overall duty,<sup>413</sup> furthering the interests of the superior. Most of them, however, despite their very heavy work load and at the expense of their own affairs, achieved that alone by their day to day administration of property, allowing the flexibility of their position to augment their duties and comprehend every task.

In Forfarshire between 1660 and 1690, therefore, there were clear developments in the position of factors. They had a critical part to play in the reformation of agriculture and the fact that the post-Restoration period was in any case an era of change in landed society increased

their influence. Their real significance, however, is only now being appreciated but appears to have been threefold. They were the experienced implementers of policy, could motivate the superior and in no small measure were themselves responsible for estate policy. For example it seems often to have been the case that the factors, having first hand experience of estate problems, put their own solutions to them into practice and the superior, informed only after the event, concurred. The worst difficulties of most factors were with tenantry and the related subject of keeping the land occupied at all costs, an attitude which altered progressively throughout the post-Restoration era until only the ablest tenants were allowed to work the best land. Factors were expected to solve such problems independently. Legal sanctions to bring tenants into line were a sign of failure even when taken as a last resort. To help obviate the need for such remedies tack uniformity was imposed or, where that was not possible, the conditions offered were kept secret. In these and other matters factors were storehouses of information as well as negotiators and expeditors. The position was ripe for the attentions of the unscrupulous and although improbity can be proved in some instances, it is surprising that dishonesty was not more common. In general Forfarshire estate owners were fortunate in the factors they employed and consequently could rely on the development policies which they advocated from inside the estate management structure.

FOOTNOTES



1. Whyte, Changes, 41.
2. SRO GD45/14/122, SRO GD45/14/162.
3. SRO GD45/14/163.
4. SRO GD16/29/140/Box 2/7, SRO GD16/29/140 passim.
5. SRO GD45/14/163, SRO GD16/26/85.
6. Ibid et SRO GD16/31/143.
7. SRO GD16/26/85, SRO GD16/26/147.
8. SRO GD45/14/122, SRO GD45/14/162.
9. Ibid.
10. Ibid et SRO GD16/26/8, SRO GD16/26/59.
11. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/163.
12. Ibid.
13. Ibid.
14. This was a prominent feature of the Airlie estates from about the late 1650's until about the middle of the 1670's. See SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/26/146, SRO GD16/26/74, SRO GD16/31/143, SRO GD16/26/157.
15. Compare the positions of Robert Hamilton, Thomas Ogilvy, John Maule and Alexander Innes with those of Patrick Lawson, James Lindsay and James Ogilvy of Stronend. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/29/140/Box 2/7, SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/163, SRO GD16/26/147, SRO GD16/26/74, SRO GD16/26/157, SRO GD16/31/143.
16. SRO GD16/26/85, SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/163.
17. SRO GD16/26/85, SRO GD45/14/163, SRO GD16/26/59.
18. SRO GD45/14/122, SRO GD45/14/162.
19. SRO GD188/27/7, SRO GD188/27/9, SRO GD188/32/10.
20. SRO GD188/2/5, SRO GD188/32/10. He appears to have taken on the latter responsibility around 1664.

21. SRO GD45/14/163.
22. SRO GD188/27/7, SRO GD188/32/10.
23. SRO GD16/26/85. Dishonesty appears to have been more common on Airlie properties than on any other presumably because of the initial lack of interest of the second Earl of Airlie.
24. Whyte, Changes, 41.
25. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/29/140 1660-70 passim.
26. Ibid et SRO GD16/31/143, SRO GD188/2/5.
27. Ibid.
28. Ibid.
29. Ibid.
30. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/29/140, 1660-90 passim.
31. SRO GD16/26/85, SRO GD16/31/143, SRO GD16/26/55, SRO GD188/27/9.
32. SRO GD16/29/140, passim, SRO GD16/26/55, SRO GD16/31/143, SRO GD16/26/85.
33. SRO GD16/34/46, SRO GD16/34/82, SRO GD16/26/55.
34. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
35. SRO GD188/27/8, SRO GD188/8/4, SRO GD188/32/9.
36. Ibid.
37. SRO GD45/14/163.
38. SRO GD45/14/163.
39. SRO GD188/32/9, SRO GD188/27/8, SRO GD188/2/4.
40. Ibid.
41. Ibid.
42. SRO GD45/14/122, SRO GD45/14/162.
43. SRO GD16/26/55, SRO GD16/31/143.

44. Ibid et SRO GD45/14/163.
45. SRO GD45/14/163.
46. SRO RS35/3 fo 12, 2.2.1672, SRO RS35/4 fo 452, 20.12.1671.
47. SRO GD16/31/143.
48. In the letters of Sir David Ogilvy of Clova he is referred to as "James Ogilvy in Strone". See SRO GD16/26/55.
49. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/156.
50. SRO GD16/26/146, SRO GD16/26/156.
51. Ibid.
52. Ibid.
53. SRO GD16/26/59, SRO GD16/26/85.
54. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/29/140 1660-70, passim.
55. SRO GD188/27/8, SRO GD188/32/10, SRO GD45/14/163, SRO GD16/26/85.
56. SRO GD188/2/5.
57. Ibid.
58. Ibid.
59. Ibid.
60. The relationship between the two men is unclear. See SRO GD188/2/5.
61. SRO GD188/2/5.
62. Ibid.
63. SRO GD16/26/147, SRO GD16/26/74, SRO GD16/26/157.
64. SRO GD16/26/147.
65. Ibid et SRO GD16/29/140, passim.
66. SRO GD45/14/175, 17.2.1683, SRO GD45/18/1607, 20.9.1684.

67. SRO RS35/8 fo 386, 3.4.1690, SRO RS35/7 fo 303, 2.7.1681.
68. SRO GD45/14/318, 24.11.1692.
69. SRO GD16/26/147.
70. SRO GD16/29/140/Box 2/7, SRO GD45/14/163, SRO GD188/3/4.
71. Vide infra.
72. SRO GD45/14/162, SRO GD188/32/10, SRO GD188/27/9.
73. SRO GD188/2/5, SRO GD45/14/163.
74. Ibid.
75. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/31/143, SRO GD16/26/74, SRO GD16/26/146, SRO GD16/26/157.
76. SRO GD130/Boxes 5-8, passim.
77. SRO GD45/14/163, SRO GD45/14/122, SRO GD45/14/162 SRO GD45/14/166, SRO GD45/17/508.
78. SRO GD188/2/5.
79. SRO GD45/14/162, SRO GD45/14/163.
80. SRO GD45/20/199, 19.6.1684.
81. Vide supra.
82. SRO GD16/29/140/Box 2/7, SRO GD16/26/85.
83. Ibid et SRO GD188/32/10, SRO GD188/27/7, SRO GD188/34/9.
84. Ibid.
85. Ibid.
86. Ibid.
87. One of the reasons for disenchantment with Robert Hamilton was that he did not provide accurate written accounts. Rather he gave inadequate information in his letters. See SRO GD16/26/8, SRO GD16/26/59.
88. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.

89. Ibid et SRO GD45/14/163.
90. Ibid et SRO GD16/26/147, SRO GD45/14/162.
91. SRO GD45/14/163, SRO GD16/26/156.
92. SRO GD16/26/8, SRO GD16/26/59.
93. SRO GD16/26/55, SRO GD16/26/147, SRO GD16/26/85.
94. SRO GD16/26/85.
95. SRO GD45/14/175, 17.2.1683.
96. N.R.A. 855 Strathmore Papers Box 29, Box 51, Box 55, Box 58, Box 61, Box 63, Box 80.
97. SRO GD16/26/85, SRO GD16/31/143.
98. SRO GD130/Box 5, Box 6, passim.
99. Fraser, Southesk, passim.
100. SRO GD16/31/143, SRO GD45/14/163.
101. SRO GD16/31/143.
102. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/31/143.
103. Ibid.
104. Vide supra et SRO GD16/26/8.
105. SRO GD16/31/143/5, 12.11.1669.
106. Ibid.
107. Ibid.
108. SRO GD188/2/5.
109. Ibid.
110. Cramond, Annals, ii, 330.
111. SRO GD16/26/8, SRO GD16/26/59.
112. SRO GD16/29/140 1660-70, passim.
113. SRO GD16/26/8, SRO GD16/26/85, SRO GD16/26/55.

114. SRO GD16/26/140/Box 2/7, SRO GD16/31/256.
115. SRO GD16/29/140/Box 2/7.
116. SRO GD16/26/8, 18.10.1656 et passim.
117. Ibid.
118. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
119. SRO GD16/26/8, 23.12.1657.
120. Ibid.
121. SRO GD16/26/8, 14.1.1658.
122. SRO GD16/31/143, SRO GD16/26/147.
123. SRO GD16/31/143/10, 12.1.1670.
124. Ibid.
125. SRO GD16/26/147, SRO GD45/14/162, SRO GD188/2/5.
126. SRO GD16/26/74, SRO GD16/26/157.
127. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/163  
SRO GD45/14/166.
128. SRO GD16/26/147/1, 29.12.1685. Patrick Lawson wrote to his superior that he had returned "the almanack I bowrd (sic) from mr ogilvy to dwble the table of it and was forgett." Whether Airlie had been enquir ing for the almanac is not certain. It seems likely, however, that Airlie officers on the families northern and southern estates worked according to the same tables of reference, that estate management did have some kind of literary base, however minimal and that more than the climate and the predilections of individual officers were referred to when decisions were made about the working of a particular property.
129. SRO GD16/26/147.
130. SRO GD16/26/147/3, 7.9.1691.
131. SRO GD16/26/147, SRO GD16/31/143, SRO GD16/26/74.
132. SRO GD16/26/85, SRO GD16/26/157.
133. SRO GD45/14/122, SRO GD45/14/162.
134. Ibid.

135. SRO GD16/26/85.
136. SRO GD16/26/74, SRO GD16/26/146, SRO GD16/26/147, SRO GD16/26/157. Provost Thomas Ogilvy was succeeded by Bailie William Fyffe.
137. SRO GD16/26/147, SRO GD16/26/74, SRO GD16/26/157.
138. Ibid.
139. See the chapter on Problems of Estate Administration.
140. SRO GD16/26/8, SRO GD16/26/85, SRO GD16/26/147.
141. Sir David Ogilvy of Clova although not a factor gave a reasonable explanation of the attitudes of landowners to tenants and their holdings. See SRO GD16/26/55, The Letters of Sir David Ogilvy of Clova.
142. For the various methods used on the different estates see the letters of Thomas Ogilvy SRO GD16/26/85 and his accounts SRO GD16/29/140/Box 2/7 and the letters of Alexander Innes of Blairtoun SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/803, SRO GD45/14/96, SRO GD45/14/108.
143. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/26/74, SRO GD16/26/147.
144. This is nowhere more true than on the Guthrie estates in County Fermanagh in Northern Ireland. See SRO GD188/2/5.
145. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85.
146. SRO GD16/26/8, 10.5.1656.
147. SRO GD16/26/85.
148. SRO GD16/26/8, 10.5.1656.
149. SRO GD16/26/85.
150. Ibid.
151. SRO GD16/26/8, 14.1.1658.
152. Ibid.
153. Ibid.
154. Ibid.

155. Ibid.
156. SRO GD16/26/8, 21.4.1659.
157. Ibid.
158. SRO GD16/26/59, 12.1.1658.
159. Ibid. Davidson had eight oxen and three horses to work his holding. He was also prepared to take over Airlie buildings on the ground and buy those which belonged to John Thomson.
160. Ibid.
161. SRO GD16/26/8, SRO GD16/26/59.
162. Forfeiture of rights as a result of neglect or contravention of tacks. A.Dewar Gibb, Scottish Legal Terms (1946), 45-6.
163. SRO GD16/26/59, 8.4.1659.
164. Ibid "ther is severall that hes renounced their possessiones aledging them to be toue deire such as John Sharp and James his son in tipertie. But I heave neire setteled them James Walles in tipert protestes they will not hould unlese your lop give him sum Diminution of the Rentall."
165. Vide supra.
166. SRO GD45/14/122, SRO GD45/14/162.
167. SRO GD45/14/122, 7.4.1659.
168. Ibid.
169. SRO GD45/14/122, SRO GD45/14/162, SRO GD45/14/166, SRO GD45/17/508.
170. SRO GD45/14/122, 7.4.1659.
171. Ibid.
172. Ibid.
173. Ibid.
174. Ibid.
175. Ibid.



176. Ibid.
177. Ibid.
178. Ibid. The entering tenant of Powerstoune for example took over two ploughs of land "qrof the on plough was west."
179. Ibid.
180. SRO GD16/26/55.
181. SRO GD16/26/85, 6.2.1666.
182. SRO GD45/14/163, SRO GD16/31/143.
183. Paradoxically Airlie ideas are most vividly apparent not on their Forfarshire properties but on their Banffshire estates. See SRO GD16/26/59, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/26/147.
184. SRO GD16/31/143.
185. Ibid.
186. Ibid.
187. SRO GD16/31/143, 3.9.1666.
188. Ibid.
189. Ibid.
190. Ibid.
191. Ibid.
192. Ibid.
193. Ibid.
194. SRO GD16/34/42, SRO GD16/34/86.
195. SRO GD16/31/143, 3.9.1666.
196. Ibid.
197. Ibid.
198. Ibid. The commissary of Dunkeld was an ecclesiastical judge with jurisdiction in matters such as succession and legitimacy.

199. SRO GD16/31/143/5, 12.11.1669.
200. Ibid. Stronend sent a copy of the rental of Alyth to Airlie with the qualification that it was "as Just as I can extract them from your rental book." The factor also noticed that the jointure of the Marchioness of Huntly, Airlie's new wife, differed somewhat from the rental book.
201. SRO GD16/29/140/Box 2/7 et vide supra.
202. SRO GD16/26/8, SRO GD16/26/59, et vide supra.
203. SRO GD16/26/85, SRO GD16/29/140/Box 2/7.
204. SRO GD16/26/85, 6.2.1666.
205. Ibid.
206. Ibid.
207. Ibid.
208. Ibid.
209. Ibid.
210. Ibid.
211. Ibid.
212. Ibid "your Lo knows thatt your victuall for this last year is already disposed of neither can your Lo spare much meall in tyme coming in respectt your watermen doe yearly exhauste a great parte of itt so that your lo bargain must only be for Salmond and bear your lo knows thatt your rentt of bear doith not exceed one hundred and fourty bols."
213. SRO GD16/26/85, 25.7.1669.
214. SRO GD16/26/85.
215. Ibid et SRO GD45/14/163, SRO GD45/14/162, SRO GD16/31/143.
216. SRO GD16/26/85.
217. SRO GD16/26/85, 21.5.1667 "It is much admired by your Lo well wishers heer that the vassalls of Arbroath in this country ar neither charged for the second terms taxation nor the deficients prosecute for the first such slackness of tymly duty doing still obleidge your Lo

to ane eftergaine at your cost which otherways would fall to the share of the publict."

218. SRO GD16/26/85, 6.2.1666.
219. Ibid.
220. Ibid.
221. Ibid.
222. SRO GD16/26/85, 12.4.1667.
223. Ibid.
224. Ibid.
225. Ibid.
226. Ibid. In taking Airlie's wadset of the Mill of Alvah Thomas Mill was losing seventeen and a half marks Scots on each thousand of his wadset. The advantages of this tenurial form must have been considerable and in some areas keenly demanded if the wadsetter was to take a loss of some 35 marks Scots per annum over and above the statutory rate of interest of 6 per cent and yet remain profitable.
227. SRO GD45/14/163, 15.4.1685.
228. SRO GD45/14/163, 9.5.1685.
229. SRO GD16/26/146.
230. SRO GD45/14/163, 5.1.1675.
231. Ibid.
232. Ibid.
233. Ibid.
234. Ibid. The granting of a longer tack to the Carmyllie tenant may have been a reward for suggesting other tenants for Panmure properties.
235. SRO GD45/14/163, 9.5.1685, Vide supra.
236. SRO GD16/26/8, SRO GD16/26/59.
237. Ibid et vide supra.
238. Ibid.

239. SRO GD16/26/55. For part of his career Sir David Ogilvy of Clova seems to have been responsible for organising tenants to transport produce to Dundee. On this see also Northesk papers SRO GD130/Box 5 and Box 6.
240. SRO GD16/26/8, SRO GD16/26/85, SRO GD45/14/122, SRO GD45/14/162.
241. SRO GD188/27/7, SRO GD188/32/10.
242. Vide supra.
243. SRO GD188/27/7, SRO GD188/27/9, SRO GD188/32/10.
244. Ibid.
245. SRO GD45/14/122, 7.4.1659.
246. Ibid.
247. Ibid.
248. Ibid.
249. SRO GD45/14/162, 28.10.1672.  
" there are no merchants in this Countrey for buying yor Los meall."
250. Ibid.
251. Ibid.
252. Ibid.
253. Ibid.
254. Ibid.
255. Ibid.
256. Ibid.
257. Ibid.
258. Ibid.
259. Ibid.
260. Ibid "without order I will not meddill with it."
261. Vide infra.

262. SRO GD16/26/8, SRO GD16/26/59.
263. Ibid et SRO GD16/26/85.
264. SRO GD16/26/8, SRO GD16/26/59.
265. SRO GD16/26/85.
266. Vide infra.
267. SRO GD16/26/85, 12.6.1666, 23.6.1666. He had business dealings with Hamilton and Ogilvy.
268. SRO GD16/26/85, 2.9.1667.
269. Ibid et L. Barbe, Sidelights on Scottish History, (1919), 233-44.
270. SRO GD16/26/85, 2.9.1667.
271. Ibid.
272. Ibid "He tells me he cannott sell itt under sevin pound sterling the peece neither is he very willing to putt itt in your Lo hand."
273. Smout, Union, passim.
274. SRO GD16/26/85, 6.2.1666. Bailie Gordon's salt cost £12 Scots the boll. The factor felt it best to take the opportunity of getting the salt even although it might be cheaper elsewhere since the fish he had caught would not wait for his own salt to arrive. Four months later when his salt did arrive prices had risen by 11%. He asked Airlie whether he should repay Gordon in kind or money though doubtless his question was rhetorical since he knew well enough the advantages of saving £1 6/8 Scots per boll.
275. SRO GD16/26/85, 17.5.1671.
276. Ibid. He had a "commission from me for bringing home a parte to me of such things as he buys for his own use so that I shall earnestly entreatt your Lo may be pleased to be assisting to him in the buying of his salt."
277. Ibid.
278. Ibid.
279. Ibid.

280. SRO GD16/31/94.
281. SRO GD45/14/163.
282. Ibid.
283. Ibid et SRO GD16/31/143.
284. SRO GD45/14/163, 9.5.1685, SRO GD16/26/59, SRO GD16/26/85.
285. SRO GD45/14/163, 7.2.1674.
286. SRO GD45/14/163, 15.4.1685, 9.5.1685.
287. SRO GD45/14/163, 7.2.1674.
288. SRO GD45/14/163, 15.4.1685, 9.5.1685.
289. SRO GD45/14/163, 9.5.1685.
290. Ibid.
291. Ibid.
292. Ibid.
293. Ibid.
294. Ibid. 2009 bolls had been given to the merchants of Montrose, 122 to Archibald Kerr which were made up of 64 bolls of "verie good" bear "and ther is 38 bolls of good bear at your Lops house and I will have up and doun In the ground upwards of twentie bolls of bear."
295. SRO GD45/14/163, 28.2.1672. He may have been a merchant burgess of Dundee. SRO RS35/1 fo 70, 24.8.1661.
296. SRO GD45/14/163, 28.2.1672.
297. Ibid.
298. Ibid.
299. In 1672 he was taking 300 bolls from Maule.
300. SRO GD45/14/163, 28.2.1672.
301. Ibid. The brackets are mine.
302. Ibid.

303. Ibid.
304. SRO GD16/29/140, passim. SRO GD45/14/163.
305. SRO GD16/26/85, SRO GD26/29/140/Box 2/7, SRO GD45/14/163.
306. SRO GD16/26/8, SRO GD16/26/59.
307. Ibid et SRO GD16/29/140/Box 2/7.
308. Ibid et SRO GD16/26/85.
309. SRO GD16/26/85, 12.4.1667.
310. SRO GD16/26/85, 6.11.1667.
311. SRO GD16/26/85, 2
312. SRO GD16/26/13.
313. SRO GD16/26/85, et vide infra.
314. SRO GD188/27/7, SRO GD188/27/9, SRO GD188/32/10, SRO GD130/Box 5-Box 6, passim.
315. Ibid.
316. Vide supra.
317. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/29/140 passim.
318. SRO GD16/26/74, SRO GD16/26/157, SRO GD16/29/140 passim.
319. SRO GD188/2/5.
320. SRO GD16/31/143, SRO GD16/29/140/Box 2/Bundle 3, 24.11.1671, SRO GD16/29/140/Box/Bundle 3, 5.1.1672.
321. SRO GD45/14/163.
322. SRO GD16/29/140/Box 2/7, SRO GD188/32/10, SRO GD188/27/9, SRO GD45/18/42-103, SRO GD45/14/162, SRO GD45/14/163.
323. SRO GD45/14/163.
324. Whyte, Changes, 41.
325. SRO GD16/29/140/Box 2/Bundle 3, 24.11.1671.
326. SRO GD16/29/140/Box 2/Bundle 3, 5.1.1672.
327. Ibid.

328. SRO GD16/31/143/7, 22.11.1669.
329. Ibid.
330. SRO GD16/31/143, passim.
331. Ibid.
332. SRO GD16/31/143/9, 29. ?.1669 (presumably November)
333. Ibid.
334. Ibid.
335. Ibid.
336. SRO GD16/26/85, SRO GD16/26/146, SRO GD45/14/122,  
SRO GD45/14/166.
337. SRO GD16/31/143, passim.
338. Vide supra et SRO GD45/14/122, SRO GD45/14/162.
339. SRO GD16/26/85, SRO GD16/26/146, Vide supra.
340. Vide infra.
341. SRO GD16/26/85, SRO GD16/26/146.
342. Ibid.
343. Ibid et SRO GD16/26/59.
344. SRO GD16/26/59.
345. SRO GD16/26/85.
346. Vide infra.
347. SRO GD16/26/156/5 no date. Probably Bailie Gordon  
and Robert Sanders.
348. Ibid.
349. Ibid.
350. Ibid.
- A. Dewar Gibb, Scottish Legal Terms, (1946), 7.  
An appeal to a higher court.
351. SRO GD16/26/156/5 no date.



352. Ibid.
353. Ibid "try if provest ogilvyes house be conteint in Balnamoones comprising And if not yr Lo most of nesiti (sic) by som band of the Lord Banffs and adjudg from In the right he hath to these houses."
354. Ibid.
355. Ibid.
356. Ibid.
357. Ibid "four good followes In it well provyded."
358. Ibid.
359. Ibid.
360. Ibid.
361. Ibid.
362. As well as trying to persuade Bailie Gordon how wrong his actions were the factor threatened to prove that he had illegally cast peats and clay and had also cast up "Midow ground."
363. SRO GD16/26/8, SRO GD16/26/85.
364. Ibid et vide infra.
365. SRO GD16/26/8/4, 23.12.1657. "I intrett that your los will send me the geag of the croufes I mein the geag of the heckes and fforgett not to send me ane tolerenc ffor Wining of Stones ffor the dames."
366. A.P.S., vii, 259.
367. SRO GD16/26/85, 23.2.1680 et passim.
368. SRO GD16/26/85, 2.10.1670.
369. SRO GD16/26/85, 23.2.1680.
370. Sir Alexander Ogilvy of Forglen was a lawyer by profession and, in 1702, a senator of the College of Justice and Commissioner to the Convention of Royal Burghs for Banff. See Cramond, Annals, i, 14, 175.
372. Ibid.

373. Thomas Ogilvy was the member of parliament for Banff between 1675 and 1678. See Cramond, Annals, ii, 267.
374. SRO GD16/26/85, 23.2.1680.
375. Ibid.
376. Ibid.
377. Ibid. "Neverthelese though we be the first sufferers yett your Lo knows thatt the prejudice therin will in a very shortt time tend a greatt deall more to your disadvantage."
378. SRO GD16/26/85, passim.
379. SRO GD16/26/85, 23.2.1680.
380. Ibid et vide infra.
381. SRO GD16/26/85, 28.1.1675.
382. SRO GD16/26/85, passim.
383. SRO GD16/26/85, 28.1.1675.
384. SRO GD16/26/85, 21.3.1675.
385. Ibid.
386. Sir James Baird of Auchmeddin was the Joint Sheriff Principal of Banff along with Lord Banff. See SRO GD16/26/85, 23.1.1675.
387. See chapters on landed problems and estate development. SRO GD16/26/85, SRO GD45/14/163. See also on this the Memorandum for David Steiven SRO RH15/37/191. He was the factor of the laird of Hallgreen in Kincardineshire and from this memorandum it would appear that the steward of a small property had an even wider range of activities than the factor of a large estate.
388. SRO GD45/14/163. The same appears also to have been true where factors were related to persons on other estates. Patrick Leslie the factor of the Earl of Dalhousie gave advice to the laird of Guthrie about his Irish properties on which Leslie's relative James was a tenant. See SRO GD188/2/5.
389. SRO GD45/14/163.
390. Ibid. This attitude is confirmed if one considers his remit in enforcing conformity. Vide supra.

391. SRO GD16/26/85, SRO GD16/26/156.
392. SRO GD16/26/156/1, 30.1.1686.
393. SRO GD16/26/156/2, 15.3.1686.
394. SRO GD16/31/143, SRO GD16/29/140, passim.
395. SRO GD16/26/156/2, 15.3.1686.
396. SRO GD16/26/156/4, 7.9.1686, SRO GD16/26/85,  
SRO GD45/14/163, SRO GD16/26/8.
397. SRO GD16/29/140/Box 2/7, SRO GD16/29/140, passim.  
See also on this SRO RH15/37/191.
398. Ibid.
399. SRO GD16/31/143.
400. Ibid et SRO GD16/26/85, SRO GD45/14/166, SRO GD45/14/163.
401. SRO GD16/31/143.
402. Ibid.
403. SRO GD16/26/55.
404. SRO GD16/31/143/8, 1.12.1669.
405. Ibid.
406. Ibid.
407. Ibid.
408. Ibid.
409. SRO GD45/14/166, SRO GD45/14/163, SRO GD45/17/508,  
SRO GD16/26/85, SRO GD16/31/143, SRO GD188/2/5.
410. SRO GD16/26/85, SRO GD16/26/147/3, 7.9.1691.
411. SRO GD16/26/85, SRO GD130/Box 5 and Box 6 passim.
412. SRO GD16/29/140/Box 2/Bundle 3 1660-1669.
413. Ibid.

EXTERNAL INFLUENCES ON THE  
POLICIES OF FORFARSHIRE  
LANDOWNERS c. 1660 - 1690

If the major internal influence on the land policy of Forfarshire estate owners in the post-Restoration period was that of their factors, external influences which proved to be equally strong were exerted by merchants and lawyers. The latter tended to act in family and national capacities<sup>1</sup> while the former had an international commercial bias.<sup>2</sup> Their pressure was primarily felt on aristocratic estates,<sup>3</sup> outside influences on gentry estates being exerted by that group's activities in landed transactions.<sup>4</sup> Both groups, as well as acting in a professional capacity, were also the creditors of landed society<sup>5</sup> although this was more specifically a mercantile function.<sup>6</sup> The influence of the merchants, however, was more than financial. They were primarily responsible for moving estate produce to the national and international markets.<sup>7</sup> As a result they interacted with superiors and factors compelling a more commercial approach to business.<sup>8</sup> They sought to improve the quality of produce, have it delivered on time<sup>9</sup> and asked for complete information on crops and expected yields.<sup>10</sup> They were at ease in all the main market centres and advised superiors of prices and competition.<sup>11</sup> They also had social connections in most important centres<sup>12</sup> and, while working in government circles for their business ends, also served the interests of the estates with which they dealt. The lawyers were a much deeper if restricted influence on landed society.<sup>13</sup> They worked to consolidate family interests after 1660<sup>14</sup> and

exerted significant pressure for the re-establishment and maintenance of the status quo. Like the merchants, whose primary duty affected all informal aspects of their work, the lawyers' informal work was just as significant as their official duties although often unconnected with them.<sup>15</sup> They were obliged to keep the superiors informed of statutory enactments, how these should be implemented<sup>16</sup> and tried, as did the factors, to keep matters from reaching the courtroom.<sup>17</sup> They mollified creditors and in general transmitted national political news more significant than that given in the newsheets.<sup>18</sup> Major landowners in particular were kept in touch with national events and policy by their legal representatives who had a great influence on them by their reports from and activities in the Scottish capital.

Nevertheless the clearest external influences on Forfarshire landowners were those exerted by merchants who sought business information from the estates with which they dealt.<sup>19</sup> Virtually every letter of the merchant family of Wilkie to the Earl of Airlie whose produce they were selling, for example, contained some reference to the poor quality of the instructions they were receiving.<sup>20</sup> It is through such letters that the true extent of merchant influence on the land becomes apparent, affecting the properties with which they dealt through the authority of their statements. The merchants<sup>21</sup> sought quick, reliable and easily assimilable data on which to base their business.

Their influence, however, could not be restricted merely to the sale of produce. It spread<sup>22</sup> throughout the administration of the estates with which they were associated<sup>23</sup> and infiltrated most sectors of landed society.<sup>24</sup> David Wilkie, having met Sir David Ogilvy of Clova<sup>25</sup> before 7 May 1669<sup>26</sup> expected that the second Earl had given his brother "some order anent the disposing of ye Salmond fishing for this yeir to comes bot he Schew me yt he had no Such Comisione."<sup>27</sup> He continued suggestively, being as tactful as possible, "that incaice you intend ye bargaine should fall in my hands that yor Los wold give tymous order yranent ffor yor Lo Knowes they ly remot and ye herbor is bad."<sup>28</sup> Merchants were able to take the policies of the first Earl for granted but the same was not true of his successor. Under his lax suzerainty the old order was breaking down.<sup>29</sup> The anxious merchant used all the arguments he could muster to show that he needed accurate information and the compliance of Airlie for the successful continuation of his business. Distance, remoteness and inadequate facilities all conjoined in what he felt was an unanswerable case for speedier delivery and improved information. Airlie, however, remained indifferent to his pleas. As late as January 1671 Henry Wilkie<sup>30</sup> was still seeking "positive order"<sup>31</sup> from the superior. Mercantile criteria were difficult to satisfy when produce was subject to seasonal variations although that seems not to have affected their general influence. An important

element reinforcing Wilkie views on Airlie was that they had been the creditors of the latter for a long period.<sup>32</sup> They felt that position should increase the weight of their words but it did not. Even although they were prepared to forgo the repayment of their total debt because it was secured, at least morally, on productive territory, that did not move the second Earl of Airlie. He seems to have felt that the tenor of estate supervision and the quality of information were his prerogatives and should not be predetermined by extra estate forces.<sup>34</sup> That attitude, however, was being slowly changed by mercantile influences impinging on estates.

The influence of merchants also had a practical side born of experience and credit.<sup>35</sup> They were involved in the transport and sale of produce as their principal concerns,<sup>36</sup> and although they did not want to infiltrate the landed sector, they were sometimes obliged to do so to protect their investments.<sup>37</sup> Relatively few of them became estate managers, for example,<sup>38</sup> but the opinions they held on that subject<sup>39</sup> and the reports on economic performance they sent to estate superiors were most scathing.<sup>40</sup> They were in general drawn into landed business by the "forehand bargain"<sup>41</sup> and lending money to superiors. Within that relatively narrow area they managed to impose a degree of discipline on those functions they came into contact with. For example, their new attitude to debt and credit was to



consider it a business commitment rather than a necessary temporary evil of agricultural society simply covering the delay between receipts and expenditure. Indebtedness was endemic in Forfarshire landed society after 1660.<sup>42</sup> The mercantile sector, rather than significantly adding to that, brought outside pressures to bear on it and re-orientated landed society's views on it. Similarly merchants imposed their will on elements affecting the transport and quality of produce. If factors were sometimes responsible for the improvement of quality,<sup>43</sup> so equally were merchants when they demanded marketable goods.<sup>44</sup> The latter were more influential, however, since as outside creditors they had to receive the produce they wanted<sup>45</sup> in satisfaction of their debts,<sup>46</sup> were constantly dealing with those outside the estate and had to be placated if their business connection with the estate was to continue.<sup>47</sup> Mercantile influence was also felt by their anxiety to transport economic quantities of produce to maximise existing facilities.<sup>48</sup> Such pressure for increased efficiency, however, was minor if widespread. It was reinforced by trends within the Forfarshire landed sector itself and by the juxtaposition of groups in that society.<sup>49</sup>

As well as transporting goods merchants also had to keep them safe, and in this respect their work was complementary to that of the factors. In January 1665 James Crockat had waited twelve days for some of Lord Ogilvy's

goods to be freed by a customs official.<sup>50</sup> He could not persuade Sir Walter Seatoun to free them without inspection<sup>51</sup> and needed keys to open the various containers.<sup>52</sup> He assured Ogilvy, however, that his property was quite safe "in custodie of my good frind Gilbert haliburton balzie in burntyland."<sup>53</sup> Merchants such as Crokot clearly had valuable business and estate experience from more than one source<sup>54</sup> and one of the advantages of having them deal with an estate was that they compared its performance with others and reported their findings.<sup>55</sup> Crokot was no exception. As he became more experienced<sup>56</sup> in Airlie affairs he realised the difficulties of the estates<sup>57</sup> and put them to the superior. He informed Lord Ogilvy that knowledge of the poor condition of the latter's property was wide-spread<sup>58</sup> and that if he had his way it would be much more profitable.<sup>59</sup> He knew a great deal more than he was committing to paper, however,<sup>60</sup> doubtless another characteristic of the merchant group dealing with Forfarshire estates.<sup>61</sup> Their breadth of experience and factual knowledge of properties were significant in their attempts to influence landed society. If those could be rivalled by stewards and lawyers, merchants had one great advantage over both in their objectivity. They spoke from a position of vantage in that their relationships to landed society were minimal, being basically those necessary to the continuation of business.<sup>62</sup> If the long involvement of some merchants with the landed sector somewhat dulled the edge of their opinions and reduced their effect<sup>63</sup> those with newer

connections such as James Crokatt<sup>64</sup> were not impressed by over immersion in landed affairs.

Nevertheless those merchants who had long associations with landed society did have an influence which, because of their experience and credit, could not fail to be felt.<sup>65</sup> They also had a multiplicity of duties. They had, for example, a much more positive attitude to dealing with those who obstructed their business than estate owners. Henry Wilkie advised the first Earl of Airlie in early February 1662 that the coopers of Banff<sup>66</sup> who "hes wronged me much"<sup>67</sup> and who would not pack Airlie salmon, should be severely dealt with.<sup>68</sup> He pressed Airlie that a decision had to be made quickly<sup>69</sup> and that the coopers services had to be used in the meantime even though they were charging one third more than similar services were costing at Leith.<sup>70</sup> Getting produce to market was of supreme importance to merchants and dealing with such aggressively commercial forces could not fail to affect a much more insular landed society. They gave estate owners knowledge of and access to remote markets as well as keeping them abreast of commercial developments beyond the slower moving agricultural world.

The significance of the merchant's principal function of transporting produce may be gauged from the amounts that were moved to market.<sup>71</sup> Large quantities of victual were transported.<sup>72</sup> The merchants in general, however, had little control over produce for local markets. Rather the factors

had responsibilities in that area.<sup>73</sup> It was really in produce for international markets<sup>74</sup> such as salmon that the merchants came into their own and exerted the greatest influence. The Wilkies were certainly responsible for the disposal of large cargoes.<sup>75</sup> At various periods in the early 1660's<sup>76</sup> they were moving 12 lasts<sup>77</sup> of salmon to market, and between 20 November 1661 and November 1662 Lord Ogilvy delivered to Banff and the order of David Wilkie 29 lasts and 5 barrels of salmon, 7 barrels of grilises and 7 barrels of "gray fish."<sup>78</sup> It was calculated that they were worth £526 10/- Scots,<sup>79</sup> although in the eleven or twelve month period their price had risen by twelve and a half per cent from £15 to £18 Scots per barrell.<sup>80</sup> That amount of revenue, especially to the encumbered Airlie estates,<sup>81</sup> was by no means negligible. The variety of references to the transport of twelve lasts<sup>82</sup> also suggests the influence of merchants. Such a quantity appears to have been a contracted minimum amount or the number of lasts a ship would be engaged to carry. Some estate factors and merchants were more aware of minimum economic quantities than others. However, their use was influenced by the resolve of merchants not to make unnecessary journies, the nature of the product, economic conditions and the size of vessels.<sup>83</sup>

Estate policy could also be influenced by reports from the English and Scottish capitals where the associates of estate owners gleaned their information. Although there is evidence that news sheets reached Forfarshire with word of

national and international affairs,<sup>84</sup> and merchants certainly reached Dundee with foreign news, landowners evidently gained their clearest information from correspondence and relied more on it than on published material. This may have been because of the elevated social connections of some of their correspondents<sup>85</sup> whose opinions had considerable force.

On Airlie estates the influence of merchant correspondents was particularly strong. Between November 1668 and February 1672<sup>86</sup> Henry Wilkie attempted to have a government pension of £500<sup>87</sup> paid to the second Earl of Airlie by application to some of the most powerful men in government circles,<sup>88</sup> and kept Airlie informed of his progress and general business by sending a number of letters. A degree of self interest was obvious in Wilkie's actions since he was a creditor of Airlie,<sup>89</sup> but the fact that he was engaged in intimate financial business suggests the degree of his importance and influence. For a number of reasons, notably apathy on the part of Airlie, national restrictions on expenditure as well as new management of the Treasury,<sup>90</sup> payment was not forthcoming. Even if the new Treasury management had been amenable to Wilkie's requests however, Airlie had conveniently forgotten to tell the merchant that he was also in debt to the government and this effectively cancelled any payments due to him. The second Earl could hardly have been surprised to learn from a disappointed Wilkie that "Sir Wm Sharp tould me yor Lo was oweing the King more upon other accompts,"<sup>91</sup> than he was due in pensions and could see no way of getting any money.

The situation was not entirely hopeless. Wilkie and Sir James Mercer were of the opinion that a personal appearance by Airlie might tilt the balance in his favour.<sup>92</sup> Affairs had changed very little the following year,<sup>93</sup> although there were rumours that the economic and political situation was deteriorating.<sup>94</sup> The pessimistic reports Wilkie got from his circle of associates at court were "yt the ould Arrears due upon Pensione before the pntt Lords of ye Tresaury there comeing to yt office were all suspended by his Matie and cannot be payed."<sup>95</sup> That was bad enough but there were also rumours of a war with Holland<sup>96</sup> and as a result "no doubt but his Maties affaires in Scotland may requyre the suspending of the Pentione now pd there for some time."<sup>97</sup> The effects of definite information as opposed to rumour are unclear,<sup>98</sup> but it is certain that news about war and financial stringency passed from London to Cortachy must have had some effect on the estates to which they were referred and the land market in general.<sup>99</sup> External political and economic elements affected estate development in Forfarshire<sup>100</sup> and the degree of their effect was directly dependant on those transmitting the information and where they got it from. The Wilkies were accepted at court and in government circles<sup>101</sup> and thus their information was very influential.

Even David Wilkie, more accustomed to the east coast of Scotland<sup>102</sup> than the more active commercial life of London, was reasonably well acquainted with life in the southern capital.<sup>103</sup> The letters of the Wilkies show that as much

attention given to estate affairs as in gleaning gossip, passing on political rumours and attending Hampton Court might well have paid dividends. News transmission, however, was cyclical. The early 1660's were somewhat inactive.<sup>104</sup> Presumably enough was happening openly then to forestall any need for reports. The late 1660's and early 1670's, however, made up for initial calmness.<sup>105</sup> Although by that time foreign news was adequately covered by the "Gazetts"<sup>106</sup> and the court afforded "Litle of novelty worthie yor cognizance" (sic),<sup>107</sup> the Wilkies sent a torrent of information to Cortachy maintaining their influence on the superior. Henry wrote that "about court there is daylie changes in removeing ould and planeing new officers of State."<sup>108</sup> If he thought that new officials would help his own or Airlie's cause he was mistaken. Retrenchment was government policy,<sup>109</sup> a policy designed to maintain the credit of the crown<sup>110</sup> and eradicate corruption and collusion.<sup>111</sup> While the second Earl of Airlie was advising Charles II about the adequate garrisoning of areas in Scotland,<sup>112</sup> the merchant was attempting to activate Airlie supporters who had the ear of the King. When Wilkie arrived in London in 1671 he delivered a letter to the Duke of York "by the hands of Mr. Secretary Wren,"<sup>113</sup> concerning the poor condition of Airlie estates and finances, and the straits government policy had brought him to.<sup>114</sup> Wren brought an answer that the Duke would speak favourably to the King about Airlie proposals<sup>115</sup> and would "befriend it in all he could both as to the signator and the Lret (sic) of recomendation."<sup>116</sup>

Wilkie also delivered letters to Dukes Lennox and Lauderdale,<sup>117</sup> the latter then at the height of his power,<sup>118</sup> who promised that he would get an order for the payment of Airlie's pension.<sup>119</sup> Letters on similar topics were also sent to a Colonel Worthing and a "Mr. Rogers."<sup>120</sup> Despite such illustrious and powerful correspondents little came of Airlie pleas. All Wilkie achieved were "faire promises and slow performance."<sup>121</sup> Even Lauderdale, if his undertaking had meant anything in the first place, was unable to move the King to grant Airlie's requests. The economic situation took first priority over promised gifts and sinecures. Clearly influences from the English capital were an important determinant of Forfarshire estate policies. Their power however, depended to a considerable extent on the persons transmitting information, their connections, dependability and position rather than solely on the communication of news itself.

Another important external pressure was that exerted by the lawyers.<sup>122</sup> The legal business of most estates was considerable,<sup>123</sup> although factors and lawyers tried to minimise it<sup>124</sup> by solving problems by arbitration and placation,<sup>125</sup> and legal influence was proportionately great. It was increased,<sup>126</sup> however, by the extra duties of lawyers which included several aspects of the transmission of information from outside the estates to the superiors, and the search for positive information on which to base their work.<sup>127</sup>



They were often at an advantage in that they, like factors,<sup>128</sup> were the trustees of documents<sup>129</sup> and were more important as influences on estate policy than merchants since in their attempts to establish legal rights they obliged superiors to take a personal interest in their affairs. Like merchants, lawyers also needed accurate information<sup>130</sup> and, along with their authority, it had to be seen to come from the superior. The latter problem, the delegation of authority to estate officials, was a major difficulty in Forfarshire landed business after 1660,<sup>131</sup> and was particularly relevant to lawyers because they normally worked in Edinburgh away from the seat of power. They required first hand information as well as advice and support from their principals. The second Earl of Airlie, throughout lawyer James Carnegie of Balnamoon's representation of his affairs in Edinburgh, was most unwilling to join him in the capital,<sup>132</sup> a lack of personal participation which adversely affected Airlie business. The lawyer felt it "necessar ..... to lay all reasons aside for appearing heer in your owne businesse."<sup>133</sup> The entreaties of his nephew were scarcely likely to move Airlie when those of his father<sup>134</sup> and brother<sup>135</sup> had failed, however. Balnamoon found it "altogether impossible to effectuat in anie particular without your owne presence which I entreat for in all possible haste."<sup>136</sup> His urgency was the result of more than concern for his own work and peace of mind. He realised the deleterious effect of the superior's absence from Edinburgh. Begging the latter's pardon he told

him that "if you doe not resolve to come on sight here of sowth yow will not be considered as having anie regeard to your interest and standing of your familie."<sup>137</sup> Carnegy must have felt his arguments for the presence and help of his superior were irrefutable. Airlie's health, however, and his confidence in Carnegy, as well as the length of the journey to Edinburgh and, evidently, the persuasion of his wife,<sup>138</sup> made him remain at Cortachy and ignore the advice of his counsel.

The 1670 to 1671 period, the most singularly vexatious his his administration of Airlie affairs,<sup>139</sup> was not the only one in which Carnegy had difficulty in persuading his superior to give personal attention to his business and the work of his delegates. On 24 August 1673 in respect of an apprysing and "maney other particulars your Lo hearcuming Speadilie is absolattlie nessesar."<sup>140</sup> Ten years later, no doubt as a result of advancing age and infirmity,<sup>141</sup> Airlie still used every excuse he could to keep out of business and a close communicative relationship with his Edinburgh legal adviser. Carnegy wrote to him from Balnamoon on the 15 August 1683 that he was "sorie that my Ladies south-going should have deprived us of your Los Company at forfar on Thursday last."<sup>142</sup> The second Earl of Airlie may well have been the "flower" of that family.<sup>143</sup> He had nevertheless a great deal to learn about estate management and engendering confidence in creditors and representatives.<sup>144</sup>

Not all landowners were so dilatory in taking advice about their estates or so hostile to legal influence urging personal participation. Possibly because he was very deeply involved in Panmure business at a family and personal level,<sup>145</sup> Robert Innes of Blairtoun, the family lawyer, had few communications problems<sup>146</sup> although how much information he received directly from his superior and how much indirectly from his family is unclear.<sup>147</sup> Extensive family and business relationships must have aided the work of lawyers such as Innes and Carnegy because of the amount of information they were privy to. If Innes was a lawyer in Edinburgh there can be no question that he was out of touch with the Panmure estates, his authority diminished or his duties restricted. He handled every type of business from dealing with merchants and finances to advising on landed matters.<sup>148</sup> His activity in the latter capacity may well have added to his stature in the eyes of the Earl of Panmure for such counsel was of great significance to him.<sup>149</sup> Clearly Innes was a confidant of the Panmures and such closeness helped the tasks he was given and facilitated his influence on his superiors.

A comparison of the positions of Innes and Carnegy shows the benefits which could be achieved in estate legal business by the co-operation of superior and lawyer and the effect the latter's influence could have. This, however, largely depended on the personalities involved. Carnegy may have been in some fear of his uncle<sup>150</sup> but Innes was not awed by

the position of his superior and seemed well aware of his influence.<sup>151</sup> He treated Panmure almost childishly, advising him what direction negotiations should take, how the incumbent Earl compared with his grandfather, how he should conduct himself and what documents he should use in his negotiations. Indeed it is evident that in many business arrangements only the superior's signature was required, otherwise being disregarded. The Panmures had delegation to lawyers and estate personnel down to a fine art. The same was broadly true of giving them information. The latter was a necessary constituent of effective delegation and was the result of the influence of lawyers and estate officers over a period. About a precept of clare constat, for example, drawn up to solve a conflict of interest between Lord Balmerino<sup>152</sup> and the laird of Powrie over some teinds,<sup>153</sup> Innes wrote in 1683 that he had drawn it up "in the usuall forme and sent the samen heirwith to your Lop."<sup>154</sup> Telling his superior that the usual form of charter was being used was insufficient, however. Innes took his position as legal adviser very seriously and told Panmure that he should keep the precept by him for reference and as a bargaining counter "till Peter Johnstowne Balmerinos agent who yesterday went to Pearth come doune to your lo howse and speak yranent."<sup>155</sup> Unlike Balnamoon, Innes did not complain about the quality of the information he received from the Panmures or their participation. His letters give the opposite impression to those of Carnegy of Balnamoon. While the former was in complete control of his remit, the latter was hindered by inadequate data and lack of interest.

Blairtounne seems to have considered the assent of his superior as only an endoresement of his decisions. He was very sure of the effect of the pressures he could bring to bear. How far estate superiors were at the mercy of such advisers, especially in areas which required specialist knowledge and experience, we cannot now be sure. It is likely, however, that in a delicate area such as rights to land and the fruits of property, heritors would be unlikely to contradict professional legal counsel. Even if men in the position of Innes were unaware of the power they wielded and used their position judiciously, in some measure they diminished the authority of the superior over his territories. They must, in some cases at least, be considered partially responsible for the tenor of estate policy.

One of the principal duties of lawyers was to keep their superiors abreast of legislation<sup>156</sup> and general parliamentary activity.<sup>157</sup> Landowners were not anxious to change their traditional practices and way of life and lawyers could help to maintain the status quo by giving advance information on which opposition to statutes could be based, finding legal loopholes or taking advantage of the letter of the law.<sup>158</sup> Thereby they not only influenced their superiors but also the implementation of acts of parliament. For example, at the time of the death of the Countess of Panmure excessive expense at funerals was forbidden by law.<sup>159</sup>

Robert Innes not only made it clear that he knew of that legislation<sup>160</sup> but also that he knew ways of obviating its restrictions or getting most out of the existing law.<sup>161</sup> The precedent he used for his recommendations to the Earl of Panmure was the burial of the Earl of Lauderdale<sup>162</sup> which he had evidently studied scrupulously for the purpose. If there is doubt about the implementation and effect of parliamentary enactments in outlying provinces after the Restoration, men such as Robert Innes must be considered to have some responsibility. The partial application of parliamentary statutes and the modification of their intentions must be one of the major influences of estate lawyers and of the capital in general on Forfarshire landed society.

One unofficial function of lawyers was even more influential than their basic duty of keeping in touch with statute law. This was their attempted reduction of litigation. In an effort to diminish estate expenses and show superiors the advantages of economy and settled property, lawyers tried to prevent cases coming to court in three major ways. Firstly they negotiated outside the court before actions reached that stage,<sup>163</sup> secondly they were engaged in the constant placation of creditors,<sup>164</sup> or were creditors themselves,<sup>165</sup> and thirdly they attempted to impose order on their superiors' fondness for brinkmanship.<sup>166</sup> The advocates for major Forfarshire estates negotiated outside the courtroom at the highest executive and judicial levels,<sup>167</sup>

were privy to inside information<sup>168</sup> and were not above seeking information about the cases of their adversaries from supposedly impartial law officers in order to facilitate settlement.<sup>169</sup> The second Earl of Airlie advised his agent James Carnegy of Balnamoon, for example, to "get ane sight of what I am bound in to Balmerino from Gosford."<sup>170</sup> The approach to an Ordinary Lord of Session by an advocate about case evidence can scarcely have been considered in the best traditions of legal practice. However, the influence of major landowners reached even elevated legal circles beyond the confines of Forfarshire just as legal influences flowed in the opposite direction.<sup>171</sup> Such activity was general among, and expected of, the legal agents of Forfarshire landowners. Robert Innes was expected not only to be aware of the legal problems facing the Earl of Panmure but also to be able to negotiate with others involved before cases came to court.<sup>172</sup> Two of his opposite numbers were Mr. David Falconer<sup>173</sup> and Sir John Cunninghame.<sup>174</sup> In October 1673 the former was in Edinburgh with Innes<sup>175</sup> who felt it useless to approach the latter, the defender of Argyll and proponent of the rights of the Court of Session,<sup>176</sup> "seing he cannot say more to it then I have writen till it come to be consulted."<sup>177</sup> Some were not amenable to influence although this did not stop legal agents attempting to get inside information from them. No doubt such activity eased the work load on courts and agents alike. It also demonstrated the extra involvement which some superiors

demanded,<sup>178</sup> the bending of the law to suit particular people and cases, the leverage which the Forfarshire aristocracy had in the legal circles of the capital and the influence of lawyers there and with their superiors.

Another of the unofficial duties of lawyers was the mollification of creditors,<sup>179</sup> persuading them not to register their bonds and initiate legal procedures. The attitude of superiors to debt seems, in general, to have been somewhat cavalier.<sup>180</sup> The lawyers who had business relationships with them,<sup>181</sup> tried to impose some kind of financial order<sup>182</sup> although they could apparently only be successful in that aim when they were creditors themselves<sup>183</sup> influencing their superiors attitude to credit through negotiating their own position. Lawyers sought to avoid the legal and financial brinkmanship<sup>184</sup> which was such an integral part of Forfarshire landed society. Their influence in such matters is unclear although they were reasonably successful when the estates with which they were dealing were economically healthy.<sup>185</sup> The lack of attention of the second Earl of Airlie to his major creditors<sup>186</sup> the laird of Balfour and Lord Balmerino,<sup>187</sup> caused a fall in the confidence of Airlie creditors<sup>188</sup> and was one reason for the difficulties of the Airlie estates in the first half of the 1670's.<sup>189</sup> The laird of Balnamoon<sup>190</sup> did not favour managing business at the edge of an economic precipice. He had been ordered to appear before the Lords of Session "upon the interrogaturs given in be the Laird of



Balfours Advocats which I have considered and advised with your Lopps own Advocatts and finds it impossible for me to depone theron."<sup>191</sup> The lawyer found his situation so untenable and the feelings of his superior towards his debts so insupportable that he could not give evidence to a court and at the same time maintain his superior's rights. With his own counsel opposed to his actions and seeing no salvation for his case, Airlie creditors must have been on the verge of calling in their funds. Balnamoon noted that "all your creditors heer are so dissatisfied For your not owning the businesse of Balfours that they are positevlie resolved to goe on in diligence against yow for their own relieff and suretie."<sup>192</sup> The superior asked his lawyer to do what he could to anticipate the actions of his creditors while he was "hopfull my patron my lord chancler will bestur himself som for me in that business of Balfours and the rest befor exprest."<sup>193</sup> A more radical answer than simply the piecemeal solution of parts of a particular problem was required. That was what Balnamoon was suggesting but Airlie could not achieve. Some fifteen months later Balfour had still not been satisfied and another apprising, of one Douglas, had been put into operation.<sup>194</sup> Balnamoon, however, had some success. He managed if not to neutralise creditors at least to placate some of them and to reduce their demands on Airlie property. With a superior as disinterested as Airlie, the extent of his debts and the vehemence of his creditors, playing one

of them off against another and maintaining a level of financial viability was no mean achievement. Balnamoon's success and his attitude to business may well have been partially responsible for the improvement in the Airlie estates after about the mid 1670's.

Lawyers were also the creditors of their superiors.<sup>195</sup> In their financial bargains they imposed strict discipline and may have been more financially influential than other groups. This is nowhere clearer than in the loans of the family of Robert Innes to the Earls of Panmure. Although the Innes loans spanned the 1679 to 1708 period,<sup>195</sup> the major portion ended in 1688.<sup>196</sup> Certainly James, the fourth Earl of Panmure, borrowed 5,000 marks Scots from Robert Innes in 1692<sup>197</sup> but this appears to have been at the instigation of Innes for the provision of his wife Sophia Smith after his death.<sup>198</sup> Throughout the 1680's the configuration of Innes debts to the Panmures changed. At that time Panmure's lawyer Innes was the prime mover of his family's credit although his brother Alexander, also a writer in Edinburgh, was most frequently mentioned in discharges.<sup>199</sup> Existing debts were long term.<sup>200</sup> New borrowing, on the other hand, was essentially medium term after 1679.<sup>201</sup> The legal establishment was much more discriminating in its credit to landed society than any other group, and more of the opinion that it should serve a definite purpose. For example, of the four bargains made for granting new loans to the fourth

Earl of Panmure by the Innes family three were for the provision of female members.<sup>202</sup> In addition stringent security precautions were made to ensure repayment. This was a new departure, reflecting the changed priorities of creditors and new, more difficult economic circumstances. Only the laird of Blairtoun remained, as his father had been,<sup>203</sup> unquestioningly loyal and accepting.<sup>204</sup> Other novel characteristics in the new credit of the Innes's for the Panmures were that except where liferent provision was involved debts were smaller and, except those of Blairtoun himself, for increasingly shorter periods. Robert Innes remained the foundation of the credit relationship until his death. However, from about 1685 the commercial influence was much more pronounced<sup>205</sup> due to the increasing independence of members of the Innes family,<sup>206</sup> their removal from the Blairtoun-Belhelvie circle<sup>207</sup> and credit problems at that period.<sup>208</sup>

At no time in his letters to the Earl of Panmure did Robert Innes refer directly to debts which were owed to him.<sup>209</sup> The annual rents due to him and his family were taken for granted and paid punctually.<sup>210</sup> There were understandings between debtor and creditor demonstrating the influence and status of the former. These were that interest would be paid on time, the borrower would be amenable to changes in the personnel to whom discharges were paid and the lender could be relied on for finance.<sup>211</sup> This financial

relationship had evolved over a considerable period<sup>212</sup> to the satisfaction of both parties, although it was being abused in late 1680.<sup>213</sup> At that time Robert Innes complained that the calls being made on him were greater than his financial receipts, a wholly justifiable complaint. He pointedly noted that he had "receaved no moneys from Mr. Alexr Haigins"<sup>214</sup> and that "Mr. Hary",<sup>215</sup> presumably Harry Maule of Kelly, Panmure's brother, had not kept his promise.<sup>216</sup> The laird of Kelly promised to review the size of bonds he presented for payment and their timing and had not done so.<sup>217</sup> The understanding between the lawyer and his superior was being jeopardised by a third element, the somewhat footloose younger brother of the landlord.<sup>218</sup> As was generally the case in Airlie business<sup>219</sup> part of the landed side with outside connections reacted against the imposition of limits in financial deals even although the imposition was benign and had a long history.<sup>220</sup>

Another unofficial duty of Robert Innes as Panmure lawyer emerges from his letters. He had contacts on the Continent and through him influences from there were felt. Quite clearly Forfarshire landlords were interested in national and international affairs. If certain Scottish areas were geographically isolated from such affairs, information about them was widely if not universally available. Only major international affairs were worthy of the Panmure advocate's attention, however, presumably because they might

be thought to affect the Scottish population or the economy of a major estate. He informed his superior on 17 June 1674 that by then it was "certaine that dole is surrendered to the french king."<sup>221</sup> He was less composed in writing some nine years later when he conveyed that all in the capital were "refreshed with the good newes from Vienna."<sup>222</sup> The imagination of the Scottish metropolis could be fired by news from abroad and at least part of its enthusiasm transmitted by travel and correspondence throughout the country. Neither Scotland nor its inhabitants were insular, xenophobic or introverted in the post-Restoration era. Equally, partly because of men such as Robert Innes, the superiors of major estates and their economies were responsive to outside economic developments and political changes. On 4 November 1680 Innes advised the third Earl that "Ther is a bill come from Holland for ye trees and I hear yr ar hathrons .... for you. As Da Edgar hes writ."<sup>223</sup> Edgar appears to have been a messenger, or at least used in that capacity by Innes, travelling between Edinburgh and Panmure.<sup>224</sup> Probably to save him writing at length on national matters, Innes advised the superior that Edgar would provide him with "a double of the journalls"<sup>225</sup> and, no doubt realising how influential he was, the lawyer proceeded to interpret and give his opinion of the news contained in them.<sup>226</sup> He also noted that he had already sent Panmure's letters to a Mr. Fleming and to France.<sup>227</sup> The contacts of that family with France before James VII left for Versailles were not uncommon, just as they were known in Holland. Continental

informants and connections were valuable for more than the life style they portrayed<sup>228</sup> and the political refuge they could provide. They were crucial to the impact of horticultural and agricultural methods which infiltrated Scottish shores.

The influence of lawyers was not always as great as in the case of Innes. Perhaps because of the attendance of Sir David Ogilvy of Clova at Edinburgh<sup>229</sup> and his reports to his brother, the position of the Airlie advocate was much different to what it might have been.<sup>230</sup> James Carnegy scarcely mentioned political or economic affairs.<sup>231</sup> He interested himself primarily in legal business,<sup>232</sup> although he was not averse to using personal relationships to facilitate it.<sup>233</sup> Sir David Ogilvy, the second Earl of Airlie's younger, more efficient, experienced and conscientious brother,<sup>234</sup> acted to complement the work of Carnegy of Balnamoon and transmitted information to Cortachy. He was always trying to activate his brother on estate affairs<sup>235</sup> and, partly because of that, the relationship between them seems to have broken down about 1673 or 1674.<sup>236</sup> He reported on the activities of parliament<sup>237</sup> and rumours circulating in the capital, the administration of a major property requiring such information in order that estate policy might at least be within the law<sup>238</sup> and prepared for political changes.<sup>239</sup> Forfarshire estate owners were well aware of how external problems in the national arena had previously influenced their lives and property.<sup>240</sup> Their

anxiety to keep getting reports from the English and Scottish capitals demonstrated not only the continuing effects of external influences on the landed sector but also the desire of landowners to be prepared for future problems and, where possible, to minimise their worst effects.

Even local advantage could be gained by attention to national political events. The laird of Clova informed his brother at London in May 1662<sup>241</sup> that he had heard from Edinburgh that the government intended to fine Commonwealth collaborators.<sup>242</sup> The sheriff clerk of Forfar, William Gray of Hayston,<sup>243</sup> was one to be fined and Clova wanted the fine bought for him,<sup>244</sup> Hayston agreeing to this since Clova was a friend.<sup>245</sup> The latter was optimistic,<sup>246</sup> however, in believing that Ogilvy<sup>247</sup> could persuade the government to favour Airlie property.<sup>248</sup> He could not even convince ministers of his own needs, and in any case was more interested in court and social life than in estate affairs. Other Forfarshire landowners who spent time in London<sup>249</sup> were equally unsuccessful in getting government support<sup>250</sup> or changing existing policies.<sup>251</sup> Their failure appears to have compounded the effects of government policy on them and increased their desire to gather inside information on political matters.<sup>252</sup> Certainly politics retained its influence on landowners throughout the 1660's.<sup>253</sup> For example even while he was in Ayrshire dealing with religious unrest<sup>254</sup> the laird of Clova wrote home to ask if there was any truth in the reports he had heard of hostility between the Lord

Chancellor and Lauderdale.<sup>255</sup> Such information from correspondents must often have been more influential and reliable than that presented in the journals,<sup>256</sup> was more available and detailed than printed reports<sup>257</sup> and had considerable effects on business in the landed sector.<sup>258</sup>

Scottish and English affairs naturally enough were much more fully treated by the correspondents of Forfarshire landowners than any others.<sup>259</sup> Panmure was advised by Robert Innes in mid October 1673 that "My Lord Commissioner came off yesterday"<sup>260</sup> and that several persons in Edinburgh were preparing to go and meet him on the following Monday.<sup>261</sup> He also noted that "The peace is lyke to blow up wch is the sume of our last letter."<sup>262</sup> The reference was probably to the resumption of the Dutch wars and indicated that the lawyer was concerned about the possibility of the end of a period of stability and the effects it would have on national and estate economies. He appears to have been responsible for some kind of economic forecasting<sup>263</sup> and in the mid 1670's was most interested in the economic roles of the executive and the legislature.<sup>264</sup> By the beginning of the 1680's, however, the focus of his attention had changed to cover events in the English parliament and the course of the Popish Plot.<sup>265</sup> Clearly even they had their influence north of the Tweed. It was considered that the most significant news was the expulsion and sentencing of Sir Francis Nitham by the English Commons<sup>266</sup> "because of his uttering some



speeches against petitioning,"<sup>267</sup> and the elaboration of the King's policy on Catholic toleration.<sup>268</sup> Innes reported that in answer to a Common's address Charles averred that "he will not only prosecute the plot but the papists also"<sup>269</sup> and, on a more general level, "did not doubt to bear down on popery and all that belongs to it."<sup>270</sup> At least external influences on the control of non-conformity were clear enough.

Neither was there much doubt among lawyers about where the control of Scottish policy lay, their opinions being passed to their correspondents. The Earl of Panmure was told in early November 1680 that the Privy Council had "sat on tuesday the d.<sup>271</sup> present and a letter written to the king in relation to the militia."<sup>272</sup> Innes had to admit, however, despite the significance of the information on the militia, and the quotas involved, which would presumably be taken from the tenantry of heritors, that "what the nature of it is I know not."<sup>273</sup> The Scottish Privy Council after the Restoration was more powerful, responsive and incisive than the legislature.<sup>274</sup> Since it was most in touch with national affairs more attention was paid to it by reporters to Forfarshire heritors than to any other official body<sup>275</sup> and its already considerable influence was proportionately increased. The ideas of the King which were reported were also influential, as were the attitudes of his court. Information from such circles allowed major landowners to

plan their responses to government policies, these in turn affecting the whole of the rural community. By 1690 that community could no longer act as independently as it had previously done its attitudes being affected by a variety of outside pressures.

The influence of the legal and mercantile professions on landed policy in Forfarshire was considerable. Such weight as both groups had, however, was moderated by kinship and personal involvement and in this respect a less close participation in landed affairs may have been more effective. Nevertheless in the rationalisation of finance and communication both groups played a significant part. Merchants tended to seek correct data on which to base their business, as well as transmitting international information, while lawyers sought to impose some financial order and passed on mainly Scottish news. The information both transmitted was avidly read but it seems clear that of the two, lawyers, because of their position in relation to family affairs and property rights, were more influential. The pressure of such external influences on Forfarshire landed society increased as the post-Restoration period progressed making that sector at once less and less isolated and accelerating fundamental modifications in its infrastructure. Although they did not contribute to all changes in Forfarshire landed society between 1660 and 1690, that cannot diminish the significance of the gradual

alterations in attitude which outside forces helped to promote and which, along with the changed composition and priorities of the groups in landed society, paved the way for the major improvements of the eighteenth century.

FOOTNOTES

1. SRO GD16/31/213, SRO GD45/14/166, SRO RH15/56,  
SRO RH15/82.
2. SRO GD16/31/94.
3. SRO GD45/14/166, SRO GD45/17/508.
4. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61, passim.
5. SRO GD45/17/508, SRO GD16/31/94, SRO RH15/82.
6. SRO RS35/1-RS35/8, SRO RS3/1-RS3/61 passim.
7. SRO GD16/31/94, SRO GD188/32/10.
8. SRO GD16/26/65, SRO GD188/32/11.
9. SRO GD16/26/85.
10. Ibid.
11. SRO GD16/26/8, SRO GD16/26/59.
12. SRO GD45/14/163, SRO GD16/26/60.
13. SRO GD16/31/213, SRO GD45/14/166, SRO GD45/17/508,  
SRO RH15/56.
14. SRO GD45/14/166, SRO GD16/16/213.
15. SRO GD45/14/166, SRO GD16/26/55.
16. SRO GD45/14/166, SRO RH15/82.
17. Ibid et SRO GD16/31/213.
18. Ibid.
19. SRO GD16/26/59, SRO GD16/26/85, SRO GD16/31/94,  
SRO GD16/31/83.
20. SRO GD16/31/94. For example on 13 October 1660  
David Wilkie complained that "being ignorant bothe  
of ye quantities and provision of salt and tries  
putt me to ane stop qll I had advyce from my Lord  
Airlie yor Lo father nather would he give me Certain  
advyse bot did (estimate? - word obliterated) them  
to be about tuelf lasts."
21. For the family connection between them see  
SRO GD16/31/94, SRO GD16/29/140/Box 2/Bundle 2.

22. SRO GD16/26/85.
23. Ibid et SRO GD16/31/143, SRO GD188/2/5, SRO GD188/27/9.
24. Ibid.
25. Wilson, Airlie, i, 268-273, SRO GD16/26/55, SRO GD16/41/500.
26. SRO GD16/31/94, 7.5.1669.
27. Ibid.
28. Ibid.
29. SRO GD16/34/46, SRO GD16/34/82, SRO GD16/26/55, SRO GD16/26/59, SRO GD16/26/85, SRO GD16/29/140 passim.
30. David's brother, SRO GD16/31/94, SRO GD16/29/140/Box 2/Bundle 2.
31. SRO GD16/31/94, 21.1.1671.
32. SRO GD16/29/140/Box 2/Bundle 2, 27.9.1670.
33. C. Wilson, England's Apprenticeship (1965), 141f.
34. Wilson, Airlie, ii, 4-5.
35. SRO GD16/31/94, SRO GD16/26/65, 28.3.1663.
36. SRO GD16/31/94, SRO GD16/26/65, SRO GD188/32/10, SRO GD130/Box 5 and Box 6, passim.
37. SRO GD16/31/94.
38. SRO GD16/26/8, SRO GD16/26/59, SRO RS35/1-RS35/8, passim.
39. SRO GD16/26/65, SRO GD16/31/94, 6.2.1672.
40. SRO GD16/26/65.
41. For the different attitudes of merchants and factors to this system of selling before production see the letters of Robert Hamilton and Thomas Ogilvy. SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85.
42. See above chapter on debtors and creditors and SRO RS35/1-RS35/8, RS3/1-RS3/61 passim.

43. SRO GD16/26/59, SRO GD45/14/122, SRO GD45/14/162,  
SRO GD16/31/143.
44. SRO GD16/26/65, SRO GD16/31/94, SRO GD188/32/10,  
SRO GD45/14/122, SRO GD45/14/162.
45. SRO GD16/31/94.
46. Ibid. On this see also the letters of James Crokat  
a merchant burgess of Dundee, SRO GD16/26/65. He  
appears to have been unsuccessful in his business  
with the Airlie estates because he was only  
superficially involved, because of a poor  
relationship between himself, Lord Ogilvy and  
Robert Hamilton and because of personal inefficiency.
47. SRO GD16/31/94.
48. Ibid.
49. Vide supra.
50. SRO GD16/26/65, 16.1.1665.
51. Ibid.
52. Ibid.
53. Ibid.
54. SRO GD16/31/94, SRO GD16/26/65, SRO RS35/1-RS35/8,  
SRO RS3/1-RS3/61, passim.
55. Vide supra.
56. He had been introduced to Airlie business by  
Robert Hamilton. See SRO GD16/26/8. He was "ane  
yung man in dundie ... Whoe furnished hemp ffor  
your los Waters."
57. SRO GD16/26/65, 16.1.1665.
58. Ibid. "Leit me humblie Intreatt yor Lordship to  
cause Look effter your Scotts estait for report goes  
its not Lookt affter as it sould be."
59. Ibid. "I wold to God I could as I would ordour it  
then should nou be better."
60. Ibid.

61. SRO GD16/31/94.
62. Ibid et SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/65, SRO RS35/1-RS35/8, passim.
63. SRO GD16/31/94.
64. SRO GD16/26/65. See also SRO RS35/6 fo 82, 9.2.1676.
65. James Wilkie was owed £1,523 . 01 . 01 Sterling in November 1663 by Lord Ogilvy. The debt seems to have been not fully repaid even in 1667 when the latter was the second Earl of Airlie. SRO GD16/31/94, SRO GD16/29/140/Box 2/Bundle 2.
66. SRO GD16/26/59, passim.  
W. Crammond, The Hammermen of Banff (1903), passim.
67. SRO GD16/31/94, 6.2.1662.
68. Ibid.
69. Ibid.
70. Ibid.
71. SRO GD16/31/94, SRO GD188/32/10, SRO GD130/Box 5.
72. SRO GD188/32/10, SRO GD130/Boxes 5 and 6, SRO GD45/14/163.
73. SRO GD16/26/85, SRO GD45/14/122, SRO GD45/14/162. Indeed in some cases the duty of merchant was totally dispensed with and the factor sold directly to the brewers or bakers of a major city. See SRO GD130/Boxes 5 and 6.
74. Smout, Union, 219f.
75. SRO GD16/31/94, SRO GD16/29/140/Box 2/Bundle 2.
76. SRO GD16/31/94, 6.2.1662, SRO GD16/26/59, 21.12.1660.
77. A last in Banffshire was taken to be 15 barrels. See Robert Hamilton's letter to Lord Ogilvy SRO GD16/26/59, 21.12.1660.
78. SRO GD16/29/140/Box 2/Bundle 2, 3.11.1663.
79. Ibid.



80. Ibid.
81. SRO GD16/34/46, SRO GD16/34/82, SRO GD16/29/140.
82. SRO GD16/31/94, SRO GD16/26/59, SRO GD16/26/65.
83. SRO GD16/26/59, 21.12.1660, SRO GD16/31/94, 6.2.1662.
84. SRO GD16/31/94, 30.11.1668.
85. SRO GD16/31/94, SRO GD16/31/213, SRO GD45/14/166.
86. SRO GD16/31/94.
87. Wilson, Airlie, ii, 84.
88. SRO GD16/31/94.
89. Ibid.
90. Roseveare, Treasury, 21.
91. SRO GD16/31/94, 21.1.1671.
92. Ibid.
93. SRO GD16/31/94, 6.2.1672.
94. Ibid.
95. Ibid.
96. Ibid.
97. Ibid.
98. SRO GD16/29/140/Box 2/Bundle 2 n.d. In this aide memoire of the 1670's Airlie noted that he had to speak urgently to the King about "the hesard my estates is in."
99. SRO RS35/1-RS35/8, RS3/1-RS3/61, passim et vide supra.
100. Ibid.
101. SRO GD16/31/94.
102. Ibid.
103. Ibid.
104. Ibid.

105. Ibid.
106. SRO GD16/31/94, 30.11.1668.
107. Ibid.
108. Ibid.
109. Roseveare, Treasury, 19f.
110. Roseveare, Treasury, 23.
111. Ibid.
112. SRO GD16/29/140/Box 2/Bundle 2 n.d.
113. SRO GD16/31/94, 21.1.1671.
114. Ibid.
115. Ibid.
116. Ibid.
117. Ibid.
118. Mackenzie, Lauderdale, 279f.
119. SRO GD16/31/94, 21.1.1671.
120. Ibid.
121. Ibid.
122. SRO GD16/31/213, SRO GD45/14/166.
123. Ibid et SRO GD188/20/5.
124. SRO GD16/26/59, SRO GD16/26/85, SRO GD45/14/166,  
SRO GD16/31/213.
125. Ibid.
126. SRO GD16/31/213, SRO GD45/14/166, SRO GD16/41/546.
127. Ibid.
128. SRO GD16/31/213.
129. Ibid et SRO GD45/14/166, SRO GD16/41/546, SRO RH15/56,  
SRO RH15/82.
130. SRO GD16/31/94. This seems to have been even more

true in the case of those merchants who were factors. Especially so in the cases of dishonest mercantile factors, the actions of whom impressed on estate owners the need for accurate and dependable facts on the performance of their properties. See SRO GD16/26/8, SRO GD16/26/59, SRO GD16/26/85, SRO GD188/2/5, SRO GD16/31/143, SRO GD16/26/74.

131. SRO GD16/26/59, SRO GD16/26/85, SRO GD188/2/5, SRO GD188/32/10.
132. SRO GD16/31/213.
133. SRO GD16/31/213, 24.11.1671.
134. SRO GD16/34/46, SRO GD16/34/82.
135. SRO GD16/26/55.
136. SRO GD16/31/213, 24.11.1671.
137. Ibid.
138. SRO GD16/31/213, 27.11.1671.
139. SRO GD16/31/213.
140. SRO GD16/31/213, 24.8.1673.
141. Wilson, Airlie, ii, 3. He was 72 in 1683.
142. SRO GD16/31/213, 15.8.1683.
143. Wilson, Airlie, ii, 3.
144. SRO GD16/31/213.
145. SRO GD45/14/166, SRO GD45/14/122, SRO GD45/14/162, SRO GD45/17/508.
146. Ibid.
147. His father was the Panmure factor for the estates of Belhelvie in Aberdeenshire followed by his uncle Thomas Innes and the whole of the Innes family were significant creditors of the Earls of Panmure. See also SRO GD188/14/122, SRO GD45/14/162, SRO GD45/14/166, SRO GD45/17/508, SRO RH15/82, SRO GD45/20/197, SRO GD45/20/198, SRO GD45/20/199.

148. SRO GD45/14/166.
149. Ibid.
150. SRO GD16/31/213.
151. SRO GD45/14/166, SRO GD45/14/122, SRO GD45/14/162,  
SRO GD45/17/508.
152. Vide supra.
153. SRO GD45/14/166, 23.12.1683.
154. Ibid.
155. Ibid.
156. SRO GD16/31/213, SRO GD45/14/166.
157. SRO GD45/14/122, SRO GD45/14/163, SRO GD45/14/162.
158. SRO GD45/14/166, SRO GD45/14/177.
159. SRO GD45/14/166.
160. Ibid.
161. Ibid.
162. Ibid.
163. SRO GD16/31/213, SRO GD45/14/166, 15.10.1673.
164. SRO GD16/31/213.
165. SRO GD16/31/70, SRO GD45/17/508.
166. SRO GD16/31/213, SRO GD45/14/166.
167. Ibid.
168. Ibid.
169. SRO GD16/31/213, 27.11.1671.
170. Ibid.
171. Sir Peter Wedderburne Lord Gosford (1620?-1679) was  
the son of James Wedderburne a merchant in Dundee and  
was an Ordinary Lord of Session in 1671 when Carnegy  
Balnamoon approached him.  
  
See J. Irving, The Book of Eminent Scotsmen (1882), 176.

172. SRO GD45/14/166, 15.10.1673.
173. Ibid. Later Sir David Falconer of Newton. See the Concise Dictionary of National Biography, 416. He was also interested in a variety of landed projects in Forfarshire. See SRO RS3/52 fo 334, 18.11.1685, SRO RS3/50 fo 114, SRO RS3/40 fo 374, 3.5.1678.
174. SRO GD45/14/166, 15.10.1673, 21.5.1684.
175. Ibid.
176. Concise Dictionary of National Biography, I, 308.
177. SRO GD45/14/166, 15.10.1673.
178. SRO GD16/31/213.
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180. SRO GD16/31/213, 27.11.1671, SRO GD45/17/508, SRO GD45/17/691.
181. Vide supra.
182. SRO GD45/17/508, SRO GD45/17/691.
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184. SRO GD16/31/213, 27.11.1671, SRO GD45/17/508, SRO GD45/17/691.
185. SRO GD16/31/70, SRO GD16/31/213, SRO GD45/17/508, SRO GD45/17/691.
186. SRO GD16/31/213.
187. Ibid.
188. Ibid.
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190. Fraser, Southesk, cvi.  
Warden, Forfarshire, iv, 356.
191. SRO GD16/31/213, 24.11.1671.
192. Ibid.
193. SRO GD16/31/213, 27.11.1671.

194. SRO GD16/31/213, 1.3.1673.  
SRO GD16/31/70, SRO GD16/31/213, SRO GD45/17/508,  
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195. SRO GD45/17/508, SRO GD45/17/521, SRO GD45/14/166,  
SRO GD45/17/596, SRO GD45/17/639, SRO GD45/17/650,  
SRO GD45/17/660, SRO GD45/17/691.
196. Ibid.
197. SRO GD45/17/691, 9.2.1692.
198. Ibid.
199. SRO GD45/17/508.
200. The original documents have been lost though the  
deals seem to have been made in the time of Alexander  
Innes of Blairtoun. See SRO GD45/17/508,  
SRO GD45/14/122, 7.4.1659, SRO GD45/14/162, 28.10.1672.
201. SRO GD45/17/521, 7.7.1680, SRO GD45/17/639, 4.12.1686,  
SRO GD45/17/660, 28.2.1688, SRO GD45/17/691, 9.2.1692.
202. SRO GD45/17/521, 7.7.1680, SRO GD45/17/639, 4.12.1686,  
SRO GD45/17/691, 9.2.1692.
203. SRO GD45/17/508.
204. SRO GD45/14/122, 7.4.1659, SRO GD45/14/162, 28.10.1672.
205. SRO GD45/17/508.
206. Ibid et SRO GD45/17/521, 7.7.1680.  
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208. Ibid et SRO RS35/1-RS35/8 passim.
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212. Ibid.
213. SRO GD45/14/166, 4.11.1680.

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RS35/8, passim.
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CONCLUSION

In the agricultural development of Forfarshire the 1660 to 1690 period was particularly active, if uneven, and characterised by a variety of trends. The conservative reaction to the troubled period of the Commonwealth and Protectorate made the first half of the post-Restoration era predominantly one of re-establishing the status quo while the second half was spent on the more definite development of landed resources. Within the framework of these two periods other major trends are, however, discernible. The reorganisation of estates was a major element in the 1660's and included the employment of dependable factors campaigning for the effective direction of policy, the re-exerting of strong centralised control and the elimination of waste and dishonesty through accurate accounting. The 1670's were marked by the attempted solution of general legal difficulties, and problems of family and property rights while in the 1680's rebuilding and repair took place along with other practical improvements. Physical modification in terms of planting, rebuilding and the redesign of policies, therefore, was a relatively late and superficial phenomenon in post-Restoration Forfarshire. It followed much deeper change which involved the re-establishment and alteration of the very foundations of landed society and affected all its constituents. In this process central government played a minor part. Forfarshire landowners themselves contributed most to the development of their properties helped by the natural fertility of the area and its relative peace and security under their tight control.

Such elements in themselves, however, are insufficient to explain the progress made. The advance also depended on the assistance given to landowners by factors to whom they gave increasing authority and who grew in stature, confidence and ability with experience gained, and on influences gleaned from the Scottish capital, England and the Continent. It was accelerated by changing superiorities which meant that shortly after 1660 younger, more vigorous men were in control of major properties and new ideas were put into practice often as temporary expedients to solve pressing problems. However, change was not always temporary, and it was more than purely physical. Its depth is manifest in the frequency and type of transactions entered in the registers of sasines. In particular these reveal not only changes in family and group relationships but also altered financial arrangements which were fundamental to landed development and its further evolution.

Physical change in Forfarshire is most noticeable on the properties of the aristocracy and upper gentry. The progress of building and repair, the effects of factorial enterprise, the relationship between the superior and his principal officer, as well as the overall progress achieved by stability and the security of family and territorial rights is easiest to appreciate there. However, insofar as such changes were restricted to the upper strata of landed society, it appears that property improvement had a

particular prestige value and, more importantly, that major landowners were depending on the physical development and productivity of their considerable holdings to maintain their social and economic position. The middle to lower gentry attempted to achieve that by dependance on group and family solidarity, a singularly inadequate basis, since they appear to have lost most in the post-Restoration era not only in respect of their property but also in the degree of social adjustment they were obliged to make to save them from further problems. If difficulties beset both aristocracy and gentry the social group which appears to have initially benefitted most from the development of estates and the difficulties of the middle and lower gentry was the tenantry. Both in their relationship to their landlords and in the physical conditions under which they worked the position of the tenants considerably improved between 1660 and 1690. Although their tenurial status was only marginally ameliorated it is clear that after 1660 they became a force to be reckoned with and this had causes in addition to the social and physical changes going on around them. The principal one seems to have been a shortage of good tenants. Therefore there was both difficulty in getting land settled and keeping it occupied when other parcels of land were available. This shortage had other repercussions. Estates competed to attract the best tenants who, if they did not move, could virtually dictate their own terms. Consequently although prices and general productivity were rising, rents were

forced downwards to keep tenants or to attract them to land that was not of the best or to an estate that was not the most advanced. They therefore accumulated a surplus of cash and produce which was increased by a lower standard of living than that of the heritable proprietors who were attempting to maintain their social positions at higher costs with the same or lower rentals. This change in the position of the major landed groups had far-reaching social effects.

Change in the structure of landed society is also apparent in marriages with attached landed bargains. From them it is clear that the exclusiveness which for so long had been a characteristic of the landed sector was decomposing. The aristocracy, the most exclusive of groups, maintained that quality by marrying other shire nobility. However, they also married group members from outside the shire, a trait not common to any other constituent of Forfarshire landed society, and in some sense a dilution of their position. Marriage within the shire group, was most pronounced among the gentry and they reinforced it by marrying into gentry families who were either neighbours or geographically close. On occasions there was even some family intermarriage among the gentry. They also undermined their position, however, by making marriage contracts with tenants, although these were most commonly for their female offspring. Tenantry also tended to intermarry although it is in this group that the breakdown of the traditional landed

isolation is most noticeable, suffering deepest infiltration both from their landlords and from outside rural society. In this respect structural change to landed society was imported as well as evolving from shire group relationships and initially was most effective only at the lower social levels.

If some change in landed society is evident in marital arrangements, it is even more apparent in the evolution of financial relationships. It is one of the characteristics of the Forfarshire landed sector after 1660 that, as the period progressed towards 1690, it was less and less able to satisfy its own financial needs. This, however, is more evident in some sectors than others. The aristocracy and upper gentry, for example, attempted to remain isolated and solve their own financial problems while the remainder of the gentry were increasingly forced to borrow not only from their own group but also from tenants. However before such outside support was accepted it is clear that a system of borrowing priorities, implemented to maintain financial independence, had to be exhausted. Credit was first sought from within the family, next from within the social group and finally from landed society in general. To borrowing from outside the landed sector there was a peculiar divergence of view. Merchants and urban craftsmen were not invited or encouraged as creditors and tended to lend and borrow only within their own group. Clergymen, on the other hand, were

considerable creditors of the landed sector and virtually an independent financial source geared to backing it. Their position also highlights one other feature of financial relationships. They were, almost without exception, lenders, while other groups involved included both borrowers and lenders. Tenants were principally lenders and only occasionally borrowed money. The aristocracy were mainly borrowers although certainty on this issue is impossible since they tended to keep their financial business unofficial or use group relationships with nobility outside Forfarshire to satisfy their needs. The gentry was the only group which comprehensively included borrowing and lending within its bounds although as the 1660 to 1690 period progressed it was increasingly unable to find all the financial resources it required from within its own ranks. Their tenants largely filled that void although in some cases they were not treated as separate creditors but as members of landed society helping their landlords out of financial difficulty. Consequently they were not repaid in the normal manner but had their loans offset against rent repayments.

If evidence of marital and financial arrangements were used alone it would be easy to overstate the extent, if not the depth, of change in Forfarshire landed society between 1660 and 1690. The consideration of family and group relationships, however, demonstrates that what change there was did not undermine the landed sector and that it remained



as stable and as hierarchical as it traditionally had been. Family relationships were the strongest bonds in landed society and this was nowhere more true than among one of the lowest strata of that society, the tenantry. Their family relationships were concentrated on male successors, presumably because of their less than completely secure tenurial position while their relationships with other groups were very wide, being closely associated with the gentry and urban burgesses. The opposite was the case with the gentry who tried to confine their group relationships to their own class but whose family relationships were extensive. Although initially they allowed subventions from their estates to mainly male successors and male offspring, sisters, brothers and more remote relations were also favoured. Indeed towards 1690 the gentry group became inclined to favour, through increased allowances and dowries, female relations at the expense of male, presumably because of the drift of male offspring away from the land into the towns and professions. There is also some evidence that there was a scarcity of marriageable male gentry, and this prompted the endowment of females to make them attractive partners. Aristocratic relationships both family and group were the most independent in Forfarshire but such exclusiveness was also a feature of urban burgesses involved in landed transactions. They tended to favour not only the urban group but more specifically the craft to which they belonged. The other major group involved in landed business, the ministers, had virtually no

relationships within their families and the clergy, reserving them almost exclusively for the gentry. Many belonged by birth to the latter group but their single minded support for it irrespective of origin suggests a concern with their own financial position through help for their patrons, and a recognition that their sustenance came from the land through the teinds.

Landed transactions provide the evidence for all the above relationships. Their frequency also proves that the local landed economy was subject to fluctuations caused by political and constitutional instability as well as climatic and harvest conditions, and influenced, as well as being affected by, landed developments. The various landed groups also had their own significance in landed deals. The gentry was the major participant and their proportion of deals increased between 1660 and 1690. Formal dealings in the land market were second nature to them since they were then within the law and had a clear record of their transactions. The aristocracy, on the other hand, adopted a pragmatic view of legal bargains and used them only when their informal contacts or family and group connections failed to provide a solution to their difficulties. They increasingly found that the demands which registered deals placed on their legal advisers, and the unavoidable calls they placed on resources, were unacceptable, and tried to avoid them. Other groups in landed society were much less significant in their

involvement in the land market although towards 1690 tenants increased their participation. Ministers had a constant if minor role while merchants and lawyers were scarcely significant. On the other hand the urban connection which they represented, including craftsmen and doctors, was responsible for about 27 per cent of all landed transactions between the Restoration and the Revolution.

When participation in the land market was unstable and the frequency of transactions capricious, there were always those prepared to take advantage of such elements by speculating against the current trend. This was particularly the case when a property came on to the market because of the death or bankruptcy of its owner. Speculation, however, could also be an unlooked for consequence of money lending. Where a debt could not be repaid, land rights accrued and frequently a landed interest was built up in a particular area. Speculation could also result when a family was in economic difficulties and had to enter the market to solve a financial crisis. There were, therefore, varying degrees of speculation dependant on the environment of and participation in the land market, and the intensity of personal difficulties. However, in most cases it was a temporary expedient and when relief was obtained the relevant deals were discontinued. Exceptionally William Gray of Hayston demonstrated that sustained participation could be profitable but also that involvement could be ruinous if resources were inadequate and application to the task half-hearted. He

was involved in the land market for more than twenty years and although his participation was greater at some periods than others, through speculation and application he succeeded in taking over the property on which he had set his heart. He was one of the shire's major lenders and as a result amassed the landed rights which eventually allowed him to become laird of Carse. He overextended himself in the process, however, and had himself to resort to borrowing in order to save his family estate. He was, nevertheless, predominant in land market speculation for a considerable time and was ably assisted by two of his three sons. No one else in post-Restoration Forfarshire took speculative activity to such an advanced degree, Gray proving it was possible in the existing conditions.

Despite such manifold pressures for landed development, everything hinged in the long run upon the attitude of the superior. In consequence the development of Forfarshire estates largely followed the life pattern of such men. For example, the properties of the first Earl of Airlie and the second Earl of Kinghorn declined when they were aged and infirm. Apathy and absenteeism likewise almost led to the ruin of the Airlie estates when the second Earl succeeded. Continuous policy and uniformity of intention between superior and successor, as in the case of the Panmure estates, was necessary for the success of any property. Equally necessary was interest and a degree of centralised control, and only

after 1660 did concern with such matters become widespread among the Forfarshire aristocracy. It was also evident among the upper gentry though less predominant in that group as a whole. The superior, however, was not independently responsible for property development. Those he appointed to major offices in estate management also had a part to play, particularly factors. That position was one of immense significance and one which developed with the personal authority, honesty, expertise and relationships of the factor involved. Even more than the superior he was the embodiment of the estate he managed, for he had the majority of contacts among tenants and those who dealt with the estate. Indeed some factors were employed because of their contacts. More generally, however, they became factors because they were related to the superior and in that position could be trusted more than outsiders. The factor's principal duty was putting estate policy into operation but the way he did that and his contacts were all important to it for thereby the policy could become less or more successful. One more element was important in the implementation of policy. The longer factors held their positions the more they developed in independence. Some acted almost as estate owners. Such men as Thomas Ogilvy, the Airlie factor in Banffshire, John Maule, the Panmure factor in Forfarshire, and Alexander Innes of Blairtoun, the Panmure factor at Belhelvie, all developed their position to the extent that they could virtually act

without the previous approval of their superior. The factor himself, therefore, was often a force in policy making. This was reinforced by the fact that most factors survived a number of superiorships. In such circumstances they could implement a continuous policy and put even a new superior's ideas into effect without too much disruption. Such ideas in any case depended on factorial advice and reports, and, as well as shaping them by execution, a factor could also influence them by recommendation. For example, it seems quite clear that many factors used their accounts to demonstrate not only how well they and their charges were performing and to highlight successful ventures but also to show those areas of the estate which needed reorganisation. All this brings out another major element in estate development. If factors and superiors were individually significant to estate policy and development, the relationship between them was crucial. Ideally that relationship should have been complementary but this could be jeopardised if factorial motives were dominated by self interest and hopes for personal gain. Such attitudes proved to be disastrous on the Airlie Banffshire estates where the factor Robert Hamilton considered only his own position. Even worse situations arose, however, when factorial and superior disinterest conjoined. In such circumstances estates could scarcely be expected to survive. On the other hand the benefits of a good superior-factor relationship were clearly

visible on the Panmure properties. That was uncommon, however, and only too many factors can be accused of dishonesty of one form or another. However, since it was widespread and mostly minor it may have been considered a perquisite of the position and not an overwhelming problem, particularly on well organised estates which could bear it.

The development of Forfarshire estates was not totally dependant upon factorial policy. External pressures also played their part. Influences on pastoral agriculture came from England, while information on seed cultivation came both from there and the Continent, especially Holland. The two capitals London and Edinburgh also had their political and legal effects respectively. The latter, however, appears to have been the single most important influence on agrarian development in Forfarshire. Superiors attended parliament in Edinburgh and had legal representatives there. They were therefore aware of the work of the legislature and consequent national policy. More significantly, however, estate and family legal problems were solved in Edinburgh where contact was made with the superiors and representatives of other estates. If, in the long run, the dictates of parliament on landed matters were not all that influential, the same cannot be said of communication with other landowners and the work of Edinburgh lawyers. As well as their close legal interest in the rights of the superior's family, some

of them were estate creditors and, being so deeply involved, took an interest in the formulation of estate policy and its direction. Their work preceded and complemented that of the factor for without legal security little could be achieved.

As a result of such pressures and advice estate evolution was as varied as the influences which promoted it. Developments were of two types, the administrative, the more important of the two, and the practical. Administrative changes focussed on improved management and accounting, and the appointment of dependable major officers. The effect of such changes was most noticeable on the Airlie Banffshire estates in the mid 1660's. The factor since about 1657, Robert Hamilton, had been very remiss in the provision of accounts for the superior, and any he had given had been falsified. He was also engaged in business for himself at the expense of his superior. As a result production had fallen, and labour and quality problems had arisen. General estate work had also suffered and, in particular, both internal and external estate relationships had deteriorated. With the appointment of Thomas Ogilvy as factor in 1665 the change was dramatic. Accounting became accurate, relationships on the estates improved, production stabilised, merchants became more confident in their dealings with the estates and a sense of continuity pervaded estate management. Although concurrent administrative changes in other areas



of Airlie interest were not as effective as those in Banffshire, they were nevertheless pronounced. They were symptomatic of similar developments taking place on the Strathmore and Northesk properties and continuing on the Panmure estates where earlier developments had already borne considerable fruit. New administrative methods had also spread to gentry properties such as those of the Guthrie family, the estates of the Woods of Bonitoun and Sir David Ogilvy of Clova. Administrative reorganisation and rationalisation was no isolated phenomenon. It may have been more intense on aristocratic estates because they had greater facilities to initiate such reform but it was widespread throughout Forfarshire.

Administrative changes by factors were not, however, sufficient to promote economic efficiency. They had to be accompanied by the development of the physical resources of the landed estates. The most obvious of such changes initiated at this time was the repair and reconstruction of estate fabric to which various priorities seem to have been accorded. The comfort of the superior came first with the refurbishing of his dwelling house. Thereafter came the repair of buildings necessary for effective estate control such as churches and mills and then the repair of the houses of tenants. After such internal construction, the boundaries of property were rebuilt, many of them in a stronger and more permanent fashion than previously. Such enclosing

was not simply protection for policies and trees but was an indication of the consolidation and control which was taking place. Within those boundaries the development of arable farming was also proceeding. The new types of seeds which were purchased in Edinburgh and London were initially for garden crops and were only later field grown. Their use and also the planting of young trees from England and Holland pointed to an interest in new varieties of crops and trees which the land could produce. However, the quest for greater productivity was probably more significant in landed development than the introduction of new types of crops. The idea was fast fading that land could simply continue to be cropped and expected to produce the same or growing amounts each year. Its productivity had to be fostered by, among other methods, fertilisers. On the estates of Forfarshire landowners this consisted of the application of considerable amounts of manure and town waste to large areas of land. The pastoral sector was not neglected in this reconsideration of landed productivity. If anything, indeed, changes there took place earlier than in the arable sector. The benefits of interbreeding were not lost on Forfarshire landowners and as early as the late 1650's English cattle were grazing on aristocratically held land. By the 1680's the gentry were interbreeding them with their own cattle. By the end of the post-Restoration period landed development in Forfarshire had progressed over a very wide spectrum. No section of landed society remained

untouched by it and, most important of all, it was self-perpetuating.

Although such practical influences were in general relatively minor and the visible change in Forfarshire land between 1660 and 1690 small, it is clear that fundamental changes had occurred. These had begun slowly before the Restoration and accelerated thereafter continuing with even greater speed and more pronounced directions after 1690 because of the base which had been laid. That base was independently built in Forfarshire landed society by the needs of the heritors of that shire. It consisted of the introduction of new agricultural methods, which showed some signs of influences from outside Forfarshire, reinforced by a fresh approach to estate management demonstrating the commitment of superiors and the depth of change. However, the benefits of such change were restricted in the post-Restoration era to the aristocracy and tenantry in Forfarshire landed society, its top strata and lower echelons. Its middle groups were obliged to make most adjustments to changed circumstances and were encroached on by groups above and below them. They were stretched to the limit and in this process those not prepared, or not having the resources, to reform methods and organisation for the sake of efficiency forfeited their landed position. If agricultural change came to fruition in the eighteenth century, there can be little doubt that in Forfarshire it had its origins in the

fertility and stability of the land, as well as in the need for change and the commitment of landowners to it, during the post-Restoration era.

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b) Articles

## ABBREVIATIONS

Agric. Hist.	- Agricultural History
Agric. Hist. Rev.	- Agricultural History Review
Econ. Hist. Rev.	- Economic History Review
Eng. Hist. Rev.	- English History Review
P.S.A.S.	- Proceedings of the Society of Antiquaries of Scotland
R.S.C.H.S.	- Records of the Scottish Church History Society
Scot. Geog. Mag.	- Scottish Geographical Magazine
Scot. Hist. Rev.	- Scottish Historical Review
S.J.P.E.	- Scottish Journal of Political Economy
Trans. Inst. Brit. Geographers	- Transactions of the Institute of British Geographers
Trans. East Lothian Ant. and Field Nat. Socy.	- Transactions of the East Lothian Antiquarian and Field Naturalists Society
Trans. Roy. Highland Agric. Soc'y. of Scotland	- Transactions of the Royal Highland and Agricultural Society of Scotland

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