The Galloway Levellers - A Study of the Origins, Events and Consequences of their Actions

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Contents

Abstract

The purpose of this study is to cast fresh light on the uprising of the Galloway Levellers in 1724. To achieve this objective, the study takes as its starting point patterns of land use and land ownership in Galloway as they evolved through from the late sixteenth to the beginning of the eighteenth century. The important influence of the plantation of Ulster on the development of Galloway's cattle trade is discussed in this part of the study. Since the society of Galloway in 1724 was still deeply influenced by the religious and political conflicts of the later seventeenth century, this background is then considered. Local responses to the Jacobite rebellion of 1715 are discussed within this context since there was an anti-Jacobite element within the rhetoric and actions of the Galloway Levellers. From these foundations, and having established a chronology for the events of 1724, much of the confusion which previously surrounded the actions of the Galloway Levellers and responses to their actions can be clarified. It has been possible to identify and provide a history for most of the people and places involved, including some of the Levellers themselves. This evidence in turn has revealed that the actions of the Galloway Levellers did have an impact on the later eighteenth century development of Galloway through a more cautious approach to agricultural improvement and the creation of industrial settlements to provide employment for surplus labour. Finally, a previously unrecognised connection between late eighteenth century Galloway and the theory and practice of the industrial revolution is explored.

Plates and Maps

Introduction

The notion that the Galloway Levellers of 1724 were 'benighted cottiers and crofters'[1] (otherwise peasants[2]), typical of those who 'cultivated their scraps of land after the ancient and inefficient fashion of their ancestors and opposed every change with obstinacy peculiar to such creatures of habit'[3] has prevailed since at least 1811. In that year John Maxwell (1720-1815) gave William Herries an account of agriculture in the Stewartry of Kirkcudbright as it was in his youth. In the account, Maxwell describes how, after a large number of tenants in the Stewartry had been evicted to make way for cattle parks in 1723, they 'rose in a mob and with pitchforks, gavelocks [crowbars] and spades levelled the park-dykes'.[4] But, as will be shown, the Galloway Levellers' uprising was somewhat more than the spontaneous actions of a riotous mob described by Maxwell.

It is also likely that Maxwell's recollections of the Galloway Levellers were influenced by his later role as factor to an improving landowner between 1765 and 1785.[5]

> The estate of Cavens and Preston in Kirkcudbright was acquired by Sir Richard Oswald of Auchincruive in 1765...He was a man of immense wealth, with kinsfolk among the Glasgow tobacco aristocracy, who made his large fortune through his merchant house in London and especially as a result of his role as an arms contractor during the Seven Years War. Between his purchase of Cavens and the 1780s the property was subjected to a comprehensive programme of improvement under the supervision of Oswald's energetic factor, John Maxwell.[6]

Significantly, Tom Devine notes that when John Maxwell had the opportunity to replace eighteen cottar or crofter families paying rents worth £66 with three tenant farmers paying £90 to £100, Maxwell 'was not willing to countenance the mass clearance involved'. Instead, Maxwell decided to raise the rent to £80, divided amongst the existing possessors. It may have been, as Devine suggests, that Maxwell's gradualist approach to improvement was facilitated by Richard Oswald's great wealth. On the other hand, the Galloway Levellers actions clearly made a strong impression on Maxwell as a child. The spectre of armed Levellers ranging unchecked across the countryside which haunted his childhood may well have influenced his unwillingness 'to countenance mass

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1 Crockett S: *Raiderland ; All about Grey Galloway* (London, 1904) p.23

2 Johnston T, *The History of the Working Classes in Scotland* (Glasgow, 1920), Smout C: *A History of the Scottish People 1560-1830* (London, 1969), Leopold J: 'The Levellers Revolt in Galloway in 1724', *Journal of the Scottish Labour History Society* 14 (1980), Davidson N: *Discovering the Scottish Revolution 1692-1746* (London , 2003)

3 Engels F, *The Condition of the Working Class in England* (London, 1987) p.53

4 Statistical Account of Scotland Vol. VI *Dumfries, Kirkcudbright, Wigtown* (Edinburgh,1845) Buittle parish, p. 206-8

5 Devine T: *The Transformation of Rural Scotland Social Change and the Agrarian Economy 1660-1815* (Edinburgh, 1999) Ch. 5 and Hancock D: *Citizens of the World* (Cambridge, 1997 edition) Ch.9

6 Devine T: *The Transformation of Rural Scotland* p.79- 83

clearance'. Indeed, Cavens estate itself was threatened by the Levellers in 1724 when they included its previous owner, 'Murray of Cavens', in a list of depopulating lairds.[7]

David Hancock, in his study of Richard Oswald and his associates (who included William Herries of Spottes, the recipient of John Maxwell's letter of 1811), attributes the consensual approach to the management of Cavens to Oswald himself.

> If Oswald succeeded in his improvements, it was because he proceeded cautiously, experimenting with new techniques and treating his workers leniently by the standards of the time. Although it is not the image of the improver passed down by contemporary or subsequent commentators, a picture of Oswald as a landlord fiercely intent on establishing close, long-term relations with his workers and tenants emerges from his estate correspondence.[8]

Alternatively, as will be shown in Chapter Five, Oswald may have been simply following the consensual approach to improvement which was developed in Galloway in response to the uprising of the Galloway Levellers. That neither Hancock nor Devine considered this possibility is not a criticism. Rather it reflects the fact that Galloway's history has generally been presented in narrative form with very little application of critical analysis. This failing means that there is very little knowledge of, for example the Galloway Levellers, available to historians.

Thus the only critical study of the Levellers is John Leopold's from1980.[9] The only other detailed study is a narrative account written by A.S. Morton in 1936 and published in the *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society.*[10] Morton's account in turn is based on research carried out mainly between 1820 and 1830 by Kirkcudbright publisher and historian John Nicholson (1778-1866)[11] and contemporary material gathered by the Reverend Robert Wodrow.[12] To these sources can be added Prevost's invaluable transcriptions of a series of letters written during 1724 to Sir John Clerk of Pencuik by his brother (who was a Customs Officer in Kirkcudbright) and his brother-in-law (who was the earl of Galloway).[13] From these sources it is possible to construct a fairly accurate narrative account of the events of 1724. But to place the events of 1724 in their context, which is the aim of this study, a background understanding of seventeenth century Galloway is first required. Equally, the impact of the Levellers' actions on

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7 Morton A: 'The Levellers of Galloway' *Transactions DGNHAS* 3rd series, Vol. 19 (1935/6)
8 Hancock D: *Citizens of the World* p. 300
9 Leopold J: 'The Levellers Revolt in Galloway in 1724', *Journal of the Scottish Labour History Society* 14 (1980)
10 Morton A: 'The Levellers of Galloway'
11 Nicholson's notebook, Hornel Library, NTS Broughton House, Kirkcudbright
12 e.g. *Letter to the Right Honourable Augustus Du Cary, Commander of His Majesty's Troops, from the Poor distressed Tenants of Galloway*, (June 1724) National Library of Scotland, Wodrow MSS XL94 and Wodrow R: *Analecta: or, Materials for a History of Remarkable Providences; mostly relating to Scotch Ministers and Christians*
(Edinburgh, 1842) Vol.III p.152/3 , p.157-160, p. 170 and p 198/9
13 Prevost W : 'Letters Reporting the Rising of the Levellers in 1724', *Transactions DGNHAS*, 3rd Series, Vol.44 (1967)

Galloway's subsequent history is also necessary.

The background aspect of this study has been considered from two, related, perspectives: that of changes in land ownership and land use during the later seventeenth and eighteenth centuries; and the religious and political conflicts which occurred during the same period. A finding of particular interest which emerged from this background study is that Galloway's cattle trade had its origin in the 1609 Plantation of Ulster. By 1627, the Murrays of Broughton (Wigtownshire) had acquired 65 000 acres of poor quality 'plantation' land in Donegal. To enable their Irish tenants to pay their rents, the Scottish Privy Council granted permission to Sir John Murray (earl of Annandale) for cattle from Donegal to be landed at Portpatrick and driven through Galloway for export to England.[14] By 1667, when the English banned the import of Irish cattle, up to 10 000 Irish cattle per year were being driven through Galloway to England. Since the import of Scottish cattle was not banned, a trade in cattle from Galloway to England was then developed by Galloway landowners including Sir David Dunbar of Baldoon and Sir Robert Maxwell of Orchardton.

Significantly, Dunbar was an Episcopalian and Stuart loyalist who used the income from his cattle trading activities to extend his land holdings, acquiring land near Kirkcudbright previously owned by the McLellan lords of Kirkcudbright. The McLellans had bankrupted themselves through their support (raising a regiment) for the Covenanters in the 1640s.[15] In 1715, Dunbar's great grandson Sir Basil Hamilton joined the Jacobite forces led by William Gordon of Kenmure. In 1723, Hamilton built a cattle park near Kirkcudbright on land originally owned by the McLellans. The dykes around this park were levelled in May 1724.

The role of Wigtownshire landowners like Sir David Dunbar of Baldoon in the development of Galloway's seventeenth century cattle trade is familiar to historians[16] from the Reverend Andrew Symson's mention of Dunbar's cattle park in his *Large Description of Galloway.*[17] However, apart from the Herons of Kirroughtree,[18] the role played by landowners in the Stewartry of Kirkcudbright is not so well known. Evidence of seventeenth century cattle parks in the Stewartry can be found in the *Kirkcudbright Sheriff Court Deeds*.[19] These documents were discovered in the loft of Kirkcudbright Court House in 1934 by regional historian R.C. Reid. Transcriptions were made and published in 1939 (covering the period 1623-1674) and 1950 (for the period 1675-1700). The

14 R.C.P. 2nd Series, I, 591 – in Haldane A :*The Drove Roads of Scotland* (Edinburgh, 1997) p.163
15 McCulloch A : *Galloway: A Land Apart* (Edinburgh,2000) p.399
16 e.g. Whyte I :*Agriculture and Society in Seventeenth Century Scotland* (Edinburgh, 1979)
17 Symson A : *Large Description of Galloway* (Edinburgh, 1823) and as appendix to McKenzie W: *History of Galloway* (Kirkcudbright, 1844)
18 Woodward D : 'A Comparative Study of the Irish and Scottish Livestock Trades in the Seventeenth Century' in Cullen L and Smout C: *Comparative Aspects of Scottish and Irish Economic and Social History 1600-1900* (Edinburgh, 1976) p.156
19 To be referred to as *KSCD* henceforth.

overwhelming majority of the deeds are simply bonds recording loans but also included are over 300 tacks (farm rental agreements) and related documents. When cross-referenced with P.H. McKerlie's five volume *Lands and their Owners in Galloway* which was compiled between 1870 and 1878, a fairly comprehensive view of land use and land ownership in the Stewartry of Kirkcudbright can be gained; at least for the period 1660 to 1700.

A major difficulty encountered in the course of this research project is the lack of analytical studies of regional history. Oram's *The Lordship of Galloway*[20] which studies the tenth to the thirteenth centuries in great detail, is the one exception. For example, Oram describes the medieval farming society of Galloway as evolving out of a diverse cultural mix which

> produced a complex pattern, where systems of transhumance that supported a pastoral economy geared in some areas principally towards dairying were juxtaposed with zones of intensive arable cultivation. This was a pattern that survived down to the early nineteenth century, but has since been lost in the successive programmes of progressive enclosure of the Galloway landscape and commercial re-afforestation of the uplands.[21]

In broad outline, Oram's suggestion that this complex pattern of medieval farming practice survived in Galloway down to the early nineteenth century may be correct. Against this must be set the complex changes in land ownership which occurred from the fifteenth century onwards. The first phase of these changes saw the break-up of the medieval lordship of Galloway originally established by Fergus of Galloway in the twelfth century. The second phase saw the break-up of estates granted to the several abbeys established by Fergus and his descendants. By the seventeenth century, the result of these changes was the fragmentation of land ownership in Galloway into the many hundreds of small estates documented by McKerlie. By the end of the eighteenth century most of these small estates had been consolidated into the much larger estates typical of nineteenth century Galloway. These changes in land ownership are directly relevant to the events of 1724.

Up until 1716 the main threat to social cohesion in Galloway had been the destructive combination of religious and political struggles. The threat to social cohesion posed by unchecked economic development, which surfaced early in Galloway, gained increasing national importance through the eighteenth century. The tension between maintaining order in civil society and the unfettered growth of the political economy forms the basis for the final part of this study and connects Galloway to pioneers of the early industrial revolution in Manchester and an influential early nineteenth century theoretician of political economy. In Scotland, iron rather than cotton came to symbolise this revolution. A critical advance was made by Glasgow based James Beaumont

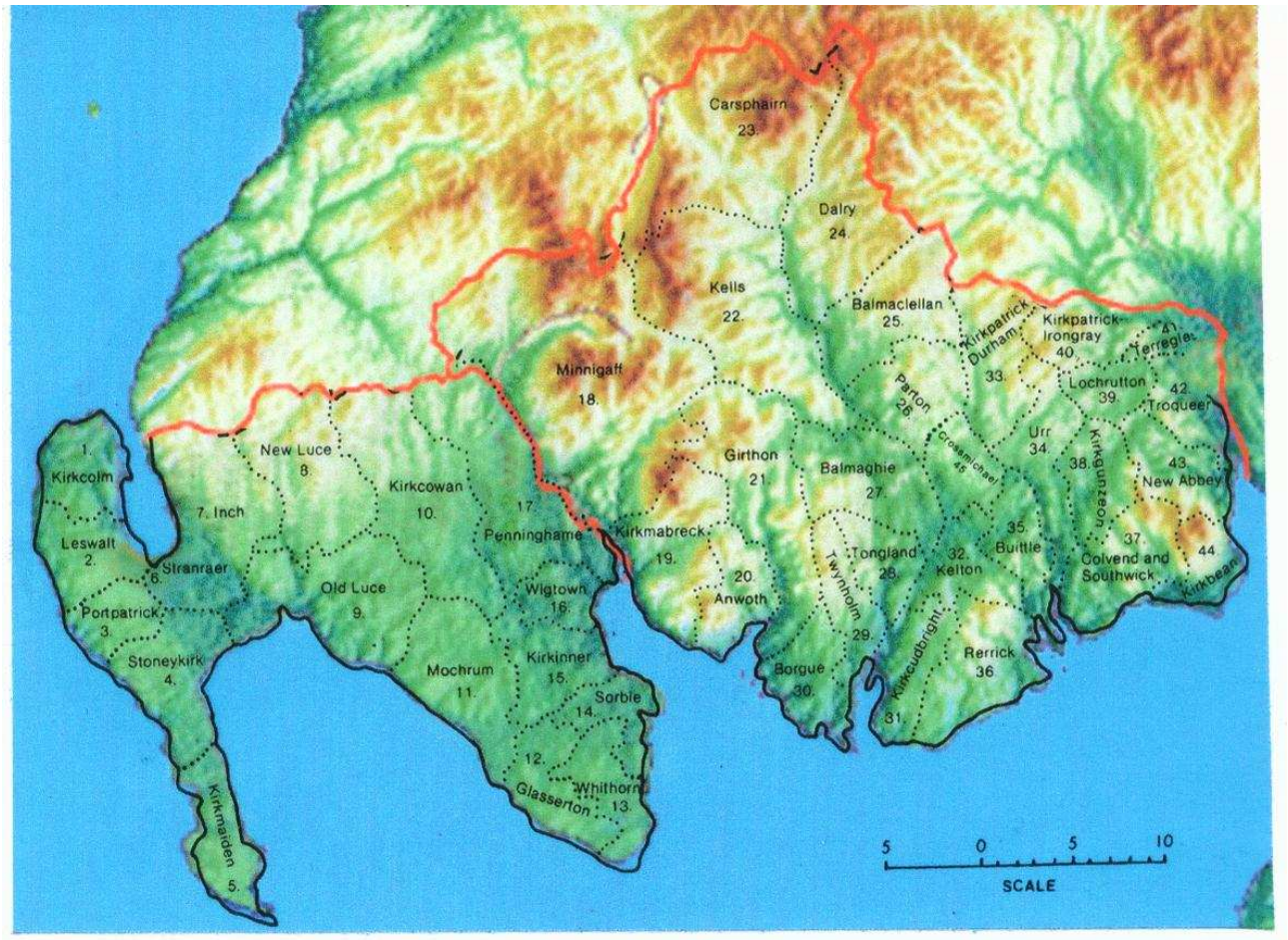
20 Oram R : *The Lordship of Galloway* (Edinburgh, 2000)
21 Oram R : *The Lordship of Galloway* p. 250

Neilson (1792 -1865), who patented the hot-blast technique of iron-smelting in 1828.[22] Neilson was not born in Galloway but subsequently bought Queenshill estate in Tongland parish where he died in 1858. The Neilson Monument ('Hot Blast') was erected above Queenshill in 1883. If Neilson's decision to buy Queenshill was influenced by family connections, the William and Thomas Neilson who were tenants or cottars in Barncrosh in 1708[23] may have been his forbears. Barncrosh is 1 mile from Queenshill. Since at least four gatherings of Levellers took place within the immediate vicinity of Barncrosh, J. B. Neilson's forbears may well have been Galloway Levellers in 1724.

Plate 1: 'Hot Blast' - the J. B. Neilson Monument, viewed from Kelton Hill.
Constructed to resemble a blast furnace, this monument to Scotland's industrial revolution overlooks Kelton Hill where the first stirrings of the Galloway Levellers' uprising began at a midsummer fair in 1723.

22 Whatley C : *Scottish Society 1707- 1830* (Manchester, 2000) p.234
23 Kirkcudbright Register of Sasines, 11 May 1708 Vol. 7 Folio 301. The Neilsons were witnesses to the sasine

Chapter One : Land use and land ownership



Map 1 : Parishes and topography of Galloway.

As the Map 1 shows, there is a distinct difference between west (Wigtownshire) and east (Stewartry of Kirkcudbright) Galloway. The Stewartry contains an extensive upland zone whilst Wigtownshire does not. This might suggest a land use division between a mainly arable Wigtownshire and a mainly pastoral Stewartry, however the situation is complicated by the problem of soil quality and drainage. The limitations imposed by these factors are shown on Map 2 which shows land use potential. These constraints influenced how the complex pattern of land use described by Oram evolved, with extensive areas of pastoral farming interwoven with patches of better draining land which were worked intensively to produce cereal crops and supported dairy farming. Population density reflected this pattern, since arable farming required more labour than pastoral farming. Since the mid-nineteenth century, dairy farming has predominated in the lowland arable zone, although many dairy farms still cultivate barley, oats and, occasionally, wheat. Potatoes

and oil-seed rape are also grown in Wigtownshire, but not in the Stewartry.

Map 2 : Potential land utilisation in Galloway.
Rough grazing is shown yellow, permanent pasture green and potential arable land is shown brown.

Comparing the maps also shows, that lowland parishes where labour intensive arable farming predominated were smaller than upland parishes where livestock farming predominated. Before its seventeenth century division in to Old (lowland) and New (upland) Luce, the largest parish in Wigtownshire was Glenluce. This was entirely owned by Glenluce Abbey until the Reformation and had an area of 107 square miles (278 square kilometres). In comparison the lowland parish of Wigtown has an area of 15 square miles (39 square kilometres). In the Stewartry, the largest parish is the upland parish of Minnigaff, with an area of 137 square miles (356 square kilometres) while the lowland parish of Kirkcudbright is 18 square miles (46 square kilometres). Until about 1650, when it was extended to include the medieval parishes of Dunrod and Galtway, Kirkcudbright parish was even smaller. Similarly, Gelston and Kirkcormack parishes were absorbed into Kelton and Kirkandrews and Senwick into Borgue parish, whilst Carsphairn parish was created out of portions of Kells and Dalry.

The origins of this pattern of land use and population distribution can be traced back at least 2000 years to the territorial divisions of the Iron Age.[1] Once established, the division of Galloway into blocks of territory by land use persisted through subsequent changes in land ownership and control. Brooke, for example, suggests that in the period of Northumbrian dominance (between the seventh

1 Wilson A : 'The Novantae and the Romanization of Galloway '*Transactions DGNHAS* 3rd Series Vol. 75 (2001)

and ninth centuries), direct Anglian control was exercised over lowland, arable estates whilst the pastoral uplands were retained (in exchange for tributes) by indigenous Brittonic rulers.[2] One possible and significant change may have occurred in the tenth century, after the break-down of Northumbrian rule. As discussed by Oram, the place name element *airigh*

> represents the adoption of a Gaelic Irish or Hebridean term by non-Gaelic settlers, and with it the adoption of the dairy-based pastoral economy of the Gaelic west. It has widespread distribution throughout Galloway, Mann and the English Lake District, where the common link has been identified as Norse and Norse Gaelic settlement after c.900 as part of the diaspora of colonists attendant on the expulsion of the Scandinavians from Dublin[3]

Along with the more ambiguous evidence of the place name elements *holm* and *dale*[4] the upland distribution of *airigh* place names [see Plate 2] suggests that Norse Gaelic settlement may have helped integrate the upland and lowland economies.

Plate 2 : Airie Hill and Grobdale, Stewartry of Kirkcudbright.
The patches of brighter green show areas where cereal crops were originally grown.

If the evidence provided by the list of lands forfeited by the 9th earl of Douglas in 1456[5] can be

2 Brooke D: 'Northumbrian Settlement in Galloway and Carrick' *Proceedings SAS* Vol. 121 (1991)
3 Oram R : *The Lordship of Galloway* p.247- 250
4 Which were incorporated into Scots as place name elements, personal comment, Professor G. Barrow
5 McCulloch A : *Galloway: A Land Apart* (Edinburgh, 2000) p.558-559

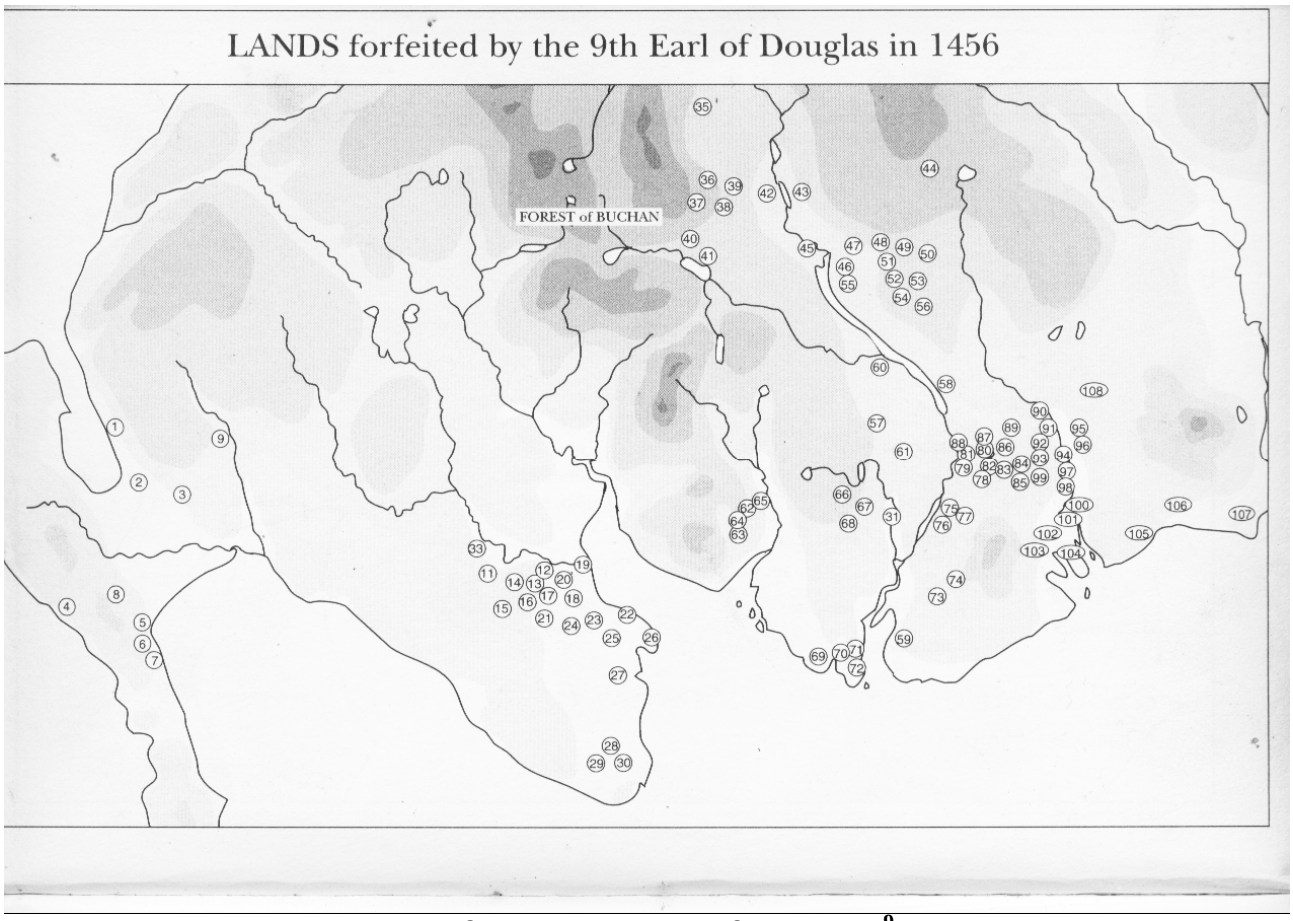
used to indicate the core of the lands which were part of the Lordship of Galloway, the outline of this integration is revealed. A significant cluster of these land holdings (27%) lay in the lowland arable zone of the Stewartry of Kirkcudbright, between the rivers Dee and Urr. An equally significant cluster (also 27%) lay in upland pastoral zone of the Stewartry, in the Glenkens district. The two areas are linked by the Dee/ Ken river system which is navigable for 15 miles (24 km) between Threave castle on the Dee and Kenmure castle at the north end of Loch Ken. Discussing the origin's (sometime between 1093 and 1112) of Fergus of Galloway's lordship or kingdom, Oram states that Burned Island on Loch Ken was the 'chief seat of the Lords of Galloway in the Glenkens', with 'an original core of power in the lower Dee valley, centred on Kirkcudbright'.[6] A core of landholdings stretching up the Dee/Ken river system would allow an integrated system of land use, with the arable surplus of the grange lands of Threave and Kelton supporting an expansion of pastoral farming in the uplands of the Glenkens. Although such upland farms would have cultivated any suitable patches of arable land, these would have been highly marginal and unreliable sources of the staple crops of oats and bere (barley).

So long as the Lordship of Galloway existed as a coherent territorial unit, embracing both upland and lowland zones, an integrated feudal economy could function across the region. But when this coherence was disrupted, as it was during the Bruce/ Balliol struggles of the fourteenth century, the internal economy broke down. In her study of the Glenkens, Brooke draws attention to a letter written to the Pope in 1428 by the archdeacon and rector of St. John's church, Dalry complaining that his church was in a state of advanced decay. Brooke doubts that this was due to 'the direct effects of war or epidemic seventy years before', but rather 'suggests a village which had become isolated by the shrinkage of others around it', implying economic depression. Brooke hypothesises that a group of Gaelic speakers (Clenconnon) were planted as a colony in the Balmaclellan area of the Glenkens to 'replenish a depleted population', and from whom the Maclellans and Cannons of Galloway are descended.[7]

Although the Lordship of Galloway was revived as a territorial unit by the earls of Douglas after 1369, this addition to the already extensive land holdings of the Douglas earldom led to rivalry with the Stewarts. In 1455, James II besieged Threave castle and in 1456 all of the Douglas lands in Galloway were forfeited to the Crown. These lands were then progressively sold off by the Crown over the next hundred years.[8] This process had several consequences. One consequence was the fragmentation of land ownership, a process which increased as Galloway's great monastic estates

6 Oram R : *The Lordship of Galloway* p.222 and 56
7 Brooke D: 'The Glenkens 1275- 1456' *Transactions DGNHAS* 3rd Series Vol.59 (1984) p.48-51
8 Murray A : 'The Crown Lands in Galloway 1456- 1543' *Transactions DGNHAS* 3rd Series Vol. 37

were broken up in the later sixteenth century.



Map 3 – lands held by the earls of Douglas as lords of Galloway.[9]

The largest single transfer of land ownership occurred in the case of Glenluce Abbey, when all of the lands (66 named farms) were transferred by feu charter to Gilbert Kennedy, earl of Cassilis in November 1560, re-confirmed in July 1572.[10] However the Kennedy family were unable to retain these lands, which broke up into 18 smaller, individually owned estates. One of these smaller estates, Balneil, was acquired by James Ross sometime before 1633. James' daughter Margaret married James Dalrymple (later 1st viscount of Stair) in 1644. James Ross died in 1655, and James Dalrymple had sasine of Balneil in April of that year.[11] James Dalrymple, his son John (1st earl of Stair) and their descendants built up extensive land holdings in Wigtownshire, but the 66 farms originally feued by Glenluce Abbey to Gilbert Kennedy were never re-assembled into a single estate. A similar pattern can be traced with other monastic estates and church lands in Galloway. Even where the lands of a whole church-owned parish initially passed into the ownership of one family - the Gordons of Kenmure in the case of the lands of Lincluden Collegiate Church in

9 Map from McCulloch A : *Galloway: A Land Apart*
10 Rusk J : *History of the Parish and Abbey of Glenluce* (Edinburgh and London, 1930) p.132-139
11 McKerlie P : *History of the Lands and their Owners in Galloway* (London, 1878) Vol. 1 p. 198 and 210

Crossmichael parish,[12] the Maxwells in the case of Dundrennan Abbey's lands in Rerrick parish[13] – progressive fragmentation of land ownership occurred. For Dundrennan Abbey's lands, Torrance gives details of 133 charters and tacks, the bulk of which (114) relate to the period 1510 to 1612.[14] One of the early charters, from October 1305, mentions 'Netherlathe'. As Netherlaw, this was the first cattle park to be levelled in 1724[15] and had been a cattle park (belonging to Sir Robert Maxwell of Orchardton) since 1688.[16]

Unlike the monastic estates, the Crown lands (those forfeited by the 9th earl of Douglas in 1456) in Galloway passed into private ownership as individual farms rather than as parish scale units. An example which has direct significance for this study is Baldoon in Kirkinner parish. Baldoon and the neighbouring Lybrack were amongst the five grange lands in the Machars district of Wigtownshire belonging to the Lordship of Galloway. In February 1533, Archibald Dunbar (brother of archbishop Gavin Dunbar) was granted a charter to Baldoon by James V. The Dunbars had been landowners in the neighbouring parish of Mochrum since 1368. In 1627, David Dunbar I inherited Baldoon where he lived until his death in December 1686. His son David Dunbar II had died in 1682 so his grand-daughter Mary Dunbar became heiress. Born in 1677, Mary was the daughter of David Dunbar II's second marriage.[17] Since Mary Dunbar was only nine on her grand-father's death, Baldoon reverted (was escheat) to the Crown and was 'donated' to William Douglas, duke of Hamilton. The duke appointed Thomas Alexander in Cumstoun (Kirkcudbright) as his factor for the Dunbar lands on 26 February 1687.[18]

Mary Dunbar's mother (lady Eleanor Mongomerie, daughter of the 7th earl of Eglinton) died in 1687 and so Mary became a ward of the duke and duchess of Hamilton and lived as a member of their household at Hamilton Palace. In 1691, Mary Dunbar married lord Basil Hamilton, the sixth son of the duke and duchess of Hamilton. Mary and lord Basil had four children, all of whom were born at Hamilton Palace. After the death of the duke in 1694, lord Basil helped the duchess manage the Hamilton estates until his death in 1701.[19] In addition to managing the Hamilton estates, in 1699 lord Basil became an active supporter of the Company of Scotland Trading to Africa and the

12 MacDowall W : *Chronicles of Lincluden, as an Abbey & as a College* (Edinburgh, 1886)
13 Christie A : *The Abbey of Dundrennan* (Dalbeattie, 1914) p. 79
14 Torrance R: *Dundrennan Abbey, A Source Book 1142 -1612* (Edinburgh, 1996)
15 Leopold J: 'The Levellers Revolt in Galloway in 1724'
16 *Kirkcudbright Sheriff Court Deeds 1675 -1700* (Edinburgh, 1950) Entry 1265
17 The first marriage was to Margaret Dalrymple, daughter of James Dalrymple of Stair. The events surrounding this marriage formed the basis for Walter Scott's novel, *The Bride of Lammermuir* -|*Watt J: Dumfries and Galloway a literary guide* (Dumfries, 2000) p. 358
18 *KSCD 1675 -1700* Entries 1141 and 1273
19 Marshall R: *The Days of Duchess Anne, Life in the Household of the Duchess of Hamilton 1656-1716* (East Linton, 2000)

Indies – the ill-fated Darien scheme.[20]

By 1715, Mary and her son Basil had moved back to Galloway, but not to Baldoon. They lived at St. Mary's Isle near Kirkcudbright. Basil Hamilton was only 18 in 1715 when he joined the Dumfries and Galloway Jacobites, acting as lieutenant to William Gordon, viscount Kenmure. After his capture at Preston, Basil Hamilton's family, including duchess Anne of Hamilton, petitioned for clemency, securing his release from the Tower of London. Although technically forfeit, Basil Hamilton's lands (including Baldoon) were retained by his mother who argued that she, rather than her son, owned the Dunbar lands.[21] As a result, in 1725, when Basil Hamilton pursued a group of Galloway Levellers for damages to his cattle parks, he had to do so on behalf of his mother. During the second half of the eighteenth century, Basil Hamilton's son and grandson (both earls of Selkirk) increased and improved the family's lands in Galloway. Baldoon itself was sold for £125 000 to the earl of Galloway in 1793, 260 years after it had first been acquired by Archibald Dunbar.[22]

In May 1702, a charter listing the Dunbar lands which would have been inherited by William Hamilton (died 1703) was drawn up.[23] This listed 95 farms or lands of which 21 were in Wigtownshire and the remainder in the Stewartry of Kirkcudbright.

Kirkinner 16
Sorbie 3
Wigtown 2
Balmaclellan 2
Borgue 8
Kells 1
Kelton 5
Kirkcudbright 27
Kirkmabreck 2
Kirkpatrick Irongray 10
Rerrick 5
Twynholm 14

Of these lands, only two were upland farms, Corriedow and Garcrogo in Balmaclellan parish. Polmaddy in Kells parish was a small settlement based around an inn and mill on an old pack road

20 Watt D : *The Price of Scotland ,Darien, Union and the Wealth of Nations* (Edinburgh, 2007)
21 Sankey M : *Jacobite Prisoners of the 1715 Rebellion : Preventing and Punishing Insurrection in Early Hanoverian Britain* (Aldershot, 2005) p. 92/3 and 143/4
22 McKenzie W: *History of Galloway* (Kirkcudbright, 1844) Vol 2., p. 483
23 *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2008), date accessed: 22 December 2008

between the Glenkens and Ayrshire.[24] However, McKerlie does not give any connection to the Dunbar/ Hamilton family for Corriedow and Garcrogo (likewise Polmaddy). Corriedow had belonged to Robert McLellan of Barscobe, but was forfeit after his participation in the Dalry (Pentland) Uprising of 1666. By 1684 it had been acquired by Robert Gordon of Troquhane from McLellan's widow.[25] In 1697 Esther McCormack of Barlay owned both Garcrogo and Polmaddy, which had passed to Robert Gordon of Troquhane by 1704. In 1693 Alexander Gordon, viscount Kenmure, owed Robert Gordon 'several sums of money'. After Alexander Gordon's death in 1698 (when his son had to borrow 1000 merks towards the funeral costs[26]), Robert Gordon was infeft in the lands and barony of Balmaclellan previously belonging to Alexander Gordon.[27] It therefore seems that Robert Gordon of Troquhane rather than the Dunbar/Hamilton family owned these upland farms in 1702.

If so, then the Dunbar/ Hamilton family owned no upland farms. Their original lands in Wigtownshire and those later acquired in the Stewartry of Kirkcudbright were all in Galloway's lowland, arable zone. Thus, although the family were amongst the largest landowners in Galloway, they did not re-create the integration of upland and lowland land use which had been a feature of the medieval lordship of Galloway's land holdings. Instead, the upland and lowland farming zones became linked through a market economy. In his *Large Description of Galloway,* which was probably written for Sir Robert Sibbald[28] in 1682, Symson states that the small town of Minnigaff

> hath a very considerable market every Saturday, frequented by the moormen of Carrick, Monnygaffe, and other moor places, who buy there great quantities of meal and malt, brought thither out of the parishes of Whitherne, Glaston, Sorbie, Mochrum, Kirkinner &c [29]

In his description of Wigtown burgh, Symson says that four annual markets are held there; two where woollen cloth is sold to merchants from Edinburgh, Glasgow, Ayr and 'other places', a horse fair which attracts 'Borderers from Annadale and thereabouts' and a cattle market 'frequented by butchers from Dumfries and thereabouts'.[30] Unfortunately, although Symson does note the existence of other markets and fairs, he does not give details of the goods traded. Nor is it clear how long

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24 Yates M: 'The Excavations at Polmaddy, New Galloway' *Transactions DGNHAS* 3rd series Vol.53 (1977-8) p.134
25 *KSCD 1675-1700* entry 1177
26 *KSCD 1675-1700* entry 3265
27 *KSCD 1675-1700* entry 3069
28 Sir Robert Sibbald 1641-1722 was appointed Geographer Royal to King Charles II (and Physician in Ordinary to His Majesty) in 1682. Sibbald's commission in 1682 was to produce not only a natural history of Scotland, but also a geographical description that would combine historical data with the results of contemporary survey. http://www.nls.uk/pont/bio/sibbald.html accessed 11 June 2009
29 In McKenzie W: *History of Galloway* Vol 2., Appendix, p. 40
30 In McKenzie W: *History of Galloway* Vol 2., Appendix, p. 54/5

these markets had been in operation. Some, like the St Lawrence Fair held in Kirkandrew's church yard in Borgue on 9 August, must have been pre-Reformation, but the weekly markets in Minnigaff are likely to have developed after Galloway's medieval or feudal economy was disrupted by the forfeiture of the lordship of Galloway's landholdings in 1456.

The suggestion is that the integration of upland and lowland land use through regional scale land ownership (probably first established by Fergus of Galloway in the early twelfth century) broke down in the later fifteenth century. The fragmented pattern of land ownership which then emerged had to re-integrate upland and lowland zones through the development of a market economy.

To illustrate: sometime before 1358, when it is first mentioned in a charter by David II, an ill-defined area of hunting forest existed between the rivers Cree and Ken.[31] This mountainous upland area of over 100 square miles (259 square kilometres) included the Forest of Buchan, centred on Glentrool. In 1456 the Forest of Buchan was amongst the lands forfeited to the Crown by the 9th earl of Douglas [see map 3 above]. By 1580, the lands were owned by the Kennedys of Cassillis, passing to John Gordon of Lochinvar in 1628 before reverting to the Kennedys in 1668.[32] In 1684, the Forest of Buchan contained eleven farms occupied by 46 people over the age of 12.[33] Although these upland farms would have had patches of cultivated land, they would not have been self-sufficient in the staple crops of oats and bere.

Before 1456, supplying these farms with extra 'meal and malt' would have been a straightforward management process. Some of the surplus of grain produced by the lowland grange lands would have been deployed to maintain production of cattle, sheep and horses from the upland farms. After 1456, when this 'vertically integrated' system of land use management began to break-down as land ownership became fragmented, another form of integration developed. In this system, there was still an exchange of production between lowland and upland zones. Grain from the lowland zone was still exchanged for cattle, horses and wool from the upland zone, but as Symson shows, these exchanges were now part of a market economy. This market economy operated at a local level through weekly markets like Minnigaff's, and at a regional and national level, as with Wigtown's annual fairs.

From the perspective of land use, the pattern was still (as Oram suggested) 'medieval'. The arable surplus of the Wigtownshire Machars' grange lands still supported farms in the pastoral uplands of the Forest of Buchan, which in turn still sent their cattle, horses and wool down to Wigtown. But, to

31 Brooke D: 'The Glenkens 1275- 1456' *Transactions DGNHAS* 3rd Series Vol.59 (1984) p.46
32 McKerlie P : *History of the Lands and their Owners in Galloway* (London, 1878) Vol.4, p. 471
33 Scot W : *The Parish Lists of Wigtownshire and Minnigaff, 1684* (Edinburgh, 1916)

use the phrase Friedrich Engels and Karl Marx took from Thomas Carlyle,[34] it is clear from Symson's report that the relationship between upland and lowland farmers was already mediated by a post-medieval 'cash nexus'. Indeed, as documented by McKerlie's *History of the Lands and their Owners in Galloway* and in the *KSCD*, by the seventeenth century the land and its produce had become commodified in Galloway. Farms and their crops were bought, sold, leased and mortgaged (wadset) in bewildering confusion.

If an analysis of the bonds, dispositions and assignments which make up approximately 90% (over 5000) of the entries in the *KSCD* was carried out, a comprehensive understanding of the Stewartry's internal economy would be possible. Such an analysis is beyond the scope of this present study, so the following is a generalisation. The impression created by the sheer volume of bonds, dispositions and assignments recorded in the *KSCD* is that very little actual cash was in circulation. Instead of cash, promissory notes were exchanged between individuals. These could be passed on to third parties or even inherited. The ultimate foundation of this cashless economy was agricultural produce and land. Where the continuation of debt through further bonds was refused, payment would be made through the 'assignation' of crops, livestock and rent from a farm or through the mortgaging (wadsetting) of a farm. The fragmentation of land ownership, where analysis of the *KSCD* indicate that were 772 owner-occupier farmers in the Stewartry between 1660 and 1700, must have been a factor in the development of this economic system. If land ownership had been concentrated in a few large estates, this complex system of interlocking (mainly small scale) debts could not have arisen since tenant-farmers could not accumulate debts on the security of their own crops and livestock or their farms.

Some of the debts recorded are very small. On 10 August 1697, Anna Campbell 'late servatrix to John Johnstoun, merchant in Drumfries' assigned the £5 4 shillings Scots owing to her by James Morrison, a tenant farmer, as 'harvest fee for the last harvest and the price of ane heuk (sickle)' to John Johnstoun, the sum of £5 4 shillings Scots being equivalent to her debt to him.[35] Larger debts could lead to changes in farm ownership. In November 1683, James Cannan of Killochie farm borrowed £24 sterling (£288 Scots) from John Irving who was a merchant in Dumfries. As security, James Cannan used his farm of Armannoch in Lochrutton parish. John Irving then assigned the debt to John Houstoune and his son who were tenants in Beltanehill farm. In January 1688 the Houstounes paid James Cannan 1000 merks (£333 Scots) to cover his debt to John Irving. In return, James Cannan promised to repay the Houstounes by Martinmas 1688. As security Cannan promised 'to infeft them, heritably under reversion, in the 20 shilling lands of Armannoch... redeemable on

34 Mazlish B : *A New Science, the Breakdown of Connections and the Birth of Sociology* (New York, 1989) p.30
35 *KSCD 1675 -1700* entry 2824.

payment of the forsaid sum... promising to remove himself, wife, children, servants goods and gear from the said lands'.[36] As this example shows, it was therefore possible for efficient tenant farmers to become owner-occupiers. In other cases, owner-occupiers could extend their land holdings at the expense of debt-ridden neighbours.

In the case of the Herons of Kirroughtrie (Minnigaff parish) it was their involvement in Galloway's cattle trade which enabled them to extend their land holdings in the parish. The Irish (Ulster) origins of this cattle trade will be discussed below, since the Wigtownshire cattle parks described by Symson are likely to have been associated with it. Of these cattle parks, 'the Parke of Baldone is the cheife, yea I may say, the first, and as it were the mother of all the rest'.

> Sir David Dunbar of Baldoon hath a park, about two miles and an halfe in length and a mile and an halfe in breadth; the greatest part whereof is rich and deep valley ground, and yeelds excellent grass ...This park can keep in it, winter and summer, about a thousand bestial, part whereof he buys from the country, and grazeth there all winter, the other part whereof is his own breed; for he hath neer two hundred milch kine, which for the most have calves yearly. He buys also in the summer time from the countrey many bestiall, oxen for the most part which he keeps till August or September; so that yearly he either sells at home to drovers, or sends to Saint Faiths, Satch, or other fairs in England about eighteen or twentie score of bestiall. Those of his owne breed, are very large, yea, so large, that in August or September 1682 nine and fifty of that sort , which would have yielded betwixt five and six pound sterling the peece were seized upon in England for Irish cattell; and because the person to whom they were entrusted had not witnesses that were there ready at the precise hour, to swear that they were seen calved in Scotland ... they were, by the sentence of Sir J.L., and some others who knew well enough that they were bred in Scotland, knockt on the head and kill'd; which was, to say no more, very hard measure, and an act unworthy of persons of that quality and station who ordered it to be done.[37]

In March 1682, Sir David Dunbar's son David died. Possibly as a result of his son's death and now being in his seventies, Dunbar leased out the parks of Baldoon to Hugh Blair[38] of Rusco (died 1706) and Patrick Heron of Kirroughtrie (1642-1721). This partnership did not last and the resulting 'differences' between Blair and Heron were not settled until 1691.[39] The nature and origin of these 'differences' are unknown, but following the death of Sir David Dunbar in 1686, both became cattle breeders and traders in their own right and both had sons who were directly affected by the Galloway Levellers uprising.

To begin with, Hugh Blair had an advantage over Patrick Heron. In1680 Blair married Elizabeth

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36 *KSCD 1675-1700* entry 1746

37 In McKenzie W: *History of Galloway* Vol 2., Appendix, p. 61-2

38 Hugh Blair is also recorded as Hugh Blair McGuffog or Hugh McGuffog following his marriage to Elizabeth McGuffog, heiress of Rusko in 1680 – see McKerlie *History of the Lands and their Owners in Galloway* Vol. 3 p.93

39 *KSCD 1675 -1700* entry 1940

McGuffog of Rusko and so acquired eleven upland farms in Anwoth and Girthon parishes [including Grobdale – see Plate 2 above] and eight lowland farms in neighbouring Borgue parish.[40] Two of the farms in Borgue (Dunrod and Nether Senwick) had been grange lands, forfeited in 1456. One of the upland farms in Girthon (Pulcree) had also been forfeited in 1456. Hugh Blair would therefore have been able to graze cattle on the upland farms in the summer and then keep them over winter on his lowland farms. That there were cattle parks on two of the Borgue farms (Laigh Borgue and Dunrod) is confirmed by entries in the *KSCD* concerning the 'herding' of the parks and the upkeep of the park dykes.[41] After the death of his first wife, Hugh Blair married Margaret Dunbar, second daughter of Sir David Dunbar (elder) of Baldoon in 1688. Their son Hugh Blair inherited in 1704. In 1724 the cattle park at Laigh Borgue built for his father was levelled. The Blair family retained ownership of their farms in Borgue until the end of the eighteenth century, by which time their lands in Anwoth and Girthon parishes had been sold to James Murray of Cally. Thus, although involvement in the cattle trade may have contributed to the wealth of Hugh Blair, neither he nor his successors added any lands to those he had gained through marriage in 1680 to Elizabeth McGuffog of Rusko.

So when Sir David Dunbar set the parks of Baldoon in tack to Hugh Blair and Patrick Heron I, Hugh Blair already owned nineteen farms. In contrast, Patrick Heron I did not own any land. His father, Andrew Heron, had a third share of Kirroughtrie and owned the small hill farm of Dallashcairne. Andrew Heron's other lands were nine hill farms held through wadsets. Patrick also had an elder brother, John, and so could not expect to inherit his father's lands. However, according to McKerlie,[42] upon whom this account is based, when Andrew Heron died in February 1695, John Heron 'being of a tender constitution, he did not assume charge over any of the property...In fact the management was left by their father to Patrick, who at that time was greatly employed in managing the parks at Baldoon'. This might suggest that Patrick Heron I was still managing the parks of Baldoon in 1695, but conflicts with the 1691 'settlement of differences' between Patrick and Hugh Blair[43] and with Woodward's finding that Patrick Heron I 'sent 1000 or more cattle to England via Dumfries in each of the years 1689-91'.[44]

Assuming that Patrick Heron I's partnership with Hugh Blair ended soon after the death of Sir David Dunbar of Baldoon in 1686, where did Patrick Heron I find the 3000 cattle sent to England

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40 *KSCD 1623 -1674* (Edinburgh, 1939) entry 1396
41 *KSCD 1675 -1700* (entries 3183 and 3184
42 McKerlie P : *History of the Lands and their Owners in Galloway* Vol.4 p.419 - 432
43 *KSCD 1675 -1700* entry 1940
44 Woodward D : 'A Comparative Study of the Irish and Scottish Livestock Trades in the Seventeenth Century' in Cullen L and Smout C: *Comparative Aspects of Scottish and Irish Economic and Social History 1600-1900* (Edinburgh, 1976) p. 156

between 1689 and 1691? Quoting a Heron family history, McKerlie states that by the time of Andrew Heron's death, Patrick Heron I 'had stock upon Glenshalloch, Garlarg, Lomashan, Draighmorn, Poldenbuy, Tonderghie, Craigdews, Kirouchtrie, the Lessons, Torwhinock, and Torrshinerack'. Apart from Kirroughtrie and the Lessons, these were all upland farms, originally part of the Forest of Buchan[45] and covered an area of approximately 40 square miles (100 square kilometres) – three times larger than Hugh Blair's upland farms. Significantly, the account quoted by McKerlie continues

> Soon after his settlement there [Kirroughtrie] he had a law plea with John M'Kie of Palgown, who wished to have all the Larg estate, as transacted with the heirs of the line. At last they came to an arrangement to divide the land, by which Palgown got the title and residence. Patrick Heron afterwards divided the green of Machermore, with his cousin of Machermore; got his right to the third of Kirrouchtrie, and moss of Carsnaw secured by charter, etc.; as also the other third of Kirrouchtrie, that (Patrick) Murdoch of Cumloden claimed, with Craigdews, which he secured to himself and his posterity, by paying the said laird of Cumloden a sum of money to ratify his right.[46]

The *KSCD* date Patrick Heron's acquisition of the lands of Larg to February 1695, but the daughters of the deceased Patrick McKie of Larg were already worried that they might be 'put from possession' in November 1690.[47] Patrick's connection with Machermore, which is on arable merse land next to the river Cree below Minnigaff, came through his mother Jean, daughter of John Dunbar of Machermore. As McKerlie puts it 'Patrick Heron had made a great deal of money in the cattle trade and was thus enabled to buy up all claims'.

Thus by re-investing the 'English gold' he gained through the cattle trade by extending his land holdings in both upland and lowland zones of Minnigaff parish, Patrick Heron I (1642-1721) was able to create an integrated system of land management geared up to cattle production. His efforts were continued by his son Patrick II (1672- 1761), grandson Patrick III (1701-1761) and great-grandson, the Patrick Heron IV (1736-1803) of Robert Burns' *Election Ballads*. This last Patrick Heron unfortunately attempted to diversify into banking, co-founding the Ayr, or Heron, Douglas and Company, Bank in 1769. Its collapse in 1772 was a financial disaster for south west Scotland.[48]

Regardless of the individual success of Patrick Heron I, in his comparative study of the seventeenth century Scottish and Irish livestock trade, Donald Woodward found that 'Scottish livestock exports did not expand significantly during the second half of the seventeenth century'. This was despite the English parliament banning the import of Irish cattle from January 1667 and a

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45 e.g. Lamachan (Lomashan) Hill which is 2330 feet high and over looks Glentrool.
46 McKerlie P : *History of the Lands and their Owners in Galloway* (London, 1878) Vol.4 p.425
47 *KSCD 1675-1700* entries 2214 and 2623
48 Checkland S: *Scottish Banking, a History 1695-1973* (Glasgow, 1975) p. 124-131

Scottish ban in March 1667. The English ban was lifted between 1679 and 1681, allowing 24 116 Irish cattle into England in 1680.

> The brief interlude of 1679-81 during which Irish stock once again found a ready sale in England gives us an illuminating insight into the development of the two economies. It has often been suggested that the Irish reacted to the 1667 ban by developing the provisioning trade. However...the Irish performance of 1679-81 also suggests that English demand for meat was not totally satisfied by home production together with additional supplies from Wales and Scotland. Thus it seems that Scottish producers failed to take advantage of favourable market conditions created by the 1667 ban on Irish stock. [49]

Both Woodward and Iain Whyte provide figures for the cross-border cattle trade between 1680 and 1691. However, Whyte uses the 'Customs Year' 1 November to 31 October but Woodward uses the calendar year. If this fact is taken into account, the apparent discrepancies between the figures given by Whyte and Woodward can be accounted for.

For cattle exports from the Dumfries Customs Precinct (Scottish totals / Dumfries % in brackets) Whyte[50] gives :

1680/1 - 1 273 (4 346 / 29 %)
1681/2 - 9 053 (16 336 / 55 %)
1682/3 - 10 500 (27 863 / 38 %)
1683/4 - 4 865 (12 564 / 39 %)
1684/5 - 9 090 (21 065 / 43%)
1685/6 - No data (24 082 / 0%)
1686/7 - No data
1687/8 - No data
1688/9 - 7 258 (16 226 / 45%)
1689/90 - 4 569 (10 3910 / 44%)
1690/1 - 801 (5 745 / 14%)

So for Whyte, using the Customs Year figures, between 1680/1 and 1690/1, Galloway (via Dumfries) provided 34% of Scotland cattle exports to England. In comparison, using the calendar year, Woodward[51] gives

1681 - 6 204 (10 042 / 62%)
1682 - 8 747 (16 491/ 53%)

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49 Woodward D : 'A Comparative Study of the Irish and Scottish Livestock Trades in the Seventeenth Century' p.154
50 Whyte I :*Agriculture and Society in Seventeenth Century Scotland* (Edinburgh,1979) p.293, table 18
51 Woodward D : 'A Comparative Study of the Irish and Scottish Livestock Trades in the Seventeenth Century' p.158, appendix A

1683 - 10 763 (27 294 / 39 %)
1684 - 4 863 (14 015 / 35 %)
1685 - 9 148 (20 564 / 46 %)
1686 - No data
1687 - No data
1688 - No data
1689 - 7 709 (16 278 / 47 %)
1690 - 5 436 (12 367 / 43 %)
1691 - 7 846 (11 591 / 68 %)

So from Woodward, between 1681 and 1691 Galloway (via Dumfries) provided 49% of Scottish cattle exports to England.

Averaging the figures to resolve the dating confusion gives 42% of Scotland's cattle exports to England as originating in Galloway (via Dumfries) between 1681 and 1691. Whyte, but not Woodward, provides a figure for the number of Irish cattle passing through the south west en route for England immediately prior to the 1667 ban. In 1665/6 under the Alisonbank Customs Precinct heading, Whyte gives 7292 Irish cattle and 1045 Scots cattle.

Assuming that the cattle recorded at Dumfries Customs Precinct were from Galloway (since cattle from east of Dumfries would have been driven direct to Alisonbank[52]), then annual exports of Galloway cattle peaked at 10 500 (Woodward) or 10 763 (Whyte) in 1683/4. But, as Woodward points out, since 24 116 Irish cattle were exported to England in 1680 following the temporary lifting of the 1667 ban, 'it seems that Scottish producers failed to take advantage of favourable market conditions created by the 1667 ban on Irish stock'.

To take up Woodward's point, from the perspective of Galloway's seventeenth century cattle trade, why did it not expand rapidly to 20 000 cattle per year after 1667? Did Galloway lack the physical 'carrying capacity' to produce 20 000 cattle per year for export? This seems unlikely.

The Old Statistical Accounts for Wigtownshire and the Stewartry of Kirkcudbright were written at a time (circa 1790) when the process of agricultural improvement was still under way. When the numbers of cattle in each parish (where given) collated, the total for Galloway is 39 759 (29 745 Stewartry, 10 014 Wigtownshire). This gives an average of 1693 cattle per parish in the Stewartry and 1342 cattle per parish for Wigtownshire, giving approximately 72 000 for total cattle numbers in Galloway circa 1790.

This suggests that had post-1667 land use in Galloway been reorganised to maximise cattle

52 Prevost W: 'The Drove Road into Annandale' *Transactions DGNHAS* 3rd Series Vol. 31 (1954)

production for export to England, Galloway could have supplied the English market with 20 000 cattle per year, twice as many as actually produced. This could have been achieved if more land owners had followed Patrick Heron I's example and built up estates containing both upland and lowland farms thus vertically integrating cattle production. This would not have required any improvement in agricultural knowledge, but would have required the large scale conversion of arable land to pasture. It was this last process and the resulting eviction of families from arable farms which was to trigger the Galloway Levellers' uprising in 1724. Amongst the land owners criticised by the Galloway Levellers were Patrick Heron II and III, who were accused of depopulating Minnigaff parish.[53]

If land capacity constraints were not a limiting factor on expanding cattle production in Galloway post-1667, what other factors may have been involved? One factor not considered by Woodward was that opposition to the imposition of Episcopalianism following the restoration of Charles II in 1660 was particularly strong in south west Scotland, and especially strong in Galloway. Another significant factor was the close relationship between Galloway and Ulster following the Plantation of Ulster in 1609.

The Ulster connection is important since there is evidence that within twenty years of the Plantation of Ulster cattle from Donegal were being exported to England via Galloway. 'As early as 1627 the earl of Annandale had obtained from the privy council permission to land at Portpatrick and take to England cattle belong to his tenants, to enable them to pay their rents'.[54] This earl of Annandale was John Murray, a relative of the Murrays of Broughton in Wigtownshire. It was George Murray of Broughton who had originally been granted the lands in Donegal as part of the Plantation of Ulster, along with six other Undertakers.[55] With the exception of Sir Robert McLellan of Bombie (later lord Kirkcudbright), these Undertakers all came from the Machars district of Wigtownshire: George Murray of Broughton in Whithorn parish

James McCulloch of Dummorell in Whithorn parish

William Stewart of Mains in Sorbie parish

Alexander Dunbar of Eggerness in Sorbie parish

Alexander Cunningham of Powton in Sorbie parish

Patrick Vaus of Lybrack in Kirkinner parish

Sir Robert McLellan of Bombie (later lord Kirkcudbright)

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53 *Letter to the Right Honourable Augustus Du Cary, Commander of His Majesty's Troops, from the Poor distressed Tenants of Galloway*, (June 1724) National Library of Scotland, Wodrow MSS XL94

54 Haldane A :*The Drove Roads of Scotland* (Edinburgh, 1997) p.163, source Register of the Privy Council 3rd series Vol. III p 147

55 Hill, G : *Names in the Land Grants in Northern Ireland* (Belfast, 1877) p. 296 and Perceval-Maxwell, M: *The Scottish Migration to Ulster in the Reign of James I* (London, 1973)

As well as the above, in 1615 John Dunbar of Mochrum parish had a grant of 1000 acres in County Fermanagh and the Adair family of Wigtownshire founded the town of Ballymena, County Antrim in 1626.[56] By the later seventeenth century Irish (Ulster Scots) landowners had property in Galloway. In 1670 Major Hugh Montgomery of County Londonderry appointed his brother George as factor for his property in Kirkcudbright burgh and the farm of Overlaw in Rerrick parish. In 1685, Montgomery made arrangements concerning his Galloway lands.[57] This Galloway link is probably connected to the McLellan/ Montgomery marriage noted below.

John Murray's son James, 2nd earl of Annandale, died in 1658 with out an heir and Richard Murray (George Murray's grandson) of Broughton claimed the Plantation lands in Donegal. By this time the Donegal lands had been consolidated into an estate of 65 000 acres. Richard Murray's claim was disputed but he was ultimately successful. Murray married Anna Lennox of Cally in Girthon parish, Stewartry of Kirkcudbright and after Murray's death in 1690, Alexander Murray of Broughton and Cally succeeded. By 1723, Alexander Murray had a large cattle park at Cally 'which feeds a thousand bullocks, which he sends each year to England'.[58] This cattle park was levelled in 1724.

Amongst the other Undertakers listed, William Stewart became an Irish baronet and was a privy councillor during the reigns of James VI and Charles I 'having served as a military officer during the troubles in Ireland'. Although he inherited the family lands in Wigtownshire, he passed most to his brother Robert and sold the remainder in 1643. William Stewart's son Alexander was killed at the battle of Dunbar in September 1653. In 1682 Alexander Stewart's son William was made baron Ramulton and viscount Mountjoy. Initially loyal to James VII and II in 1689, as a protestant William Stewart was mistrusted by the Irish Jacobites who removed Stewart and his troops from the siege of Londonderry and denounced him as a traitor. As a result Stewart transferred his allegiance to William of Orange. William Stewart was killed fighting for William at the battle of Steinkirk in 1692.[59] The Stewart lands in Ulster were centred around Newtownstewart in County Tyrone. The other Undertakers disposed of their land grants firstly to Sir Robert Gordon of Lochinvar before they passed to John Murray and then to Richard Murray.

Although Sir Robert McLellan of Bombie gave up his Donegal land grants, he still became a Ulster landowner. In *Making Ireland British 1580-1650,* Nicholas Canny uses McLellan as an

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56 Suffolk County Council hold extensive Adair family archives http://www.nationalarchives.gov.uk/A2A/records.aspx?cat=175-ha12_1&cid=-1#-1 accessed 27 March 2009

57 *Kirkcudbright Sheriff Court Deeds 1623- 1674* (Edinburgh, 1939) entry 937 and *Kirkcudbright Sheriff Court Deeds 1675-1700* (Edinburgh, 1950) entry 1066

58 Macky J : *A Journey through Scotland* (London, 1729) in MacRobert A : *To See Oursels...Visitors to Dumfries and Galloway from medieval to modern times* (Dumfries, 2001) p.31

59 McKerlie P : *History of the Lands and their Owners in Galloway* Vol 1. p. 482/3 and http://www.1911encyclopedia.org/Mountjoy accessed 19 December 2008

example to illustrate the ultimately unsuccessful attempt to fuse English and Scots together to create a British identity in Ireland and so discusses the growth of McLellan's land holdings in detail.[60] The bulk of these lands lay between Coleraine and Londonderry and had originally been granted to the London Haberdashers and Clothmakers companies. A condition of the land grants was that they should be settled with British (English or Scots) tenants. Neither of the London companies were able to meet this condition, but using tenants from his lands near Kirkcudbright, Sir Robert McLellan was able to. He also built a castle at Ballycastle[61] township on the river Roe in County Londonderry, thus meeting another of the Plantation conditions.

In 1614 Robert McLellan married Mary Montgomery, eldest daughter of Sir Hugh Montgomery. Along with James Hamilton, Montgomery was involved in settling many Scots families in Counties Antrim and Down in an initiative separate from the Plantation of Ulster. Through his (second) marriage to Mary Montgomery, Sir Robert McLellan gained additional lands in County Down. He spent considerable time in Ireland. In 1625 he was commissioned to raise a troop of 50 horse and 100 footsoldiers for service in Ireland and as a reward for his services, Charles I made him lord Kirkcudbright in 1633.[62]

After the death of Robert McLellan in 1639, the title passed to his nephew Thomas McLellan and then to Thomas' son John who died in 1664. Following John's death, Sir David Dunbar I gained possession of the McLellan lands in Kirkcudbright parish. The McLellan's Irish lands passed to Sir Robert Maxwell I of Orchardton, husband of Sir Robert McLellan's only legitimate heir, his daughter Margaret. They had four children- Robert, Hugh, Thomas and Anne.[63] Robert II inherited in 1671. In 1688 he was in Killelagh parish in County Londonderry from where he wrote to his nephew concerning the management of his cattle park at Netherlaw.[64] After Robert II's death in 1693, his brother Thomas (who was a lawyer) inherited the Irish lands. After Thomas Maxwell died, his widow Isabel Neilson (a niece of Robert Neilson of Barncaillie) married Patrick Heron II (1672-1761) of Kirroughtrie in 1721. McKerlie gives the details.

> On the 5 August 1715 Thomas Maxwell had sasine [of Cuil, Buittle parish]. He was a lawyer, and his actions tarnished his reputation. He married Isabel, daughter of [William] Neilson, merchant, Dumfries, brother to the laird of Barncailzie. He had no family, and at his death his widow married Patrick Heron of Kirouchtrie, parish of Minnigaff. Among other things he had the estate of Ballycastle, Londonderry, Ireland, conveyed to him in trust by his cousin Sir George Maxwell of Orchardtoun, parish of Rerwick, giving a bond that he would

60 Canny N : *Making Ireland British 1580-1650* (Oxford, 2001) p. 227 -237
61 Not the town of Ballycastle in County Antrim.
62 Torrance R : *The McLellans of Galloway* (Edinburgh, 1993) p. 18- 24 and p 126- 140
63 Anne married John McLellan, 3rd Lord Kirkcudbright in 1642
64 *KSCD 1675-1700* entry 1265

> convey it back to Sir George in liferent; to his wife, Lady Mary, Dowager Viscountess Montague, if she survived him; then to the Earl of Nithsdale and his heirs male; and failing them, to the third son of the Earl of Traquair. However, instead of adhering to this, along with Cuil he conveyed the lands not his own to his wife Isobel Neilson on the 14 October 1720. "The Laird of Cool's Ghost" was the subject of a small chap-book.[65]

It has not been possible to trace the subsequent history of these Irish lands. For the purposes of this study, it is sufficient to show that during the seventeenth century there were Galloway landowners who also owned lands in Ulster. Although direct evidence is lacking that cattle from these particular Irish lands continued to pass through Galloway to England after the prohibition of such imports in 1667, there is evidence that some Irish cattle continued to pass through Galloway en route to England. As Whyte explains

> In 1697, Sir George Campbell of Cessnock in Ayrshire was given permission to import 60 cows and bulls..from Ireland for breeding. About the same time Lord Basil Hamilton was allowed to bring in 120 Irish cattle to help stock the great park of Baldoon near Wigtown. Other licences had been granted at earlier dates, with the provision that the proprietors concerned did not sell the animals direct to England. The restrictions imposed by the Privy Council were sufficient to encourage some people in the South-West to smuggle Irish animals into the country, although it is probable that this was done for direct sale rather than breeding.[66]

Whyte supports the smuggling allegation by noting that in 1669 the Privy Council fined Sir David Dunbar of Baldoon £200 sterling for importing 1300 Irish cattle with an additional fine of £130 sterling for selling some of these cattle in England.[67] In January 1669, Sir Robert Maxwell of Orchardton seized 36 Irish nolte (cattle) from Archibald Little, an Irish drover. In November 1669, 75 Irish cattle belonging to Cuthbert Graham were seized by Samuel Maxwell of Newlaw (Dundrennan parish).[68] It is possible that after the three smuggling incidents recorded in 1669 smuggling became less prevalent, although in 1724 Wodrow noted that many of the black cattle exported to England from the 'south' were actually Irish.[69]

Additionally, cattle smuggling may have been tolerated for political reasons. Symson lists the Earl

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65 McKerlie P : *History of the Lands and their Owners in Galloway* (London, 1878) Vol. 3 Buittle parish also Vol.4 Minnigaff parish and Miller F : 'A Galloway Chap-Book – The Laird of Coul's Ghost', *Transactions DGNHAS* 3rd Series Vol.14 p.259

66 Whyte I :*Agriculture and Society in Seventeenth Century Scotland* (Edinburgh,1979) p.124

67 *Register of the Privy Council* 3rd series Vol. III 1669 p.105

68 *KSCD 1623- 1674* entries 911 and 2202

69 Wodrow R: *Analecta: or, Materials for a History of Remarkable Providences; mostly relating to Scotch Ministers and Christians* (Edinburgh, 1842) Vol. III p. 162

of Galloway, Sir William Maxwell, Sir Godfrey McCulloch, Sir James Dalrymple and the Laird of Logan as landowners who followed Sir David Dunbar's example and built cattle parks.[70] All of these landowners were Stuart loyalists and /or Episcopalians. The title 'Earl of Galloway' was created for Alexander Stewart by James VI and I in 1623. In 1654 James Stewart, 2nd earl of Galloway, was fined £5000 sterling under Cromwell's Act of Grace and Pardon for his support of the Stuarts.[71] James married Nicolas Grierson, sister of the anti-Covenanter Sir Robert Grierson of Lag. Their son, Alexander, 3rd earl of Galloway (who inherited in 1671) was therefore Lag's nephew.

Alexander Stewart was an Episcopalian who, along with Sir David Dunbar I and his son, helped Andrew Symson when he had to take refuge from his Presbyterian parishioners in a 'quiet lurking place'.[72] Sir William Maxwell of Monreith was also an Episcopalian. William's elder brother John Maxwell was a Presbyterian and Covenanter who was one of the instigators of the Dalry (Pentland) Uprising of 1666. After the defeat of the uprising at Rullion Green, John Maxwell fled to Ireland where he died in 1668. After the death of his father in 1670 and his nephew (John Maxwell's son) in 1671, William Maxwell the Episcopalian inherited Monreith. In 1668 he married Johanna, daughter of Patrick McDowall of Logan (Symson's 'Laird of Logan'). In 1681 Charles II made Maxwell a baronet of Nova Scotia.[73] In 1683, along with Sir Robert Grierson of Lag, Sir David Dunbar of Baldoon and Hugh Blair of Rusco, Sir Godfrey McCulloch of Myreton was appointed to administer the Test Act of 1681.[74] The Test Act was essentially an oath of loyalty to the Stuarts designed to isolate Presbyterian supporters of the Covenants, or, as McKenzie put it, the Test Act

> ordained that all individuals filling public situations, or those whom the Government suspected of disaffection, should be required to take an oath (somewhat contradictory in itself) which virtually obliged them to submit to oppression - implicitly to acquiesce, even in the overthrow of the Protestant faith, - and cordially sanction any measure the sovereign might wish to accomplish. This oath was viewed as the evidence of loyalty - the open avowal of passive obedience...The Earl of Argyll refused to take the oath, without a qualification, and would have suffered death on that account, had he not escaped: he joined the Earl of Stair and Fletcher of Saltoun in Holland – to which country they had fled from the deplorable despotism which existed in their own land.[75]

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70 In McKenzie W: *History of Galloway* Vol. 2 Appendix p. 104

71 'April 1654: An Ordinance of Pardon and Grace to the People of Scotland.', *Acts and Ordinances of the Interregnum, 1642-1660* (1911), pp. 875-883. URL: https://www.british-history.ac.uk/report.aspx?compid=56541 Date accessed: 12 January 2009.

72 Watt J.M : *Dumfries and Galloway a literary guide* p.321

73 McKerlie P : *History of the Lands and their Owners in Galloway* Vol 1, Mochrum parish

74 Morton A: *Galloway and the Covenanters* (Paisley, 1914) p.209

75 McKenzie W: *History of Galloway* Vol 2, p. 243.The 'Earl of Stair' mentioned by McKenzie was James Dalrymple

Thus, with the later exception of James Dalrymple, (McKenzie's 'Earl of Stair'), all of the landowners Symson noted as having cattle parks were Stuart loyalists. Furthermore, in April 1684, Sir Robert Grierson of Lag was appointed to 'search for, seize and apprehend all Irish victuall and cattle...as shall be imported from Ireland'.[76] But where the Irish cattle in question belonged to a fellow Stuart loyalist, for example Richard Murray of Broughton and Donegal – who had been 'appointed Commissioner to execute the laws against nonconformists in August, 1677'[77] - or were in a cattle park belonging to William Maxwell of Monreith or David Dunbar of Baldoon; how would Sir Robert Greirson of Lag have responded? Could he have been persuaded that these were Scottish rather than Irish cattle? Under the circumstances, where Charles II and his brother James were convinced that Galloway was a hotbed of armed insurrectionists who had to be forcibly suppressed, the illegal import of Irish cattle by otherwise loyal landowners was unlikely to have been a major concern. Turning a blind-eye to such illicit imports may even have been accepted as a 'sweetener' or pay-off which helped to keep important landowners loyal to the Stuarts.

Before proceeding to the religious and political background to the Galloway Levellers Uprising of 1724, the following is a summary of the land use and land ownership questions discussed above. The central question is posed by Woodward's finding 'that Scottish [cattle] producers failed to take advantage of favourable market conditions created by the 1667 ban on Irish stock.'[78] Given that Woodward goes on to note the importance of Galloway in the seventeenth century Scottish cattle trade, the question becomes - why did Galloway's cattle producers fail to take advantage of the 1667 English ban on the import of Irish cattle?

Part of the answer may be provided by Oram's observation that medieval farming in Galloway was 'a complex pattern, where systems of transhumance that supported a pastoral economy geared in some areas principally towards dairying were juxtaposed with zones of intensive arable cultivation..[which]survived down to the early nineteenth century'.[79] This might suggest that such a subsistence/ self-sufficient method of farming could not be easily transformed into an agricultural system geared up to producing a surplus of cattle for export. On the other hand:

> English proprietors [in Ulster] had such a poor opinion of the economic prowess of Scots tenants that they preferred to retain existing Irish cultivators...since the

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who was made viscount of Stair by William of Orange in 1690. It was his son John who became the first earl of Stair in 1703.

76 Fergusson A : *The Laird of Lag, a Life Sketch* (Edinburgh, 1886) p.56

77 Morton A: *Galloway and the Covenanters* (Paisley, 1914) p.161

78 Woodward D : 'A Comparative Study of the Irish and Scottish Livestock Trades in the Seventeenth Century' p.154

79 Oram R : *The Lordship of Galloway* p. 250

> agrarian expertise of the farming population of lowland Scotland was not significantly more advanced than that of native Irish cultivators....Both people were expert in pastoral farming, which was concentrated on the upland, and cultivated significant quantities of grain, especially oats, on the more fertile lowland.[80]

This suggests that there was very little to distinguish seventeenth century farming practice in Ulster from seventeenth century farming practice in Galloway. The Plantation of Ulster did not bring about a radical change in land use, but it did transform land ownership and land management, creating a system geared towards profitability rather than subsistence. The export of cattle to England was a significant aspect of this change. If the economies of Ulster and Galloway had been separate, and if Galloway had been free from religious and political conflict between 1660 and 1688, then a greater expansion of Galloway's cattle trade could have been achieved. But, as a direct consequence of the Plantation, Galloway's economy was closely linked to that of Ulster and, partly as an unintended consequence of the Plantation, Galloway and Ulster's religious and political tensions and conflicts were no less intimately connected.

The combined impact of these factors produced the 'under-development' of Galloway's seventeenth century cattle trade. The English ban on the import of Irish cattle had a direct impact on Galloway landowners, like Richard Murray of Broughton, who also had estates in Ulster. It also had an indirect impact on landowners, like Sir David Dunbar I of Baldoon and Sir William Maxwell of Monreith, through whose cattle parks the Irish herds had passed. Significantly, these landowners were also Stuart loyalists with Episcopalian rather than Presbyterian sympathies. Although indisputable evidence is lacking, it is plausible that in 1684, when Sir Robert Grierson of Lag was tasked with suppressing the Irish cattle trade at the same time as he was engaged in suppressing field conventicles, he pursued the latter more vigorously than the former.

If this was so, then the economic impetus towards expanding Galloway's indigenous production of cattle would have been lessened. Even if some landowners had decided to adopt such a policy, the unsettled condition of Galloway in this period would have created practical obstacles. When, after 1688, the Herons of Kirroughtrie did expand indigenous cattle production in Minnigaff parish, the process had (according to the Galloway Levellers) a depopulating effect. If Stuart supporting Episcopalian landowners had attempted to replace Presbyterian tenants and owner -occupiers with cattle after 1667, the response could well have been a mass insurrection rather than the more limited uprisings which actually occurred in Galloway in 1666 and 1724.

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80 Canny N : *Making Ireland British 1580-1650* (Oxford, 2001) p.229

Chapter Two : Religious and Political Background

According to a piece of local religious folklore, Galloway was the cradle not only of Christianity in Scotland (St. Ninian's Whithorn) but also of the Reformation in Scotland. The claim was that, around 1520, Alexander Gordon of Airds (Kells parish) had acquired from English followers of John Wycliffe (died 1384), a copy of the Bible translated into English. Gordon gave readings from this Bible at secret meetings (proto-conventicles) in the woods of Airds. The secrecy was necessary since 'the law at that time [1525] regarded the possession of the sacred volume as a high crime and misdemeanour'. Inspired by Gordon's readings of the 'sacred volume', Reformation principles soon spread through the Glenkens and beyond, even before the martyrdom of Patrick Hamilton at St. Andrews in 1528. 'Thus Galloway may be considered the cradle of the infant Reformation in Scotland'.[1]

Although the story of Alexander Gordon and his Bible was accepted as part of Galloway's history as recently as 2000[2] it is probably Gordon family folklore. The Reformation in Galloway is more likely to have been inspired by Henry VIII's break with Rome in 1534. Following this political reformation, it became English policy to promote Protestantism in Scotland as a way to drive a wedge between the Scots and their 'auld allies', the Roman Catholic French. After the disastrous battle of Solway Moss in 1542, the English took 1200 Scots prisoners.

> The Solway Moss prisoners had been thrown into company in England which confirmed their Protestant leanings. Cassillis had lived chiefly with Cranmer and Latimer and Garlies with followers of Wycliffe. Thus it came about [in 1543] that a motion was made by Lord Maxwell, a Catholic, that the Bible should be allowed to be read in the vulgar tongue. This was bitterly opposed by Archbishop Dunbar, a native of Galloway.3

'Cassillis' was Gilbert Kennedy, the 3rd earl of Cassillis in Ayrshire. 'Garlies' was Alexander Stewart of Garlies (Stewartry of Kirkcudbright) who was exchanged as a hostage for his father, who had been captured at Solway Moss. Alexander Stewart subsequently became 'foremost among the reformist lairds of Galloway'4 and forbear to the earls of Galloway. 'Archbishop Dunbar' was the brother of Archibald Dunbar who became the first Dunbar of Baldoon in 1533 (see above). In the seventeenth century, Sir David Dunbar I and his son David II were both Episcopalian supporters of

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1 McKenzie W: *History of Galloway* Vol. I, p. 450 and Rutherford S (ed. Murray T.): *The Last and Heavenly Speeches and Glorious Departure of John Gordon, Viscount Kenmuir* (London and Edinburgh, 1827)

2 McCulloch A : *Galloway: A Land Apart* p.290

3 Morton A: *Galloway and the Covenanters* p.27

4 McCulloch A : *Galloway: A Land Apart* p.289

the Stuarts. The 'Lord Maxwell' referred to was Robert Maxwell, 5th lord Nithsdale, who had also been captured at Solway Moss. Despite Robert Maxwell's flirtation with Protestantism in 1543, the Maxwells of Nithsdale remained loyal to the Roman Catholic faith. Even after William Maxwell, 5th earl of Nithsdale fled to France in 1716 to avoid execution for his part in the Jacobite rebellion of 1715, masses continued to be said at Terregles House and at Munches, both in the Stewartry of Kirkcudbright. A Roman Catholic chapel was maintained at Munches until 1814 when services were transferred to a chapel built in the new town of Dalbeattie nearby.5 It is a strong possibility that the close connection between the Maxwell of Nithsdale family and the abbeys of Dundrennan and New Abbey (Sweetheart Abbey) and Lincluden Collegiate Church was a significant factor in this survival.

As an example, the last abbot (1565- 1598) of Dundrennan Abbey was Edward Maxwell who was a grandson of Robert Maxwell, 5th lord Nithsdale. Edward was the third son of John Maxwell, lord Herries and brother to Robert Maxwell of Spottes (the first Maxwell of Orchardton). The bulk of Dundrennan's lands passed to members of the Maxwell family, especially Robert Maxwell of Spottes and Orchardton. The Maxwells of Orchardton continued to be Roman Catholics until the mid eighteenth century. The Neilsons of Barncaillie followed a similar pattern. In May 1588, Edward Maxwell confirmed that Gilbert Neilson held Barncaillie (Kirkpatrick Durham parish) in feu-ferm from Dundrennan as heir to William Neilson. In 1545, William Neilson had been infefted in Barncaillie as heir to his father who had been granted the farm in 1527.6 The Neilson family retained Barncaillie until 1749. They also persisted in their adherence to the Roman Catholic faith. In 1705 'after frequent citations and provocations, Robert Neilson [of Barncaillie] was solemnly excommunicated by The Presbytery of Dumfries, but in 1710, not withstanding that sentence, Mr. Neilson and his family were still denounced as popish'.7 In 1724, in what seems to have been an 'unauthorised' anti- Catholic action (see below) the dykes of Barncaillie were levelled.

Lincluden Collegiate Church held lands in Crossmichael and Troqueer parishes in the Stewartry of Kirkcudbright. Here the Maxwells had less influence and the Crossmichael lands passed to Robert Gordon of Lochinvar and then, in 1621, to the Gordons of Kenmure. The Troqueer lands passed to John Murray of Lochmaben, before being bought, as the Barony of Drumsleet, by Robert Maxwell 1st earl of Nithsdale. These lands were still (despite forfeiture in 1716) being managed for the Maxwells of Nithsdale in 1722, when the most important feuar was Sir Robert Grierson of

5 McCluskey R, editor : *The See of Ninian , a history of the Medieval Diocese of Whithorn and the Diocese of Galloway in Modern Times* (Ayr, 1997) p.101

6 Torrance R: *Dundrennan Abbey* p.22

7 Stark : *The Book of Kirkpatrick Durham* (Dalbeattie, 1903) p.37-39

Lag.8

At Sweetheart Abbey, under the protection of the Maxwells, Roman Catholic worship survived until 1608 under the direction of Gilbert Broun, the last abbot.

> Even after he [Gilbert] was forced from office for allegedly 'enticing his people to papistry', he stayed in the district 'saying Masses, baptising sundry bairns and preaching the Catholic religion'...even as late as 1608 there was 'a daylie and frequent resort of people unto him...' When the king's guard attempted to arrest him, they were beaten off by 'a great number of rude and ignorant people of the New Abbay who armed themselves with staves, muskets and hagbuts'.9

Under Gilbert Broun and his predecessor, John Broun (his uncle), the abbey's lands in New Abbey parish were first leased out and the feued to Broun family members. The abbey's lands in Kirkpatrick Durham parish passed to the Maxwells. These lands included the farm of Arkland, which, along with Netherbar, Overbar, Drumhumpry and Auchinhay belonged to John Maxwell, son of John Maxwell of Munches in 1604.10 This branch of the Maxwell family were descended from an illegitimate son of Robert Maxwell, 5th lord Nithsdale. In December 1694, James, son of John Maxwell of Arkland married Margaret, daughter of Robert Neilson of Barncaillie. Their son Robert Maxwell of Arkland helped found the Honourable Society of Improvers in the Knowledge of Agriculture in 1723. Although Robert Maxwell's religion is not known, like his nephew John Maxwell of Terraughtie and Munches (who was also an advocate of agricultural improvement) he was a product of Galloway's Roman Catholic community. How numerous this community was is difficult to establish. Between 1665 and 1670, the Episcopalian Synod of Galloway (of which Andrew Symson was a leading member) discussed the problem of illegal conventicles six times but discussed the problem of 'papists' ten times. At a meeting of the Synod in Kirkcudbright in April 1669, it was reported that the number of Roman Catholics in the Stewartry of Kirkcudbright was increasing.

> The Presbytery of Kirkcudbright being interrogate anent the Papists reported that anent the conferring with them, it was impossible there being so great a multitude of them, and that their number was greatly increased within this twelve month... the Bishop and Synod do recommend with all earnestness to the Presbytery of Kirkcudbright to … take tryal anent such as are suspected of Popery conveening them before them and offering them conference for their reclaiming.11

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8 Williams J: 'Drumsleet Barony A list of Feuars and their Tenants in 1722' *Transactions DGNHAS* 3rd Series Vol. 63 (1988) p. 45

9 McCulloch A : *Galloway: A Land Apart* p. 317

10 McKerlie P : *History of the Lands and their Owners in Galloway* Vol. 4 p.302

11 *The Register of the Synod of Galloway 1664 to 1671* (Kirkcudbright, 1856) p.129

In March 1704, the General Assembly of the Church of Scotland tried to establish the number of 'Popish parents and their children' in Scotland. The largest numbers in the south of Scotland were found in Dumfries and Galloway, where 412 'popish parents and children' lived. The majority came from parishes in the east of the Stewartry of Kirkcudbright where the the influence of the Maxwells was strongest.

Troqueer	87
New Abbey	79
Buittle	73
Urr	44
Terregles	34
Colvend	20
Kelton	19
Parton	14
Four other parishes	18
Dumfries town	12
Dumfries shire	12
Total	**41212**

While the Synod of Galloway may have seemed more concerned by the persistence of Roman Catholicism in seventeenth century Galloway, in reality the struggle between Episcopalianism and Presbyterianism was the overriding conflict. Between 1638 and 1660, the Presbyterians had the upper hand. Between 1660 and 1688, power shifted to the Episcopalians. After 1688, a 'moderate' form of Presbyterianism became the established religion of Scotland. In 1706, fears for the future of Presbyterianism briefly threatened the proposed union of Scottish and English parliaments, but after these fears were assuaged, mainstream Presbyterians accepted both the Union and the Hanoverian succession to the British crown. Thus in the autumn of 1715, when the Jacobites, who threatened to turn the clock back to 1688, advanced on Dumfries, volunteers from across Dumfries and Galloway flocked to defend the town.

12 *Miscellany of the Maitland Club* Vol. III Part 2 (Edinburgh 1843) p 409 -422

Most of these volunteers had been recruited by landowners who had benefited from the Revolution Settlement of 1689 and they were supported by parish ministers who had likewise benefited from William of Orange's 'Glorious Revolution'. Significantly, it was in the town of Dumfries rather than amongst the moors and hill of Galloway and Nithsdale that the regional version of this revolution was first played out. On 17 February 1688, James Renwick of Moniaive was executed in Edinburgh. Renwick's death left the surviving adherents to the Covenants of 1638 and 1643 - the United Societies or Cameronians – leaderless. Even before Renwick's death, they had been reduced, in the words of James Renwick and Andrew Shields 1687 *Informatory Vindication* to a 'Poor, wasted, misrepresented, Remnant of the Suffering, Anti-Popish, Anti-Prelatick, Anti-Erastian, Anti-Sectarian, True Presbyterian Church'.13

The birth of a son to James VII/II in June 1688 and the resulting fear that James might establish a Catholic dynasty led to the unopposed landing of William of Orange's invasion fleet at Torbay in Devon on 5 November 1688. Although at first James hoped his army would defeat William's he soon realised this hope was futile. James then decided to flee to France. His first attempt failed, but on 23 December 1688 he succeeded. The national collapse of James' regime was swiftly followed at local level. Indeed, even before William of Orange had landed, Dumfries' provost had vanished from the scene. This provost, John Maxwell of Barncleuch, was a relative of Robert Maxwell, 4th earl of Nithsdale, and like Robert Maxwell, John Maxwell was a Roman Catholic. John Maxwell had been directly appointed as provost of Dumfries by James in December 1686.14 On 26 December 1688, having received official confirmation of regime change by way of a letter from William of Orange's Privy Council, Dumfries town council elected William Craik of Duchrae and Arbigland as provost. On 6 January 1689, Provost Craik and his fellow councillors declared William king. This declaration was somewhat premature. William did not officially become king of England and Ireland until 11 February 1689 and did not become king of Scotland until 11 April 1689. The public proclamation at Dumfries' mercat cross was therefore delayed until 24 April 1689.15

Thus an armed struggle, which in Dumfries and Galloway had begun in 1640 with the sieges of Caerlaverock and Threave castles, held by the Maxwells of Nithsdale for Charles I against the Covenanters, was peacefully voted to an end by Dumfries town council in December 1688. Even the subsequent 'rabbling of the curates', when Episcopalian minsters across Dumfries and Galloway were evicted from their parishes, was relatively peaceful.

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13 http://www.truecovenanter.com/societies/informatory_vindication.html accessed 20 January 2009
14 MacDowall W : *History of the Burgh of Dumfries* (Dumfries, 1867) p.473
15 MacDowall W : *History of the Burgh of Dumfries* p.476

> John Gordon, Bishop of Galloway now retired into France, and the first meeting of the Presbyterian clergymen within the bounds of the Synod of Galloway, took place at Minnigaff, on the 14th of May 1689. Few of the ministers who had possessed parochial charges before the Restoration were present; but a number of preachers from Ireland attended the meeting, who afterwards received appointments to vacant parishes.16

While the south-west may have peacefully accepted the new order, with Sir Robert Grierson of Lag managing 'in spite of his past misdeeds to gain favour from the Revolution Government',17 Lag's former colleague, John Graham of Claverhouse, was not so peacefully inclined. The Highland Jacobite force he raised was victorious at Killiecrankie in July 1689, although Claverhouse died in the battle. At Dunkeld, the Jacobites came into conflict with a regiment raised from the Cameronians of Douglasdale in Lanarkshire. In a ferocious fight, the Jacobites were defeated and forced to withdraw.

Amongst those who fought at Killiecrankie were at least four from Galloway. Claverhouse's second-in-command at Killiecrankie was Major General Alexander Cannon. After Claverhouse's death he led the Jacobites forces. Amongst the anti-Jacobites were Alexander Gordon, 5th viscount Kenmure (whose son was a Jacobite in 1715), Alexander Fergusson of Craigdarroch (who was killed) and William Maxwell. William Maxwell was to a play a central role in the events of 1724. To understand his responses to the Galloway Levellers, awareness of his personal background is necessary. The following account of Maxwell is based on a biographical sketch provided by Reid.18

William Maxwell was born in 1663, three weeks after the death of his father William Maxwell. A member of the Maxwells of Calderwood (near Glasgow) family, William senior had been minister of Minnigaff parish in the Stewartry of Kirkcudbright from 1638 to 1662. In 1638, 'Mr William Maxwell, minister at Minigoff' was first to sign a copy of the National Covenant circulated in Minnigaff parish.19 Unwilling to accept the restoration of Episcopacy, he was forced to give up his position as parish minister. William Maxwell's mother was Elizabeth Murdoch of Cumloden in Minnigaff parish. Due to fines imposed on Elizabeth's brother Patrick as a Covenant supporter, Cumloden estate was bankrupt by 1708 when Patrick Murdoch's grandson Thomas inherited.

In April 1665 Elizabeth Murdoch and Patrick Peacock (described as tacksmen) set the hill farm of Roundfell (Kirmabreck parish) in tack to Andrew Reid 'the present herd there', requiring him to 'mark and burn [brand] every beast' grazing on the Roundfell.20 This is an interesting tack, since

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16 McKenzie W: *History of Galloway* (Kirkcudbright, 1844) Vol.2, p.294
17 MacDowall W : *History of the Burgh of Dumfries* (Dumfries, 1867) p.478
18 Reid H : *One of King William's Men* (London, 1898)
19 Morton A: *Galloway and the Covenanters* p.469
20 *KSCD 1623- 1674* (Edinburgh, 1939) entry 604

Patrick Peacock was the former minister of Kirkmabreck. He was also forced out of his parish in 1662 and took refuge in Ireland. Peacock returned to Kirkmabreck in May 1689 and served as minister there until his death in 1695.21 Presumably the Roundfell tack was intended to provide income for Patrick Peacock and Elizabeth Murdoch in a time of hardship. It was witnessed by Patrick Heron I of Kirroughtrie who had signed the Minnigaff Covenant in 1638.

Elizabeth hoped that her son would also become a minister and moved with him to Glasgow where he was educated at Glasgow High School and then Glasgow University. It is likely that the Calderwood Maxwells helped support Elizabeth and her son. After graduating William Maxwell moved to Edinburgh. In Edinburgh, at the execution of Archibald Campbell, he made a very public commitment to the Presbyterian cause. According to his diary, which is usually more of a record of his spiritual than physical life, on 30 June 1685

> This day spent with much grief, not wanting reason when the people of God has been trysted with so great a loss this day as the sufferings of Archibald earl of Argyll to which I was a witness, being with him all the time on the scaffold, there after accompanying his corpse to the [Magdalen Chapel].[22]

Unlike his Cameronian contemporary, John McMillan (1669-1747), who was able to study for the ministry of a Presbyterian church in 1695, the Scottish church of 1685 was firmly Episcopalian. Therefore in early 1686, after much prayer and soul-searching, William Maxwell decided to train as a doctor in Edinburgh rather than as a minister. Reid believes the 'eminent teacher' Maxwell studied under and boarded with was Professor Robert Sibbald, the Historiographer Royal. In September 1686 William Maxwell attended a conventicle and on 23 January 1687 he was arrested and imprisoned in Edinburgh Tolbooth where he was held until March. Deciding it would be safer to complete his studies abroad, he arrived at Leyden in Holland on 28 December 1687. Here he joined the Scottish Presbyterian community in exile and attended services led by William Carstairs, the close ally of William of Orange. On at least one occasion (18 March 1688) he met James Dalrymple, viscount Stair. By September 1688, Maxwell seems to have decided, or been persuaded, to join the army being assembled by William of Orange. There is then a gap in the diary entries between 17 October 1688, when Maxwell was preparing to board one of the invasion ships, and 27 May 1691.

During this period, William Maxwell fought for William of Orange at the battles of Killiecrankie and the Boyne (where he was promoted to Captain in the field). He then served in Europe, rising through the ranks to the position of colonel. In 1696 he married Nicolas Stewart, daughter of

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21 Morton A: *Galloway and the Covenanters* p.97, McKenzie W: *History of Galloway* Vol. II Appendix Aa p.28, 32

22 Reid H : *One of King William's Men* (London, 1898) p.72

William Stewart who was a son of James Stewart, 2nd earl of Galloway. Nicolas was heiress to the estate of Cardoness, Anwoth parish, Stewartry of Kirkcudbright. In 1702, Maxwell was elected to represent the Stewartry of Kirkcudbright in the Scottish Parliament. Maxwell opposed the Union of 1707 in this parliament, for which he was briefly stripped of his commission.

Whatever reservations Colonel Maxwell may have had about the Union of 1707, when rumours of a Jacobite threat surfaced in 1714, Maxwell took the lead in organising a south-west Scotland anti-Jacobite alliance. The first meeting of this alliance took place at Dalmellington on 13 March 1714. At this meeting Colonel Maxwell, along with Thomas Gordon of Earlston (whose Covenanter father Alexander had fought at Bothwell Brig) and Alexander Fergusson of Craigdarroch (whose father had died fighting against Claverhouse at Killiecrankie), passed resolutions to the effect that a general correspondence be entered into among the well- affected nobility, gentry, and citizens

> within the shires of Clydesdale, Renfrew, Ayr, Galloway, Nithsdale, and the Stewartries and bailiaries thereof; that meetings be held in each of these districts, for furtherance of the common object; that each district shall be invited to send representatives to general quarterly meetings, the first of which was fixed to be held at Dalmellington; ...and that it be earnestly recommended to each of the said particular meetings to fall upon such prudent and expeditious methods to put their people in a defensive posture, in such a manner as they shall see most proper and conform to law.[23]

Mackenzie adds that 'these various gentlemen, well affected to a Protestant Government...raised considerable sums of money; and; having provided arms and ammunition, they took care to see the people instructed in military exercises. Many peoples in both districts [Galloway and Nithsdale] assembled regularly to accustom themselves to the use firearms under the specious pretence of shooting for a prize'.[24]

The fear that local Jacobites were organising was heightened on 29 May 1714 (the anniversary of Charles II restoration) when, under the cover of attending a horse race at Lochmaben in Annandale, there was a gathering of 'Jacobite and Popish gentlemen' who proceeded to Lochmaben's mercat cross where they drank the health of king James VIII.25 The training and arming of anti-Jacobite volunteers seems to have continued into 1715. According to Rae, a Major Aikman visited Dumfries and Galloway in August 1715 to review assemblies of these volunteers and make arrangements for their deployment in the event of the Jacobites landing at Kirkcudbright or Loch Ryan. Here Rae's version of events conflicts with Szechi's findings that 'Associations' for the defence and support of George I were not formed until late July 1715. These 'armed zealots' so alarmed George and his

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23 MacDowall W : *History of the Burgh of Dumfries* p.520, quoting Rae P : *History of the Late Rebellion : Rais'd Against His Majesty King George, by the Friends of the Popish Pretender* (Dumfries, 1718) p.42

24 McKenzie W: *History of Galloway* (Kirkcudbright, 1844) Vol.2 p.358

25 McDowall : *History of the Burgh of Dumfries* p.518, quoting Rae p.49-50

ministers that they instructed Adam Cockburn, the Lord Justice Clerk, to 'take the most prudent and discreet method for preventing the country's proceeding any further in that matter of association and levying of troops'.[26]

Returning to Colonel Maxwell, on 2 October 1715 he was appointed Governor of Glasgow and set about organising the defences of the city. On 12 March 1716 the Town Council of Glasgow presented Maxwell with a service of silver plate to the value of £35 1s 8d 'as a mark of the town's favour and respect towards him for his good service in taking upon him the regulation and management management of all the Guards that were kept in the city, quhich, during the rebellion and confusion were judged necessary to be kept for the security thairof'.27 By 1724, 'king William's man' Colonel William Maxwell was the leading member of the Hanoverian establishment in the Stewartry of Kirkcudbright.

If Colonel Maxwell upheld and represented the established order of early eighteenth century Galloway, the reverend John Hepburn of Urr (?1649-1723)28 and his followers (the Hebronites) were representatives of Galloway's disruptive and anti-establishment traditions. Hepburn was the son of a Morayshire farmer and graduated from Aberdeen University in 1669. Although brought up as an Episcopalian, in 1678 he was ordained as a Presbyterian minister in London. In 1683, along with William Carstairs, Hepburn was accused of complicity in the Rye House Plot to assassinate Charles II and despatched to Edinburgh for trial. In Edinburgh an unsuccessful attempt was made to link Hepburn and Carstairs with Alexander Gordon of Earlston [see above], a Galloway Covenanter who had fought at Bothwell Brig and who had been captured whilst attempting to flee to Holland. This attempt to construct a conspiracy connecting conventiclers with Rye House plotters failed and Hepburn was freed. Hepburn had already (1680) begun preaching in the parish of Urr in Galloway and now he returned there. In May 1684, the Scottish Privy Council declared him 'fugitive' for preaching at conventicles. Since Hepburn continued to preach in Urr despite 'the remarkable severity of the measures taken by Claverhouse and the numerous executions or martyrdoms in Galloway in 1685 it is somewhat of a mystery that Hepburn should have remained seemingly unmolested'.29 After suggesting that Hepburn's 'diplomatic ways' may have afforded a degree of immunity from persecution, Reid adds the testimony of Robert Smith (1666 -1724)

> Of Mr. Hepburn, I say, if he had been as clear, tender and distinct the cause and testimony as he was said to be tender in his walk, the Lord might have honoured him. But because he ay joucked [dodged] to the leeside in persecution, and out

26 Szechi D: *1715 The Great Jacobite Rebellion* (London, 2006) p.109
27 Reid H : *One of King William's Men* p.31
28 The following is based on Reid H: 'The Hebronites', *Transactions DGNHAS* 3rd Series Vol.7 and McMillan W :*John Hepburn and the Hebronites, a Study in the Post-Revolution History of the Church of Scotland* (London, 1934)
29 Reid H: 'The Hebronites ', *Transactions DGNHAS* 3rd Series Vol.7 p.126

> of persecution and pushed at the more tender and straight in the testimony, with head and shoulder - I fear his name may not be honoured among Scotland's worthies.[30]

However, Robert Smith's testimony continues 'I was necessitate to withdraw from that gospel preached by Mr. John M'Millan, which if it had been right, as some time I had it under the beloved Mr. James Renwick, I would have been very loath to have done.' If Smith considered that even McMillan had fallen by the wayside, he is unlikely to have had any respect for Hepburn.

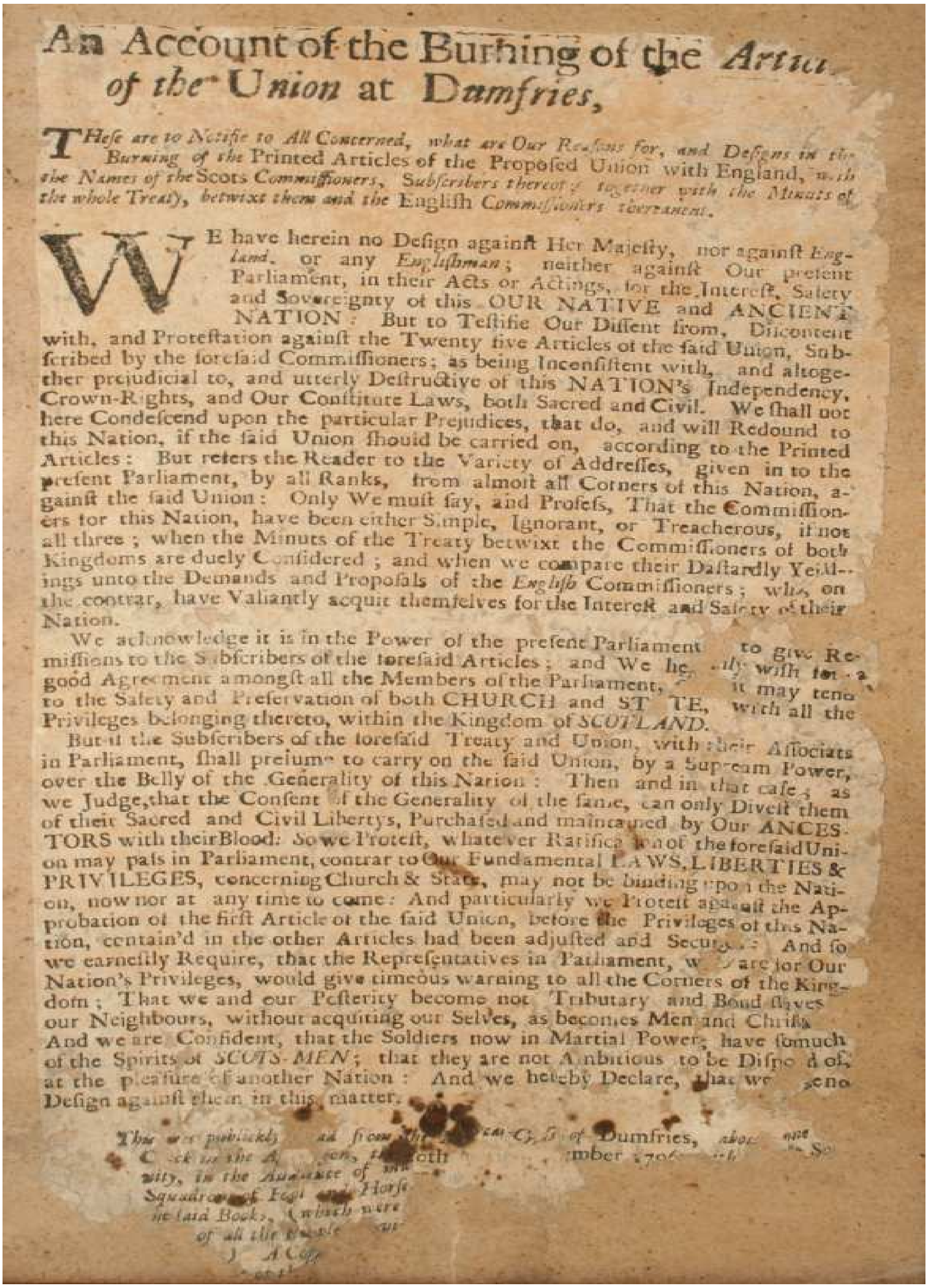
In 1690 and again in 1693, Hepburn and his followers presented a 'Memorial of Grievance' to the General Assembly of the Church of Scotland which complained that no action had been taken against ministers and others who were guilty of 'sinful compliance with the late regime', that the Covenants had not been renewed, that some Episcopalian curates remained in post and that many 'malignants' retained office in Church and State. This led the General Assembly to suspended him in 1696. In the same year, he was summoned to appear before the Privy Council, since Lord Advocate Sir James Stewart believed there was 'treason' in the Memorial and as a result Hepburn found himself once more a prisoner in Edinburgh's Tolbooth. Restored to Urr in 1699, he was suspended again in 1705, but this time refused to quit the parish. In 1707 he was re-instated as minister of Urr and remained a minister of the established kirk until his death in 1723.

When not engaged in religious disputations, Hepburn actively intervened in the political affairs of the time. The most well known of these interventions occurred on 20 November 1706 when Hepburn gathered together a group of his followers and occupied the centre of Dumfries. Here they lit a fire and burnt copies of the Articles of Union at the mercat cross, followed by a list of the names of the Commissioners. As this list was consigned to the flames, Hepburn is alleged to have cried out 'thus may all traitors perish'. Finally, echoing the actions of Richard Cameron and his followers who fixed a copy of their Declaration to mercat cross of Sanquhar on 22 June 1680, 'An Account of the Burning of the Article of Union at Dumfries' [see Plate 3 below] was attached to Dumfries mercat cross.

> This was publickly read from the Mercat Cross of Dumfries about one of the clock in the afternoon, the 20th day of November, 1706, with great solemnity, in the audience of many thousands; the fire being surrounded with double squadrons of Foot and Horse in martial order: And after the Burning of the said Books (which were holden up Burning on the point of a Pike, to the view of all the people, giving their consent by Hussa's and Cheerful acclimations). A Coppy herof was left affixed on the cross, as a Testimony of the South part of this nation against the proposed Union, as Moulded in the printed Articles therof.

30 Calderwood J : *A Collection Of The Dying Testimonies Of Some Holy And Pious Christians Who Lived In Scotland Before And Since The Revolution* (Kilmarnock, 1806) p.231 and 239

This we desire to be printed and kept in record ad futuram rei memorium.32


An Account of the Burning of the *Artic[…]* *of the* Union at Dumfries,

THeſe are to Notifie to All Concerned, what are Our Reaſons for, and Deſigns in the Burning of the Printed Articles of the Propoſed Union with England, *with the Names of the* Scots *Commiſſioners, Subſcribers thereof; together with the Minuts of the whole Treaty, betwixt them and the* Engliſh *Commiſſioners thereanent.*

WE have herein no Deſign againſt Her Majeſty, nor againſt *England*, or any *Engliſhman*; neither againſt Our preſent Parliament, in their Acts or Actings, for the Intereſt, Safety and Soveraignty of this OUR NATIVE and ANCIENT NATION: But to Teſtifie Our Diſſent from, Diſcontent with, and Proteſtation againſt the Twenty five Articles of the ſaid Union, Subſcribed by the foreſaid Commiſſioners; as being Inconſiſtent with, and altogether prejudicial to, and utterly Deſtructive of this NATION's Independency, Crown-Rights, and Our Conſtitute Laws, both Sacred and Civil. We ſhall not here Condeſcend upon the particular Prejudices, that do, and will Redound to this Nation, if the ſaid Union ſhould be carried on, according to the Printed Articles: But refers the Reader to the Variety of Addreſſes, given in to the preſent Parliament, by all Ranks, from almoſt all Corners of this Nation, againſt the ſaid Union: Only We muſt ſay, and Profeſs, That the Commiſſioners for this Nation, have been either Simple, Ignorant, or Treacherous, if not all three; when the Minuts of the Treaty betwixt the Commiſſioners of both Kingdoms are duely Conſidered; and when we compare their Daſtardly Yeildings unto the Demands and Propoſals of the *Engliſh* Commiſſioners; who, on the contrar, have Valiantly acquit themſelves for the Intereſt and Safety of their Nation.

We acknowledge it is in the Power of the preſent Parliament to give Remiſſions to the Subſcribers of the foreſaid Articles; and We he[…]ly wiſh for a good Agreement amongſt all the Members of the Parliament, […]it may tend to the Safety and Preſervation of both CHURCH and ST[A]TE, with all the Privileges belonging thereto, within the Kingdom of *SCOTLAND*.

But if the Subſcribers of the foreſaid Treaty and Union, with their Aſſociats in Parliament, ſhall preſume to carry on the ſaid Union, by a Supream Power, over the Belly of the Generality of this Nation: Then and in that caſe; as we Judge, that the Conſent of the Generality of the ſame, can only Diveſt them of their Sacred and Civil Libertys, Purchaſed and maintained by Our ANCESTORS with their Blood: So we Proteſt, whatever Ratifica[tio]n of the foreſaid Union may paſs in Parliament, contrar to Our Fundamental LAWS, LIBERTIES & PRIVILEGES, concerning Church & State, may not be binding upon the Nation, now nor at any time to come: And particularly we Proteſt againſt the Approbation of the firſt Article of the ſaid Union, before the Privileges of this Nation, contain'd in the other Articles had been adjuſted and Secur[ed]: And ſo we earneſtly Require, that the Repreſentatives in Parliament, w[ho] are for Our Nation's Privileges, would give timeous warning to all the Corners of the Kingdom; That we and our Poſterity become not Tributary and Bond ſlaves [to] our Neighbours, without acquiting our Selves, as becomes Men and Chriſt[ians]. And we are Confident, that the Soldiers now in Martial Power, have ſomuch of the Spirits of *SCOTS-MEN*; that they are not Ambitious to be Diſpo[ſe]d of, at the pleaſure of another Nation: And we hereby Declare, that we [have] no Deſign againſt them in this matter.

This w[as] publickly [re]ad from th[e …] C[roſ]s of Dumfries, *abo[ut …] C[lo]ck in the A[fterno]on, the [2]0th [… Dece]mber 1706 […] So[lemn]ity, in the Audience of […] Squadron[s] of Foot and Horſe [… th]e ſaid Books, (which were […] of all the People […] A Copy […]*

Plate 3 – Account of the Burning of the Articles of Union at Dumfries

from http://www.futuremuseum.co.uk/images/cache/Img7519S1000.jpg

32 Whitelaw H : 'The Union of 1707 in Dumfriesshire ', *Transactions DGNHAS* 2nd Series Vol.19 (1907) and http://www.futuremuseum.co.uk/images/cache/Img7519S1000.jpg accessed 22 January 2009

At the time it was rumoured that opposition to the Union was going to unite Jacobites and 'Cameronians', including 'a sectarian splinter known as the Hebronites led by John Hebron, minister of Urr who even became implicated in Jacobite plotting by 1706'.33 In his account, Stephen sources these rumours to two Jacobites - John Ker of Kersland and George Lockhart of Carnwath. After demolishing Ker's claim to have been with Hepburn in Dumfries on 20 November 1706, Stephen continues on to effectively demolish the entire conspiracy.34 The fear that Hepburn and the Hebronites might support the Jacobites surfaced again in 1715 and is discussed below. Even after his death (20 March 1723), Hepburn's influence continued. In 1724, Colonel William Maxwell of Cardoness informed Robert Wodrow that 'many of the Dyke Levellers were Hebronites'.35

Before moving on to discuss the impact of the Jacobite rebellion of 1715 on Dumfries and Galloway, the eventful life of William Maxwell and John Hepburn's contemporary - John McMillan (?1669 -1747)36- must be explored. Amongst William Maxwell's parishioners who signed the Minnigaff copy of the National Covenant in 1638 were 27 members of the McMillan family. Amongst these signatories would have been the father of John McMillan, who was born in 1669 at Barncaughla farm in Minnigaff parish. His family became members of the United Societies, followers of Richard Cameron who was killed at Airds Moss in Ayrshire in 1680. After working as a hill-farmer in the neighbouring parish of Kells, in 1695, aged 26 McMillan became a mature student at Edinburgh University, graduating in 1697.

> McMillan now took a step which he afterwards regretted keenly, although he maintained that his motives were pure. He “broke off” from his Society [Cameronian] connections in Kells or Minnigaff, as well as at college, and began to attend the parish church...He had decided to give the Established Church a trial. There alone he could obtain the needful training and license to preach. In the Societies there was no hope of either, for they now held a strictly negative attitude, training no ministers, and simply waiting on events.[37]

McMillan then studied to become a minister of the Established Church of Scotland. After completing his studies in 1700, he became chaplain to John Murray of Cally in the Stewartry of Kirkcudbright. In September 1701 John McMillan was chosen to become minister of Balmaghie but in December 1703 he was expelled from the Church of Scotland. From 1704 to 1727 McMillan occupied the church and manse of Balmaghie illegally. In 1727 he moved to Eastshields in the Lanarkshire parish of Carnwath, having accepted an offer to become minister to the United

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33 Macinnes A : *Union and Empire The Making of the United Kingdom in 1707* p.257
34 Stephen J: *Scottish Presbyterians and the Act of Union 1707* p. 157-166
35 Wodrow R: *Analecta* Vol. III, p.160, quoted by Reid H: 'The Hebronites' p.134
36 The following is based on Reid H : *A Cameronian Apostle* (Edinburgh, 1896). Crockett S : *The Standard Bearer* (London, 1898) is a fictionalised version of McMillan's life.
37 Reid H : *A Cameronian Apostle* p.23

Societies (Cameronians). In 1743, McMillan was joined by another minister, Thomas Nairn and together they founded the Reformed Presbyterian Church. McMillan died in 1747.

McMillan's revolt began with the death of William of Orange in March 1702 when he was required to swear an oath of allegiance to queen Anne whom he believed was biased towards the Episcopalians.38 The subsequent and complex theological disagreements which led to McMillan's break with the established church are documented in a fifty page appendix to Reid's 1898 biography of McMillan. The practical nub of these disputes was the failure of the re-established Presbyterian Church of Scotland to renew the National Covenant of 1638 and the Solemn League and Covenant of 1643. For his fellow ministers in the Presbytery of Kirkcudbright, including Richard Cameron's brother Andrew, the renewal of the Covenants was a divisive distraction from the moderate Prebysterianism advocated on William of Orange's behalf by William Carstairs. Politically, a national renewal of the Covenants would have been dangerous, since it would have been exploited by the Jacobites whose supporters were mainly Episcopalians.

For McMillan, such political and secular considerations were irrelevant. A deeply religious man, he worked with the United Societies towards a renewal of the Covenants. This was achieved between 26 and 28 July 1712 at Auchensaugh Hill near Douglas in south Lanarkshire, when over 1000 Cameronians attended. MacMillan formally debarred both Queen Anne and members of the newly formed United Kingdom parliament from participation. McMillan's return to the fold of the 'suffering remnant' had followed on from his expulsion from the established church. After initially seeking an alliance with John Hepburn of Urr,[39] McMillan wrote to the United Societies asking for a meeting. In April 1704 a general meeting of the United Societies at Crawfordjohn favourably considered McMillan's letter. Negotiations were protracted, but in October 1706 he was asked to become minister to 'the United Societies and General Correspondences of the Suffering Remnant of the true Presbyterian Church of Christ in Scotland, England and Ireland' as the Cameronians described themselves.40

With the support of the United Societies, McMillan's position in Balmaghie was strengthened. Having expelled McMillan, the Presbytery of Kirkcudbright assumed he would quit Balmaghie. But he did not. With support of the overwhelming majority of his parishioners, McMillan refused to leave. Several attempts were then made to forcibly remove him. For example, in August 1708, the heritors of the 16 parishes in the Presbytery of Kirkcudbright (including Colonel William Maxwell and Patrick Heron I) were summoned to meet at Carlingwark, seven miles from Balmaghie. This

38 Reid H : *A Cameronian Apostle* p.101
39 Reid H : *A Cameronian Apostle* p. 159
40 Reid H : *A Cameronian Apostle* p.144

force of about 100 then proceeded to Balmaghie in an attempt to evict McMillan. Opposed by an even larger group of men armed with swords and pistols and women armed with stones gathered around the church, the heritors withdrew.

> That which overawed and discomfited the authorities, ecclesiastical and civil, was the fact that all over Galloway, and in Dumfriesshire and Ayrshire, there were bodies of men prepared to act on the old Cameronian lines, by making, if necessary, armed demonstrations against McMillan's ejection. This is no mere conjecture, startling as the statement may seem. In the Societies' minute at Crawfordjohn May 3, 1708, there is an entry which has a significant air in this connection: "Concluded that each man capable in our Societies provide arms sufficient and have them always in good case, with ammunition conformable; and that each correspondence supply those that are not able to furnish themselves. And likewise that some be appointed in each correspondence to sight the arms and ammunition and the foresaids to be kept private till further allowance and necessity."41

What makes McMillan's struggle so significant is that his opponents were not Episcopalians42 but former allies. One was William Boyd, minister of Dalry. Boyd had been a member of the United Societies. During the Episcopalian supremacy the United Societies arranged for him to be sent to Holland (along with Alexander Shields, Thomas Lining and James Renwick) to train as a minister. Boyd was befriended by William of Orange and was with William when he landed at Torbay in 1688. McMillan's opponents were converts to the moderate Presbyterianism advocated by William Carstairs 'Principal of Edinburgh University, meddler par excellence in affairs of kirk and state and political fixer of Scottish administrations for William of Orange'.43

For his opponents, McMillan's inability to move beyond the martyrology and theology of the 'Killing Times' was the problem. Even Andrew Cameron, the best educated and most effective member of the Presbytery, struggled to make headway against the dense theological arguments McMillan deployed in his defence. In *The Covenanters Under Persecution*, after suggesting that 'extremer elements' (e.g. the United Societies) clung with such tenacity to the Covenants that 'the Covenants became almost fetishes' MacPherson identifies the problem that McMillan could not grasp.

> The persecution of the later Covenanters was essentially a political persecution. It is a profound mistake to contend that the struggle was a religious one, or even an ecclesiastical one. The Government did not wage it out of a disinterested zeal for the Episcopal form of Church government...the Episcopal form was useful to them because it is essentially bureaucratic..and because bishops...were more easily managed than annual assemblies in which every clergyman and elder had

41 Reid H : *A Cameronian Apostle* p.158

42 Although from 1690 onwards an 'Episcopal Society' met in Sir Robert Grierson of Lag's house in Dumfries http://www.episcopaldumfries.org/history.html accessed 26 January 2009

43 Macinnes A : *Union and Empire The Making of the United Kingdom in 1707* p.98

an equal vote.[44]

Although much reduced in numbers (e.g. by the Battle of Dunkeld in 1689) from their heyday in 1683 when Reid reports a claim by William Gordon of Earlston that the United Societies could muster 7000 armed men, the Cameronians still presented a potential military threat to the status quo. Thus when McMillan made preparations for the Cameronians to renew the Covenants on Auchensaugh Moor in July 1712, the initial plan included the advice that 'all have their arms in readiness'. However, Reid suggests that 'probably McMillan received some private assurances of protection and immunity' and was thus able to persuade the Suffering Remnant to assemble unarmed. It is perhaps fortunate that John McMillan was so deeply religious, preferring to lead his people to the possession of a spiritual rather than physical kingdom. Although the Jacobite Rebellion of 1715 led to a brief resurgence of armed readiness, under McMillan's guidance, the Suffering Remnants' swords and guns were henceforth, if not beaten into ploughshares, at least allowed to gather rust.

On a final note, although there had been negotiations between John McMillan and John Hepburn concerning the renewal of the Covenants, these fell through and Hepburn and his followers did not join the United Societies at Auchensaugh in 1712.45 It is possible that Hepburn's failure to renew the Covenants in 1712 inspired McMillan to dub Hepburn and his followers the 'Hebronites'. The Biblical town of Hebron is associated with two Covenant renewals - firstly by Abraham and secondly by David.46 Since Hepburn and his followers never renewed the Scottish Covenants, there would have been a very Biblical irony to their description as 'Hebronites' by those who had.

To bring this section on the religious and political background to the Galloway Levellers Uprising of 1724 to a conclusion, the events of 1715 must now be considered.

The Jacobite rebellion in the south of Scotland began when William Gordon 6th viscount of Kenmure raised James' standard at Moffat on 12 October 1715. The Jacobites' actions had already been anticipated by the government. On 8 October, Adam Cockburn, Lord Justice Clerk, had written to Robert Corbet, the provost of Dumfries:

> Sir,
>
> Having good information that there is a design framed of rising in Rebellion in the Southern parts, against His Majesty and the Government, I send this express that you may be on your guard: For what I can rely upon , their first attempt is to be suddenly made upon your town. I heartily wish you may escape their intended visit. I am Sir, etc

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44 MacPherson H: *The Covenanters Under Persecution , a study of their religious and ethical thought* (Edinburgh,1923) p. 25

45 Reid H : *A Cameronian Apostle* p.176

46 Genesis Ch. 13 v. 18 and 2 Samuel Ch. 5. v.3

Ad. Cockburn[47]

On 10 October, the ministers of Tinwald and Torthorwald assembled a group of armed parishioners at Locharbridge near Dumfries, and offered their services in defence of the town. Meanwhile, William Johnston, marquis of Annandale, acting as lord- lieutenant for Dumfriesshire and the Stewartry of Kirkcudbright appointed several deputy lieutenants for the Stewartry of Kirkcudbright, including Alexander Murray of Broughton, Thomas Gordon of Earlston, Patrick Heron II of Kirroughtrie, Robert Johnston of Kelton and Adam Craik of Arbigland, with orders to assemble all the 'fencible (militia) men' of the Stewartry at Leathes Muir (near present day Castle Douglas) on 11 October. In his 1718 *History of the Late Rebellion*, Rae claims 5000 assembled, but this must be an exaggeration. A similar gathering, which had already been rehearsed in mid-September, took place near Closeburn in Nithsdale on the same day. On the 12 October a company of armed volunteers from Kirkcudbright, led by their provost, arrived in Dumfries.[48]

The Jacobite forces, which amounted to only 153 armed horsemen, had reached within a mile and a half of Dumfries on the afternoon of 12 October before becoming aware that they had lost the element of surprise. They then retreated to Lochmaben and continued heading east into the Borders via Langholm, Hawick and Jedburgh before crossing over in to Northumberland where they joined with a group of English Jacobites at Rothbury on 19 October. This joint force then crossed back over into Scotland to meet up with a force of 1500 Highlanders led by Mackintosh of Borlum at Kelso on 22 October. With the support of these reinforcements, the Jacobites decided to make another attempt on Dumfries. On the night of 31 October, an advance party of 400 Jacobite horsemen came within 3 miles of the town, but once more retreated on learning that the town was now fortified and defended by 1500 fully armed volunteers under the direction of 7 'half-pay' officers plus 100 volunteers equipped with scythes blades attached to long poles.[49]

Significantly for claims later made by the Galloway Levellers, after visiting Dumfries on 20 October, the marquis of Annandale returned to Edinburgh under the impression that immediate (i.e. 12 October) crisis was over. Following the marquis' departure, the official militia raised by his deputy lieutenants was stood down. Thus, after the Jacobites had been reinforced by Mackintosh and his Highlanders on 22 October and made their second advance towards the town, 'Dumfries had to rely for its defence on volunteer soldiers alone'.[50] Whilst the majority of these volunteers would

47 McKenzie W: *History of Galloway* Vol. II, p.366
48 McKenzie W: *History of Galloway* Vol. II, p.367
49 From McKenzie W: *History of Galloway* Vol. II and MacDowall W : *History of the Burgh of Dumfries* , both fairly accurately following Rae P : *History of the Late Rebellion : Rais'd Against His Majesty King George, by the Friends of the Popish Pretender* (Dumfries, 1718)
50 MacDowall W : *History of the Burgh of Dumfries* p.533

have been drawn from those recruited by Colonel William Maxwell and his colleagues aftertheir meeting at Dalmellington in 1714, one group were not. On 31 October, John Hepburn and 300of his armed followers assembled on the outskirts of Dumfries. Their arrival was greeted with concern, since Dumfries minister William Veitch was convinced that Hepburn was secretly a Jesuit and hence a Jacobite supporter. Reid dismisses this claim as an 'extraordinary theory', but it made Dumfries town council very nervous.[51] As a result, Hepburn's force were not invited to enter the town, remaining west of the Nith on Corbelly Hill until the Jacobite threat had passed.

What then was the legacy of 1715? It was the revival of old divisions. The oldest of these divisions had its origins in the Reformation and was revived when members of the Roman Catholic Maxwell family (led by the earl of Nithsdale) joined the Jacobite forces. The Jacobite forces also included William and Gilbert Grierson, sons of a still living and notorious Robert Grierson of Lag. Their involvement could not but revive memories of the Killing Times. Finally, the ambiguous involvement of John Hepburn and his Hebronites (with John McMillan and the Cameronians in the background) revived recent divisions within the Presbyterian community. Significantly for the events which were to unfold in 1724, these religious and political divides had a geographical focus centred on the Stewartry of Kirkcudbright.

Out of the Jacobites captured at Preston, sixteen can be identified as coming from Dumfriesshire and Galloway. Nine of these were from the Stewartry of Kirkcudbright. The Jacobite forces were led by viscount Kenmure from Kells parish, the earl of Nithsdale's home was in Terregles parish, George and William Maxwell were of Munches in Buittle parish, Robert McLellan was of Barscobe in Balmaclellan parish, Basil Hamilton 'of Baldoon' lived in Kirkcudbright parish, Robert Douglas came from Auchenshinnoch in Dalry parish and the Griersons of Lag had lands in Troqueer and Lochrutton parishes. The remaining seven Jacobites were Dumfriesshire land owners. In contrast, Wigtownshire provided no Jacobites in 1715. Opposition to the Jacobites in the Stewartry of Kirkcudbright was initially led by Colonel William Maxwell of Cardoness and then by another 14 landowners (including Patrick Heron II of Kirroughtrie). They were actively supported by Kirkcudbright town council and most parish ministers.52 This group represented the moderate Presbyterianism of the majority of the population and the post-Revolution Settlement establishment.

In addition to the Jacobites and the moderate Presbyterians, there were another three distinct religious/ social communities in the Stewartry of Kirkcudbright in 1715. In Balmaghie, John McMillan still illegally occupied the kirk and manse with the support of his parishioners of whom

51 Reid H: 'The Hebronites' *Transactions DGNHAS* 3rd Series Vol.7 p.121
52 McKenzie W: *History of Galloway* Vol.II p.362 and 366

Reid estimates there were around 500.53 These parishioners were personally loyal to McMillan rather than being members of the Cameronian flock he simultaneously ministered to in Lanarkshire. In Urr, there was John Hepburn who likewise drew on the personal loyalty of his immediate parishioners as well as that of his Hebronite followers who lived in neighbouring parishes. The third group were the Roman Catholic population of the Stewartry. These were mainly tenants of the Roman Catholic Maxwells but also included the Glendinnings of Parton and the Neilsons of Barncaillie and their tenants. Despite fears that the Roman Catholic community would support the Jacobites, many were 'at arms in Dumfries and manifested a great deal of zeal against the Rebellion'.54

The first stirrings of the Galloway Levellers uprising began in 1723 at the midsummer Kelton Hill Fair. All of the levelling activity which took place in the Stewartry of Kirkcudbright between March and June 1724 occurred within a twelve mile radius of Kelton Hill. Out of the 28 parishes in the Stewartry of Kirkcudbright, 14 lie within this twelve miles radius and occupy an area of 338 square miles which is 39% of the total area of the Stewartry. In 1690, 47% of the Stewartry's population lived within these 14 parishes. In 1755, the figure had risen to 52 % and by 1801 it was 58%. This suggests that in 1724 approximately 9500 people or 50% of the population lived within the area of leveller activity.55

These same parishes were also at the centre of the social and political divisions outlined above. There were Roman Catholic landowners and their tenants in Parton, Kirkpatrick Durham and Buittle. The Roman Catholic Maxwells of Buittle were also Jacobites. Owning 59 farms in the 14 parishes was another Jacobite, Sir Basil Hamilton who lived in Kirkcudbright parish. Hamilton was the largest single landowner in the Stewartry of Kirkcudbright. Balmaghie was still home to John McMillan, the Cameronian Apostle and John Hepburn's Hebronites were still to be found in Urr and Kirkgunzeon. The Williamite/ Hanoverian establishment was represented by Colonel William Maxwell at Cardoness and Robert Johnston, former provost and member of parliament for Dumfries, now laird of an estate which lay between Kelton Hill and Threave castle.

In the summer of 1640, Threave castle was held by Robert Maxwell 1st earl of Nithsdale for Charles I against Covenanting forces supported by the Stewartry of Kirkcudbright War Committee. Maxwell's forces surrendered the castle on 15 September 1640. On 15 October 1640, the War Committee ordained that 'the hows of Threive be flighted ...this to be done be Erlistone [Robert

53 Reid H : *A Cameronian Apostle* p.55
54 MacDowall W : *History of the Burgh of Dumfries* p.530. quoting Rae (1718) p. 256-7
55 McKenzie W: *History of Galloway* Vol.II appendix p.73-75

Gordon] and William Griersone of Bargaltone'.56 On the 19 October the details of the 'flighting' were given - 'the slait roofe of the hows and batlement thairof be taken downe with the lofting thairof, dores and windowes of the samen, and to tak out the hale iron work of the samen'. The same meeting agreed that William McLellan of Barscobe 'would buy frae the said Committie as manie as would serve him of the friestanes of the hows of Thrieve'.57

In 1715 the descendants of Robert Maxwell, Robert Gordon and William McLellan briefly renewed the civil war which had divided their forbears. William Maxwell, 5th earl of Nithsdale resumed his family's support for the Stuart cause whilst Thomas Gordon of Earlston re-affirmed his family's opposition to the Stuarts. Robert McLellan of Barscobe swapped sides and came out as a Jacobite in 1715. While there was an anti-Jacobite aspect to the conflict of 1724, economic self - interest saw Thomas Gordon of Earlston ally himself with a former foe – Sir Basil Hamilton. And amongst the Galloway Levellers sued for damages by Sir Basil was Grizel Grier(son) spouse to Thomas Moire of Beoch. Grizel was the granddaughter of William Griersone of Bargaltone [Bargatton]58 so in her levelling actions there may be heard the faintest echo of the 'flighting' of Threave in 1640.

More prosaically, the loss of her family's lands may have influenced Grizel Grierson's support for the Levellers in 1724. The 19 merkland of Bargaltoune [Bargatton] included six farms and six crofts within an 18 square kilometre/ 7 square mile triangle of land. After her father Thomas died in 1698, the 19 merkland of Bargaltoune [Bargatton] was acquired by William Murray (a Dumfries merchant) in 1700 and sold on to Robert McLellan of Barclay ten years later. McLellan's father had joined the Pentland [Dalry] Rising in 1666 and fought at Bothwell Brig in 1679. In 1685 he was captured and banished with his son to North America, both returning in 1689. The adult Robert McLellan was an entrepreneur who turned his enforced familiarity with the colonies into an advantage. From Glasgow he exported shoes to Virginia and imported tobacco; from Edinburgh he traded in commodities as diverse as salt and silver watches. With the profits from his trading ventures he bought up land in Galloway. After Robert's death in 1717, his brother Samuel McLellan inherited 44 farms, including Bargatton. Samuel was not a successful businessman and died bankrupt in 1727, having sold Bargatton to Colonel William Maxwell of Cardoness in 1725.59

It was out of this small community, at once intimately connected yet also deeply divided, that

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56 *Minute Book kept by the War Committee of the Covenanters in the Stewartry of Kirkcudbright in the years 1640 and 1641* (Kirkcudbright, 1855) p.60

57 *Minute Book kept by the War Committee of the Covenanters in the Stewartry of Kirkcudbright in the years 1640 and 1641* (Kirkcudbright, 1855) p. 67

58 *Kirkcudbright Sheriff Court Deeds 1675-1700* (Edinburgh, 1950) entry 3604

59 Torrance R : *The McLellans of Galloway* (Edinburgh, 1993) p.74 - 87 and McKerlie P : *History of the Lands and their Owners in Galloway* Vol. 3 Balmaghie parish

Grizel Grierson and her fellow Levellers emerged so unexpectedly in 1724.

Chapter Three : The Events of 1724

In late August 1721, Sir John Clerk of Pencuick and his son travelled to Galloway to visit James Stewart, the 5th earl of Galloway who was Clerk's brother-in-law. Clerk kept a record of the visit. After overnight stays at Dolphinton and Drumlanrig, the Clerks followed the old pilgrim's route to Whithorn via the 'Old Clachan' (St. John's Town of Dalry) below which they forded a swollen Water of Ken, before reaching New Galloway. Clerk noted that the late viscount of Kenmure's house is near to New Galloway and that 'this house is now in the hands of the Commissioners of Enquiry for the Publick, being forfeit by the Viscount's rebellion in 1715'. Beyond New Galloway, the Clerks' travelled on through 'mountains wild beyond imagination so that scarce any thing in the Alps exceeds them' and where 'Galloway horse are bread' to reach Minnigaff. Here they crossed the Cree by boat to Newton Stewart before finally arriving at the house of Brigadier General John Stewart's house at Sorbie in the Machars. The Brigadier was the 5th earl of Galloway's brother.

After recovering from the 'great distress' of his journey through the wild mountains of Galloway, Clerk and lord Garlies (eldest son of the earl of Galloway) set their servants to work 'to remove some stones from an old cairn where we were told Roman sepulchral urns had been found'. Fortunately, Clerk took as much interest in contemporary affairs as he did in his antiquarian pursuits, providing a 'description of Galloway' which can be compared with that of Symson[1] who wrote his *Description of Galloway* 40 years earlier.

> For a description of Galloway what follows shal suffice... The soil is warm but thin and brings all sort sorts of garden fruits to perfection than any country of Scotland. The surface of the ground is full of small rocks and in many places covered with whins, broom, fairns etc. However there is good feeding for all sorts of cattle. Their grain is nigh bear and oats black and white. Barley they have none, nor for ordinary any pease. Their culture of grains seems a little odd, for their bear sets as they cal them are never changed…There are very little improvements here in planting, for their industry runs only on inclosures for black cattle which indeed brings them in from England a great dale of profit. Their diks are of stone without mortar, very thinly built together. [Clerk here suggested quick set hedges would be more useful].
>
> By these inclosures such as they are I had occasion to compute they brought in ten thousand guineas to their country, for the price of their cattle is commonly payed in gold. Sometimes they drive them to the English fairs and sometimes they sell them at home to English men who come down and pay them readie monie for what they carry off. By the bye, all this is not above a tenth of what Scotland gains from England upon this time upon black cattle, for I have good reason to believe there is

1 Symson in McKenzie W: *History of Galloway* Vol.II

> above 100 000 lib ster yearly payed us on that score. The inhabitants of Galloway [Wigtownshire] are much lessened since the custom of inclosing their grounds took place, for there are certainly above 20 000 acres laid waste on that account.[2]

Clerk does not date the 'custom of inclosing' for black cattle, but from the itinerary of his journey, he must have passed through the Baldoon Parks first established by Sir David Dunbar of Baldoon sometime before 1682, when Symson described Dunbar's great cattle park in his *Large Description of Galloway*. Since Symson notes that other landowners in the Machars had followed Dunbar's example and since Clerk is describing the Machars rather than the whole of Wigtownshire, the loss of population due to the 20 000 acres 'laid waste' by cattle parks is likely to refer only to the Machars. The loss of population would have been caused by the conversion of arable farm land to pasture. Until the introduction of cast iron ploughs from 1730 onwards, arable farming involved use of the mainly wooden 'Old Scotch plough' which required a large team of oxen or horses to pull it, which in turn required more manpower than cattle minding.[3] That Sir David Dunbar's Baldoon Estate was good arable land is shown by its status as 'Grange land' in the list of lands forfeit by the 9th earl of Galloway in 1456[4] and its later identification in 1875 by McLelland as good wheat producing land.[5]

Unfortunately, neither Symson writing in 1682 nor Clerk writing in 1721 mention the Stewartry of Kirkcudbright in their discussion of cattle parks. However, from the *KSCD*, it is clear that at least two cattle parks existed in the Stewartry before 1692.[6] This is significant. It means that the dykes surrounding cattle parks in the Stewartry of Kirkcudbright which were thrown down by the Galloway Levellers were part of an extension of existing practice rather than a recent innovation in 1724. Furthermore, if such a perceptive observer as Clerk had recognised that such enclosures 'lessened the inhabitants' of Wigtownshire, the fear that the extension of such enclosures would lead to a similar depopulation of the Stewartry was not an irrational fear.

Clerk's short description of Galloway also raises the question to what extent was the construction of large cattle enclosures part of a process of 'improvement'? Clerk himself seemed dubious. As he noted concerning arable farming, 'Their culture of grains seems a little odd, for their bear sets as they call them are never changed. That ground which I saw carrying bear has produced nothing else in the memory of man'. Clearly there had been no improvement in this practice since it was noted by Symson, writing forty years earlier that 'they sow their beir in the same place every year, and

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2 Prevost W: 'A Journie to Galloway in 1721 by Sir John Clerk of Penicuik' *Transactions DGNHAS* 3rd Series Vol.41

3 Fenton. A: 'Plough and Spade in Dumfries and Galloway' , *Transactions:DGNHAS*, 3rd Series Vol. 45 p.147

4 McCulloch A : *Galloway: A Land Apart* p.559

5 McLelland: *Transactions Highland and Agricultural Society of Scotland* (Edinburgh, 1875)

6 *KSCD 1675-1700* entries 1265 and 1940

without intermission, which is also peculiar, in a peece of ground which is nearest to their house'. The regional export of cattle to England can be traced back to at least 1621 when 'between 2 June and 19 October 1621, duty was paid [at Dumfries on exports of livestock to England] on 4640 sheep, 280 lambs, 65 horses and 2351 nolt (head of cattle).[7] Sir David Dunbar of Baldoon's great cattle park may well have been an innovative improvement when first constructed, but by 1721 such enclosures had become part of a hundred year old regional tradition - that of trading cattle for English cash.

If the construction of cattle parks enclosed by dykes 'of stone without mortar' (as Clerk described them) was not an innovation in the Galloway of 1724, were the actions of landowners like Sir Basil Hamilton of Baldoon (Sir David Dunbar of Baldoon's great-grandson) innovative examples of enlightened improvement in the knowledge of agriculture - or were they rather a conservative extension of locally traditional agricultural practice? In 1683, James Gordon of Kirkillbyde was empowered 'to set, raise, improve and diminish the rent' of Mid Lochdougan by Helen Maxwell, liferentix of the farm. By 1688, Sir Robert Maxwell of Orchardton considered 'improvement' as meaning 'not diminishing but rather increasing rents' from an estate which included a cattle park 'not to be set to the plough'.[8] So it would seem that by the time Clerk was writing in 1721, 'improvement' had taken on a broader meaning than of Helen Maxwell in 1683 or which Sir Robert Maxwell gave it in 1688. This broader meaning of 'to improve' was the one adopted by the 'Honourable Society of Improvers in the Knowledge of Agriculture', founded in Edinburgh in 1723 and of which Clerk was an influential member.

Turning to 1724, the initial impression is that a fog of confusion surrounds the scope and sequence of the events as they unfolded.

> Wild rumours of a mass uprising provoked by Irish Jacobites or religious zealots were part and parcel of the contemporary reports, which caused widespread concern both in Galloway and beyond. The picture presented by observers during the spring and summer of 1724 is a particularly confused one, and naturally enough commentators like the Earl of Galloway, a leading landowner fearing for his estates and cattle, were hardly likely to be unbiased. Likewise press reports are extremely unreliable, are laced with vitriolic outbursts against the activities of the levellers and give little positive evidence for the timing of events. It is this latter factor and the weird mixture of fact and fantasy which lends the whole affair a considerable element of mystery.[9]

Whilst there will always be some uncertainty about the events in 1724, the following chronology

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7 Murray A : 'The Customs Accounts of Dumfries and Kirkcudbright, 1560-1660', *Transactions DGNHAS,* 3rd Series Vol. 42 p. 119

8 *KSCD 1675-1700* (Edinburgh, 1950) entries 1072 and 1256

9 Donnachie I and MacLeod I : *Old Galloway* (Newton Abbot, 1974) p.52

has been complied by cross-referencing the accounts given by Wodrow, Morton, Prevost, Leopold and the Levellers themselves and is therefore reasonably accurate.

1718

Patrick Murdoch of Cumloden rents High, Upper, Middle and Nether Airds of Kells from Alexander and Thomas Gordon of Earlston for 25 years and encloses it as a cattle park.[10]

1723

May - several tacks of arable farms in lowland parishes of Stewartry of Kirkcudbright are not to be renewed. Farms to be converted to pasture/ enclosed as cattle parks.

June - at Kelton Hill Fair, resentment to the loss of livelihood created by the conversion of arable farms to cattle parks leads to suggestion of 'dyke-breaking' as a response.

1724

January/ February - former tenant of Thomas Gordon of Earlston (named as Robertson, possibly from Airds of Kells) and unnamed former tenant of Lady Mary Dalzell - widow of Jacobite William Gordon, Viscount Kenmure - propose bond (or covenant) to mobilise those opposed to enclosure by cattle parks.

17 March - first dyke-breaking occurs at Netherlaw near Kirkcudbright. Cattle park at Netherlaw in existence since 1688.

Early April - call to meeting against cattle parks fixed to church doors in Borgue, Twynholm and Tongland parishes.

21 April - *Caledonian Mercury* reports that this meeting was addressed by a "mountain preacher" and 'big with that ancient levelling Tenet' several hundred armed persons subsequently demolished dykes in the neighbourhood.

2 May - Thomas Gordon of Earlston and Basil Hamilton of Baldoon ride to Edinburgh to request troops be sent to quell disturbances.

3 May -Adam Cockburn (Lord Justice Clerk) requests that David Rain, imprisoned for participation in a tumultuous assembly, be sent to Edinburgh.

6 May - Presbytery of Kirkcudbright condemn actions of dyke- breakers.

10 May -call for assembly at Bomby Muir (near Kirkcudbright) on Tuesday 12 May fixed to eight church doors.

12 May - four Troops of Stair's Dragoons arrive in Kirkcudbright, probably from Castle Kennedy, Stranraer.

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10 *Gordon MSS, Register of Deeds, Dalrymple 1660-1748* Entry 118 part 2 in R.C. Reid Collection, Ewart Library Dumfries

12 to 16 May - nearly 2 miles of Sir Basil Hamilton's newly erected dykes near Bomby Muir are levelled by gathering of up to 1000. 400 cattle within the enclosure.

17 May - James Clerk (Customs Officer in Kirkcudbright) writes to his brother Sir John Clerk of Penicuik describing conflict on 16 May between dyke-breakers and heritors at the Steps of Tarff.

20 May - dyke-breakers split up into smaller groups, extending levelling activities across Stewartry. One group claim that 53 of Sir Basil Hamilton's cattle were illegally imported from Ireland.

27 May - General Assembly pass an act condemning actions of dyke-breakers.

- meeting of parish representatives of dyke-breakers held at Kelton Hill.

- more of Stair's Dragoon arrive in Kirkcudbright, probably from Newliston, Edinburgh.

29 May - complete regiment of Stair's Dragoons (two troops horse, four of foot) under Major Du Cary assembled in Kirkcudbright.

- heritors and Justices of the Peace meet to plan tactics should any gathering of dyke-breakers fail to disperse after the Riot Act is read.

31 May - Levellers requested to assemble at Boat of Rhone on 2 June.

End of May - *An Account of the Reason of Some People in Galloway, their meetings anent Public Grievances through Enclosure* published.

2 June - Stair's Dragoons depart Kirkcudbright at 3 am for Boat of Rhone, arriving at 8 am - but no sign of dyke-breakers. On return journey troops intervene in a conflict between heritors and dyke-beakers at Steps of Tarff. 14 dyke-breakers are captured.

- after departure of troops from Boat of Rhone, Patrick Murdoch's dykes at Airds of Kells are levelled. Murdoch's dykes at Kilquhanity and Macartney (now Walton Park) may also have been levelled.

6 June - *News from Galloway, or the Poor Man's Plea against his landlord in a letter to a friend* is published.

20 June - Patrick Murdoch of Cumloden takes action in Kirkcudbright Sheriff Court "Against debtors for damages caused by levelling at Airds in Kells parish."

End of June - Levellers write their *Letter to major Du Cary* justifying their actions. This is passed to Major Du Cary by Provost Kilpatrick of Kirkcudbright. Heritors and Justices of the Peace report Kilpatrick as Leveller sympathiser to Lord Advocate Robert Dundas.

1 July - twenty page pamphlet *Opinion of Sir Thomas More, Lord High Chancellor of England concerning enclosures, in an answer to a letter from Galloway* by 'Philadephus' published in Edinburgh. Lord Advocate Robert Dundas personally visits bookseller to demand name of author and attempts to suppress pamphlet.

2 July - John Ker, 1st duke of Roxburghe and Secretary of State for Scotland, discusses events with

George I who asks what legal right those concerned had to ‘eject so many Tenants at once as to render them, and the Country desolate’ and ‘what provision the law has to make for the Tenants so ejected'.[11]

July(undated) - heritors respond to the *Letter to Major Du Cary*, denying allegations made against Hamilton of Baldoon, Murdoch of Cumloden, Murray of Cavens, Murray of Broughton and Cally, the Herons of Kirroughtrie, Blair of Dunrod (Borgue), the McJoars of Kirkland and Cocklick, McKie of Palgowan and Dunbar of Machermore.

13 August - John Ker (see 2 July above) commissions Robert Dundas to hold a Public Enquiry into the situation. Dundas in turn appoints James Johnstone, marquis of Annandale and Steward of the Stewartry of Kirkcudbright to oversee this.

17 August -Steward -Depute John McDowall of Kirkcudbright advises marquis of Annandale on progress of Public Enquiry.

14 September - marquis of Annandale writes to Sir Basil Hamilton, after Hamilton has complained that McDowall is too sympathetic to the dyke-breakers.

13 October - *Caledonian Mercury* reports that David Rain (arrested in May) has been released.

End of October - Troops confront Levellers at Duchrae in Balmaghie parish (near the Boat of Roan). Troops order to use weapons only in self-defence. 200 Levellers captured, but most ‘allowed to escape’ whilst being taken to Kirkcudbright.

18 November -Brigadier John Stewart of Sorbie (brother of earl of Galloway) writes to his brother in law Sir John Clerk of Pencuik reporting outbreak of dyke -breaking in Machars of Wigtownshire.

1725

January 1725 - Trial for damages caused to Sir Basil Hamilton’s dykes near Bombie Muir held.

April 1725 -James Clerk writes to Sir John Clerk reporting that Stair’s Dragoons have left and immediately another sixty roods of Hamilton’s dykes were levelled.

June 1725 - Robert Wodrow notes in his journal 'ther are many of them [Levellers] begging up and down. The souldiers have calmed them, and some proposals they say of erecting manufactorys of wool at Wigtoun, Stranreaur, and Kirkcudbright... and if the Earl of Stair's project hold, will employ the poor who are turned out by the inclosures'.[12]

1726

August Daniel Murdoch of Dalry jailed in Kirkcudbright for possessing a copy of *Lamentation of*

11 Dundas of Arniston MSS: Vol 32: Letters II: Duke of Roxburghe to Lord Advocate 2 July 1724 - in Whatley: C *Scottish Society 1707-1830* (Manchester, 2000) p. 202, n.94

12 Wodrow R: *Analecta* Vol.III p.210

the People of Galloway by the Pairking Lairds, written by James Charters, Kirkland of Dalry.[13]

The most detailed account of the events of 1724 is provided by Morton[14] writing in 1936. Unfortunately, Morton does not always give his sources, a defect partially rectified by cross-referencing his account with Prevost and Leopold.[15] Considerable confusion was created by an initial attempt to follow Morton's claim that the Levellers' uprising was provoked by the actions of Lady Kenmure and Thomas Gordon of Earlston who evicted many of their tenants in 1723. This claim has now been traced to Robert Wodrow's *Analecta* and a rather garbled version of events given by David Warner to Robert Wodrow in June 1724.[16] With lady Kenmure, apart from David Warner's report to Wodrow, there is a lack of supporting evidence for her connection to the Galloway Levellers. With Thomas Gordon of Earlston there is such evidence.

In 1679 Thomas Gordon of Earlston's grandfather William and father Alexander fought at Bothwell Bridge where William was killed. In 1684 Mary Hope, lady Earlston (possibly to avoid forfeiture) had passed her liferent rights to Airds of Kells on to her cousin Archibald Hope of Rankeillor who in turn disponed the lands 'heritably and irredeemably during the lifetime of the said Mary' on to James Holburn of Menstrie who appointed Andrew Ewart of Mullock as his factor in 1686.[17] Lady Mary Hope of Earlston died in 1696 when Airds of Kells would have reverted to her son Alexander. In 1708 Sir Alexander ‘disponed’ (conveyed) the estate to his son Thomas. McKerlie gives the rental valuation of the estate as £300 sterling per year, but as carrying a debt burden of £1687 sterling, and notes wadsets on the estate in 1710, 1714 and 1719. Despite marrying an heiress in 1710 (Ann Boick, whose father was a merchant burgess of Edinburgh and Glasgow), Thomas was unable to clear the debts he had inherited and was declared bankrupt in 1737.

It is against this background of a debt laden estate that on 2 September 1718, Alexander Gordon of Earlston set in tack the lands of High, Upper, Middle and Nether Airds in the parish of Kells to Thomas Murdoch of Cumloden for 25 years for £785-12- 4 Scots.[18] Murdoch himself was heir to a debt laden estate. The debts had been accumulated following the involvement of Thomas Murdoch's Covenanting grandfather in the battle of Bothwell Bridge. And, like Thomas Gordon, Thomas

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13 Morton A: 'The Levellers of Galloway' p. 253, also in McKenzie : *History of Galloway* Vol II p. 395

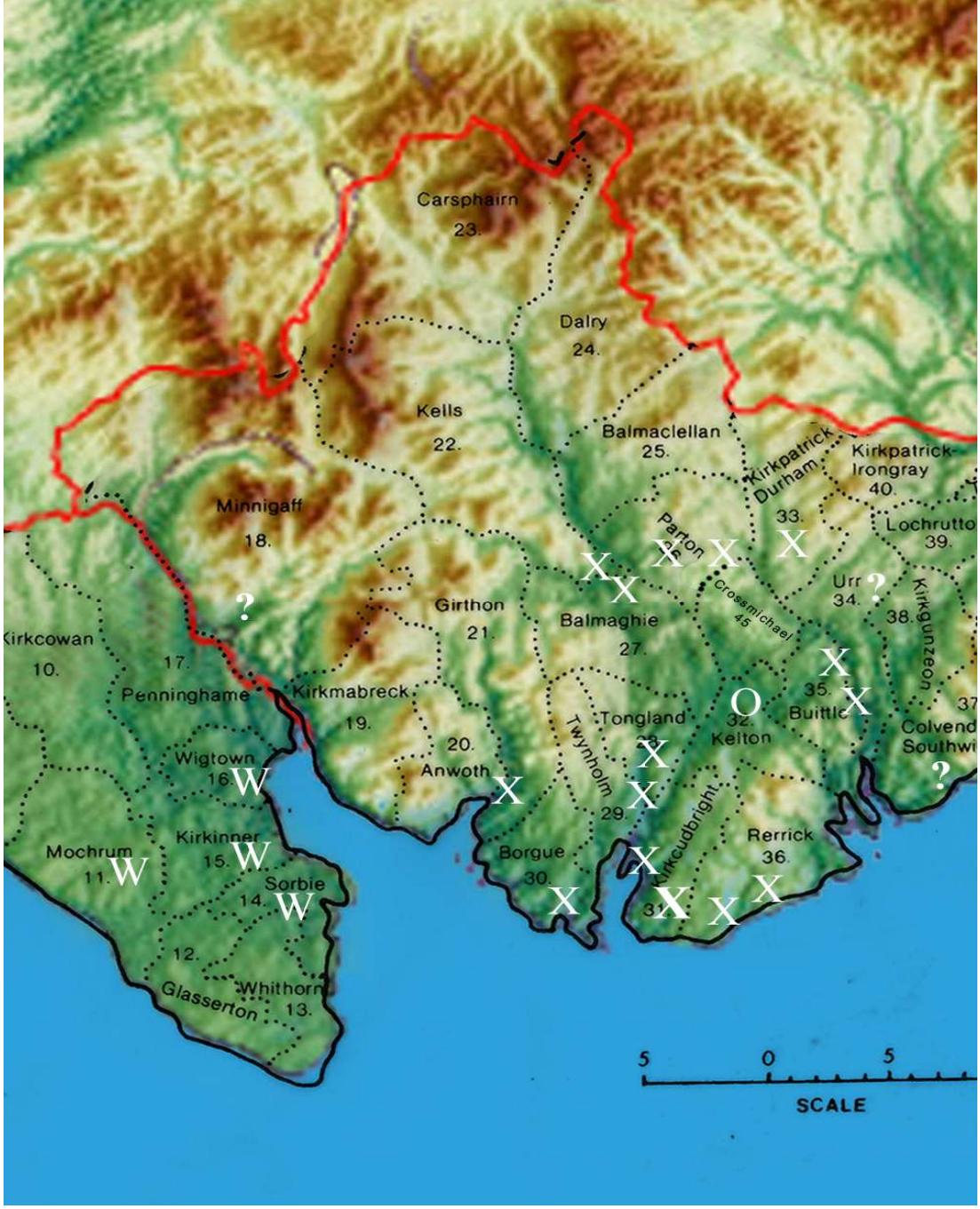
14 Morton A : 'The Levellers of Galloway' p. 232

15 Prevost W : 'Letters Reporting the Rising of the Levellers in 1724', *Transactions DGNHAS*, 3rd Series, Vol.44 (1967) Leopold J: 'The Levellers Revolt in Galloway in 1724', *Journal of the Scottish Labour History Society* 14 (1980)

16 Wodrow R: *Analecta* Vol III. p. 157-160

17 *KSCD 1675-1700* (Edinburgh, 1950) entry 1070

18 *Gordon MSS, Register of Deeds, Dalrymple 1660-1748* Part 2 entry 118, in R.C. Reid Collection, Ewart Library Dumfries



Map 4 - location of Leveller actions and threats.

O - Kelton Hill, **X** – known Leveller actions, **?** - Leveller threat but no reported action.

W – Wigtonshire parishes affected by Leveller actions in November 1724.

Murdoch was also later to be declared bankrupt. For other targets of the Galloway Levellers, in particular lady Kenmure and Basil Hamilton, the financial problems were more recent, resulting from involvement in the Jacobite rebellion of 1715.

In 1697, a drove road was marked out and made between New Galloway in the Glenkens and Dumfries. Alexander Gordon, viscount Kenmure, was amongst the landowners who had petitioned the Privy Council to make this improvement which was also supported by Dumfries Town Council.

> 'Several debates,' the Council record says, 'have happened of late in the passage of droves from New Galloway to Dumfries, the country people endeavouring by violence to stop the droves, and impose illegal exactions of money upon the cattle, to the great damage of the trade; whereby also riots and bloodsheds have been occasioned, which had gone greater length if those who were employed to carry up the cattle had not managed with great moderation and prudence.' On a petition from the great landlords of the district- James, Earl of Galloway; Lord Basil Hamilton; Alexander, Viscount of Kenmure; John, Viscount of Stair; Sir Andrew Agnew of Lochnaw, and others a commission was appointed by the Privy Council, 'to make and mark a highway for droves frae New Galloway to Dumfries, holding the high and accustomed travelling way betwixt the said two burghs'.[19]

However, neither Alexander Gordon nor his son William appear to have profited by this support for Galloway's cattle trade. According to McKerlie,[20] by 1716 the Kenmure estate 'was so much encumbered with debt and claimants, that the Government allowed his widow to make of it what she could'. Although Morton[21] does not mention it, the estates of lady Kenmure and Thomas Gordon lay close to the new drove road between New Galloway and Dumfries. From Clerk's account of 1721, cattle worth £10 000 sterling would have passed along this drove road every autumn. Paid for in cash (Clerk's English 'readie monie') the attraction of the cattle trade for debt-ridden landowners like lady Kenmure and Thomas Gordon, via his tacksman Thomas Murdoch, was obvious.

From analysis of over 320 tacks recorded in the Kirkcudbright Sheriff Court Deeds between 1623 and 1700, it is clear that changes of tenant and sub-tenants/ cottars at the expiry of a tack (which varied between one and 19 years length) were not unusual. What was unusual at Whitsun 1723 is, as Morton explains that 'there were several instances where five, seven, and even sixteen families on an estate had to remove' to be replaced by a single tenant. The grievances of those dispossessed at Whit became the focus for wider concerns at the Kelton Hill Fair held in mid-June. Established by ancient tradition,[22] the Fair was a somewhat riotous affair.

> Here are assembled from Ireland, from England, and from the most distant parts of North Britain, horse-dealers, cattle dealers, sellers of sweetmeats and of spirituous liquors, gypsies, pick-pockets, and smugglers…The roads are for a day or two before crowded with comers to the fair. On the hill where it is held tents are erected, and through the whole fair day one tumultuous scene is here exhibited of bustling backwards and forwards, bargaining, wooing, carousing,

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19 McDowall W: *History of the Burgh of Dumfries* p. 780

20 McKerlie P: *History of the Lands and their Owners in Galloway* Vol. 4, p. 64

21 Morton A : 'The Levellers of Galloway', *Transactions DGNHAS* 3rd Series Vol. 19 (1935/6)

22 Brooke D : *Wild Men and Holy Places* (Edinburgh, 1994) p. 52

> quarrelling, amidst horses, cattle, carriages, mountebanks, the stalls of chapmen, and the tents of the sellers of liquors and cold victuals.[23]

It was at the Kelton Hill Fair in June 1723 that the idea of dyke-breaking was first proposed. However no immediate action was taken. It was not until January or February 1724 that a bond (or covenant) for those prepared to resist further evictions was proposed.[24] By this time it would have been clear that other landowners were planning to evict tenants and cottars and construct cattle parks. No doubt rumour and speculation added considerably to the list of threatened fermtouns and helped swell the numbers of those signing the bond. It is also clear, as the events unfolded through 1724, that a considerable degree of planning and preparation was involved.

The practical organisation of teams of dyke-breakers in each parish was managed by 'captains'. This procedure echoed the practice of the Stewartry War Committee of the Covenant in 1640/1- which appointed ‘captains’ to oversee the raising of anti- Stuart volunteers in each parish[25] and the more recent raising of anti- Jacobite volunteers in 1715.[26] At the same time as the practice of dyke-breaking was being organised, the ‘theory‘, or at least a series of justifications for the actions of the dyke-breakers, was being prepared. The first of several such manifestos was attached to the doors of churches in Borgue, Tongland and Twynholm parishes in April 1724. Although Morton quotes from the Borgue manifesto, he does say where he found it. Fortunately Prevost is more revealing, stating that Robert Wodrow received a copy (or original?) in May 1724. This confirms that Wodrow was one of the unattributed sources used by Morton.

> Therefore in order to prevent such a chain of miseries as are likely to be the consequences of this unhappy parking we earnestly entreat the assistance and aid of you the loyal parish of Borgue in order to suppress these calamities and that we may either live or die in this land of our nativity. We beg your assistance which will tend to your own advantage in order to which we desire you to meet at David Low’s in Woodhead of Tongland where we expect the concurrence of Tongland and Twynholm upon Tuesday morning an hour after the sun rise which will gratify us and oblige yourselves.[27]

Whatever else it may be, the language of this text is not the everyday Scots language of Borgue or any other parish in the Stewartry of Kirkcudbright in 1724. It is written in the formal English of a

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23 Heron R : *Observations made in a Journey through the Western Counties of Scotland* (Edinburgh, 1793)

24 Morton A : 'The Levellers of Galloway', *Transactions DGNHAS* 3rd Series Vol. 19 (1935/6)

25 *Minute Book kept by the War Committee* p. 9

26 Rae P : *History of the Late Rebellion*

27 Prevost W : 'Letters Reporting the Rising of the Levellers in 1724', p. 196 - source Woodrow, NLS, MSS Folio XL, No. 80

highly educated person. As Reid[28] points out in his biography of the Reverend John McMillan of Balmaghie, the best educated of all but a few (e.g. Sir James Dalrymple of Stair) of the population of Galloway in this period were the parish ministers. The manifesto also declares that those who had ‘lately risen to suppress the insupportable cruelty and oppression of several gentlemen in Galloway’ were all ‘well affected to the Government and loyal subjects of His Majesty’. As Stephen[29] explains in his discussion of the religious and political differences between the Cameronians and the Hebronites in 1706, the Cameronians rejected all uncovenanted kings and queens. The Cameronian position was effectively a republican one. In contrast, and as shown by their actions in 1715, the Hebronites were able to support and pledge loyalty to uncovenanted monarchs -as George I was.

Had John Hepburn, the leader of the Hebronites, still been alive in 1724 he would have been the most likely writer of this manifesto. However, Hepburn died in 1723 so could not have been its author. Wodrow, writing in June 1724 and quoting either David Warner or Colonel William Maxwell on the Levellers states 'He assures me they are all broken persons ; and well enough kneu that the storys we have, about strangers from England, &c. being among them, are false : That ther is none among them of any note, save Mr Cluny, the deposed Curate, who draues their papers'.[30]

This ‘Mr. Cluny’ was Hugh Clanny who was minister of Kirkbean from 1688 until deposed in 1713. Adamson[31] locates Clanny in a complex struggle fought out between ex-Episcopalians, Hepburn and the Hebronites and mainstream Presbyterians within the Synod of Dumfries in 1697 in which Clanny may have been aligned with the Hebronite faction. After being deposed, Clanny gave 'great trouble' by his willingness to perform irregular marriages, that is marriages of Roman Catholics. One such marriage performed by Hugh Clanny was that of 'John Maxwell of Terraughtie and Helen Murray Sister German to James Murray of Conhath'.[32] This John Maxwell was the father (by a second marriage) of John Maxwell of Terraughtie and Munches (1720-1815), who became Richard Oswald' of Auchincruive's improving factor.

In January 1688 Hugh Clanny married Rachel, daughter of John McMichen of Barcaple (Tongland parish).[33] John McMichen had been, until forced out in 1663, the Prebsyterian minister of Dalry parish.[34] John McMichen had bought Barcaple in 1687 from Hugh Blair. Barcaple had been sold to William McGuffog (Hugh Blair’s father-in-law) by David Arnot in 1674. The Arnot’s

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28 Reid H : *A Cameronian Apostle*
29 Stephen J: *Scottish Presbyterians and the Act of Union 1707,* Chapter 5
30 Wodrow R: *Analecta* Vol.III, p.160
31 Adamson D:'Why They Sacked John Fraser' *Transactions DGNHAS* 3rd Series Vol. 55 (1980) p.89
32 Shirley G: 'Some incidents in Troqueer,1690-1710' *Transactions DGNHAS* 2nd Series Vol. 22 (1909-10) p.156
33 *KSCD 1675-1700* (Edinburgh, 1950) entry 3399
34 Morton S : *Galloway and the Covenanters* p. 99

(descended from David Arnot who was bishop of Galloway in 1509) had owned Barcaple since 14 March 1540 when Henry, bishop of Galloway and commendator of Dundrennan abbey conveyed Barcaple to Henry Arnot.[35] In 1661, Samuel Arnot was minister of Tongland parish and his brother David owned Barcaple. David was repeatedly fined for adherence to the Covenants and with his brother had to flee to Ireland - hence the enforced sale of Barcaple to Stuart loyalist William McGuffog in 1674.

On John McMichen's death Rachel and her elder sister Mary inherited Barcaple. Mary had married the Reverend William Maitland in 1674 and by 1724 her son Alexander was minister of Tongland parish. Since Alexander bought Rachel's half of Barcaple from her and Hugh Clanny (still described as 'minister') in 1727[36], it is likely that - having lost his position in Kirkbean parish - Hugh Clanny was living at Barcaple in 1724. This is significant, since the Gordons of Kenmure claimed feudal superiority over the parish of Tongland[37] and also claimed direct ownership of farms (e.g. Dunjop and Barncrosh) within Tongland which had been forfeit by John Gordon, 1st viscount Kenmure to the 'Lord Protector' (Oliver Cromwell) in 1650.[38] Nether Barcaple (now Valleyfield) had been claimed by the Gordons since 1604. It was held by Robert Gordon of Troquhane in 1662, when he set it tack to William Makcartney for 13 years - with feu duties payable to Lord Kenmore and the Colledge of Glasgow,[39] although McKerlie states that William Gordon of Earlston had principle sasine of Barcaple (Nether) in 1674 and that John Gordon of Kenmure (son of lady Kenmure, widow of William Gordon the Jacobite) had sasine in 1742 - when Alexander Maitland, minister of Tongland, bought it from him.[40]

Out of this confusion of lands and their owners stretching back into the religious and political conflicts of the seventeenth century, what can be gleaned? That, as discussed previously, in Galloway and Dumfries the 1715 Jacobite rebellion would have raised immediate and direct fears amongst Presbyterian landowners, especially owner-occupiers, of a return to the insecurities of the 1660-1688 period. Inevitably, a Jacobite victory would have led to fines and forfeitures being levied on anti-Jacobites. For Hugh Clanny and his nephew Alexander Maitland (minister of Tongland parish 1711 to 1747) these fears would have been especially acute. They would have been aware of the fate of the original owners of Barcaple -the Arnot brothers - and of the experiences of John McMichen. Although there are no direct references to Hugh Clanny and Alexander Maitland in

35 According to McKerlie.
36 Kirkcudbright Register of Sasines: 29 Nov 1727; Vol. 10, Folio 313
37 *KSCD 1623-1674* (Edinburgh, 1939) entry 1331
38 *KSCD 1623-1674* (Edinburgh, 1939) entry 1031
39 *KSCD 1623-1674* (Edinburgh, 1939) entry 1331
40 McKerlie P : *History of the Lands and their Owners in Galloway* Vol. 5 Tongland parish

Rae's 1718 account of 'The Late Rebellion', both would have strong religious, landownership and family reasons for opposing the Jacobites in 1715. In which case, Maitland would have been amongst the parish ministers mentioned by Rae who raised and helped arm an unofficial force of anti-Jacobite volunteers - 200 of whom were marched from Kirkcudbright to Dumfries (led by Thomas Gordon of Earlston) in October 1715. Clanny's position as a deposed minister would have been more ambiguous. He may have been a member of the force of armed Hebronites assembled by John Hepburn of Urr,[41] but Clanny's willingness to marry Roman Catholics would have been unacceptable to Hepburn.

Returning to the April 1724 manifesto, the place appointed for the meeting 'at David Low's in Woodhead of Tongland' also points to Hugh Clanny. In 1708, two crofts and three parcels of land were used by John Maitland of Barcaple (Andrew Maitland's brother) as security on a loan of 500 merks Scots borrowed from a 'wall maker and dyker' called John Selkrig. John Maitland was represented in this deal 'by his baillie, David Law, smith in Woodheid of Tongueland'.[42] Woodhead of Tongland was a croft roughly a mile east of Barcaple,[43] and it is likely that this was the site of the gathering reported by the *Caledonian Mercury* on 21 April 1724.

> We are credibly informed from Galloway and other places in the West, That a certain Mountain preacher in a discourse he had in that district not many days ago, among other things, so bitterly inveighed against the Heritors and others of that Country, for their laudable Frugality in Inclosures etc and (as he term'd it) making Commonty Property, that next Morning several Hundred arm'd Devotees, big with that ancient Levelling Tenet, in a few hours rid themselves of that Grievance, to the great Detriment of the Gentlemen in the Neighbourhood. Had our Religious been as solicitous in enforcing the Doctrines of Love and peace, and of suffering (even Injuries) rather than sin, 'tis a question if his Rhetoric had so readily obtain'd.[44]

From this report it might appear that, inspired by the fiery rhetoric of the 'Mountain preacher' (i.e. Hugh Clanny) the first 'levelling' actions took place in early April 1724 in Tongland parish, probably against dykes erected for lady Kenmure around one of her farms (Nether Barcaple?) in that parish. However, the phrase 'lately risen to suppress the insupportable cruelty and oppression of several gentlemen in Galloway' in the manifesto previously fixed to the church doors of Borgue, Tongland and Twynholm implies the rising had already begun by April 1724.

The first actions may have been, as Wodrow believed, the breaking of Thomas Gordon of

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41 McDowall W : *History of the Burgh of Dumfries* p.536

42 Kirkcudbright Register of Sasines, 11 May 1708 Vol. 7 Folio 301

43 Ainslie's map of Stewartry of Kirkudbright (1797) National Library of Scotland collection

44 Donnachie I and MacLeod I : *Old Galloway* (Newton Abbot, 1974) p.55

Earlston's dykes at Airds, but Leopold's careful sifting of available records shows that a case "Laird Murdoch against Debtors for damages caused by levelling on the land of Airds in Kells parish" was held in Kirkcudbright on the 20 June 1724 and that one of the defendants was a John Charters of Drumglass in Balmaghie parish. Leopold suggests this may have been a separate and independent action by Cameronian supporters of John McMillan of Balmaghie.[45]

Leaving aside Leopold's Cameronian speculations, his link to 'Laird Murdoch' is useful. The levelling of dykes erected by Murdoch is described in the Levellers *Letter to Major Du Cary* (quoted at length by Morton) where, following their meeting at the 'Boat of the Ronn' (the Boat of Rhone at the foot of Loch Ken) on 2 June 1724 'we unanimously agreed to throw down Mr. Murdoch's dykes which inclosed the Barony of Airds out of which two or three years ago great multitudes of good and sufficient tenants were driven away and also the same Mr. Murdoch's dykes which were a building about the lands of Kilwhannadie and Macartney, like wise great tracts of land which tenants were immediately to be turned out'. Although hardly 'great tracts of land', Murdoch, of Cumloden in Minnigaff, had recently acquired Kilquhanity and Macartney in Kirkpatrick Durham parish through family connections.[46]

But if the levelling of Murdoch's dykes on Airds of Kells took place in June, then they were clearly not the first dykes to be demolished and so cannot be the actions mentioned in the April manifesto. Fortunately, Leopold reveals that 'The one concrete piece of evidence we have about the beginning of the Levellers shows that the enclosures of Netherlaw were levelled on 17 March 1724'.[47] This date would fit with the April manifesto and so seems fairly concrete. The difficulty with Netherlaw is that, as discussed above, a cattle park at Netherlaw (herded by William Johnstone) had been created sometime before 1688.[48] Sir Robert died in 1693 and his son George died in 1719 without an heir. Sir Robert's nephew Robert then inherited Orchardton.. The inheritance was contested. 'During the litigation, Robert, a Roman Catholic, was required to sign the 'formula against popery' before he could obtain possession of the estates of Orchardton and Gelston. This he did on 12 November 1723'. However, deeply worried by institutional anti-Catholicism and the risk of future forfeiture, he debarred his two Catholic sons from inheriting his estate.[49]

Although the Maxwells of Orchardton did not take part in the Jacobite rebellion of 1715, George and William Maxwell of Munches were involved. The Maxwells of Munches were also Roman

45 Leopold J: 'The Levellers Revolt in Galloway in 1724'
46 Stark W: *Book of Kirkpatrick Durham,* (Dalbeattie, 1903)
47 Kirkcudbright Sheriff Court Records Box Processes: 1724: 194
48 *KSCD 1674-1700,* entry 1265
49 Gellatly M : *The Story of Orchardton* (Auchencairn, 2003) p.20

Catholics and dykes at Munches were levelled in 1724, as were those of another Roman Catholic landowner, Robert Neilson of Barncailzie. An element of anti- Catholicism may well have been a factor in these three instances of levelling. These may have been examples of the 'other dykes thrown down…which in general we did not approve of' mentioned in the Levellers *Letter to Major Du Cary*. Old grievances may also have surfaced in 1724 - Neilson of Barncaillie was alleged to have denied burial to three Covenanting martyrs in 1685.[50]

Although an Episcopalian rather than a Catholic, Sir Basil Hamilton of Baldoon was a Jacobite. He was only 18 when he commanded a troop of horse under viscount Kenmure and the earl of Nithsdale. Captured at Preston, he faced execution and the forfeiture of his estates, but as discussed previously, both punishments were evaded.

In 1724, close to Galtway Hill just outside Kirkcudbright and only two miles from the Netherlaw Parks, Hamilton had built a cattle park holding some 400 cattle. From the record of a civil case for damages held in Kirkcudbright in January 1725 (quoted at length by Morton), on or between the 12 and 16 of May 1724, 580 roods -approximately 2 miles- of enclosing dyke were demolished. The fear created by the Levellers led to a request for military aid. Prevost quotes from a letter dated 2 May 1724 by the earl of Galloway to his brother-in-law Sir John Clerk of Pencuick.

> But you wold hear the insolencies of ane sett of people that have drauen together and destroyed the whole encloasures in the Stewartrie, and if we have not the protection of the Govert by allowing troops to march in to the countrie for our assistance, I doe relie believe the whole gentlemen of Galloway will be ruined. Noe doubt you've heard of Mr. Hamilton's going to Edinburgh with Earlstoune to represent the grevances of our country one that score and what indignities are used to themselves in particular, and how all their encloasours are demolished, and ever since going to Edinburgh they have committed the greatest abuse to the most part of the gentrie.[51]

If the attacks on Sir Basil Hamilton's dykes were motivated by his Jacobite background, the anti-Jacobite element of the Galloway Levellers actions may have influenced their decision not to level a dyke built for Robert Johnston of Kelton parish. At first sight, as recounted as a tale told by the grandfather of Samuel Geddes of Keltonhill and published by Harper over 150 years later this incident may appear to be a piece of folklore rather than history. According to Harper[52]

> A band of levellers and houghers, or as some call them 'Rablers'[53] having traversed the coast from Balmae to Kirkbean levelling dykes and houghing Irish

50 Stark: *Book of Kirkpatrick Durham*

51 SRO: *Clerk of Pencuik Muniments*: GD 18: 5246/I/142 in Prevost W : 'Letters reporting the Levellers'

52 Harper M: *Rambles in Galloway* (Dalbeattie , 1896) p. 25, original account in Nicholson's Notebook, Hornel Library, Broughton House, Kirkcudbright

53 *Concise Scots Dictionary* (1999) gives *rable* as 'mob' as in the 1688/9 'Rabbling of the Episcopalian Curates'

> cattle, the introduction of which was one of their grievances, they reached the estate of Kelton. Captain Johnstone was then laird, and had built a high dyke to fence his estate from the public road…anxious to preserve it he prevailed upon Mr. Falconer [minister of Kelton parish] to accompany him in going to the levellers with the view of advising them to desist from their destructive proceedings… Mr. Falconer then addressed the crowd… assuring them that no man or family would be evicted from Captain Johnstone's estate on account of [the dyke] being erected - that every person on his lands should continue to have and hold his house, his yaird or garden, and the usual quantity of corn sown (in these days it was generally customary for the labourers to have a certain quantity of corn sown to produce a melder[54] for the family, and fodder for the cow and calf).

This speech, aided by the distribution of bread, cheese and beer provided by Captain Johnstone, persuaded the Levellers to pass on, leaving Johnstone's dyke still standing. As confirmation, Harper says 'On a stone in the dyke of the right hand side of the road leading from Lochbank to Furbar House, there is a date, which is now indistinct, but about thirty years ago [i.e. 1840] it was plainly 1725, and is now commemorative of the event'. Unfortunately for Harper's account, although there is an inscribed stone in the dyke next to Furbar, the date on it is 1753 and the events described happened in 1724.

Plate 4 : Inscribed stone, Furbar House, Castle Douglas.

On the other hand, in John Nicholson's notebook[55] can be found the original account by Samuel Geddes of Keltonhill as used by Harper. This original account is dated 1831, so could realistically have been a story told to Samuel Geddes by his grandfather. In addition, William Falconer was the minister of Kelton parish in 1724 and is mentioned by Morton as one of the ministers alleged to

54 *melder* - quantity of one person's corn taken to the mill to be ground at one time: *Concise Scots Dictionary* (1999)
55 Nicholson's Notebook Hornel Library: NTS Broughton House: Kirkcudbright

have been sympathetic to the Levellers. Robert Johnstone became laird of Kelton in 1706, purchasing the estate[56] from William Maxwell, earl of Nithsdale.[57] In 1715, Robert Johnstone was one of the steward-deputes of the Stewartry of Kirkcudbright appointed to help defend Dumfries against Jacobite forces led by William Maxwell.

As well as having strong anti- Jacobite credentials, Johnstone was (at least according to the Latin inscription on his gravestone in St Michael's kirkyard in Dumfries) a 'strong opponent of Union and assertor of Scotland's liberty'. In 1706 Johnstone represented Dumfries burgh in the Scottish parliament and voted against the proposed Union.[58] As the rest of the inscription on Johnstone's grave shows, he had also been several times provost of Dumfries and represented the burgh in the Convention of Royal Burghs. But although these anti-Jacobite and patriotic credentials distinguish Robert Johnstone from Jacobite landowners like Basil Hamilton, lady Mary Gordon (nee Dalzell) of Kenmure and George Maxwell of Munches, the origin of Johnstone's wealth in trade as a Dumfries based merchant is more significant.

Like William Craik I, a Dumfries based merchant trader who was also Johnstone's father-in-law,[59] landownership was secondary to Johnstone's main economic activities. The income he derived from his estate was therefore supplemental. So long as his tenants provided a steady stream of income through mainly arable farming (Kelton Estate having been arable/ grange land since at least the thirteenth century[60]) Johnstone had no pressing need to gamble on the cattle trade and therefore no pressing need to evict his tenants to create a cattle park at Kelton. Yet if the Galloway Levellers had only been able to draw on support from those directly evicted to make way for new cattle parks, like the sixteen families dispossessed by Murdoch of Cumloden, the events of 1724 would have been on a much smaller scale. If the eye-witness account of James Clerk is to be believed, the breaking of Sir Basil Hamilton's dykes in early May 1724 involved 1000 dyke-breakers. Although it is possible that it was the threat posed to the 'moral economy' which mobilised such a large group, the emphasis given to the 43 Irish cattle (out of a herd of 400 cattle) seized by the Levellers in their account of the incident and by James Clerk in his account suggests a more direct economic linkage. The smuggling of Irish cattle was also of concern to the customs officers in Dumfries.

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56 Centred on Kelton Mains farm OS NX 745 617, now part of 1500 acre NTS Threave Estate which also includes Keltonhill and Furbar cottage.

57 Kirkcudbright Register of Sasines

58 Whitelaw H : 'The Union of 1707 in Dumfriesshire' *Transactions DGNHAS* 2nd Series Vol.19 (1907) p.97

59 *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2009), date accessed: 11 March 2009 Ratification in favour of William Craik of Arbigland

60 Brooke D: 'Northumbrian Settlement in Galloway and Carrick *'Proceedings SAS* Vol. 121 (1991) p. 303

> So rigid were the revenue regulations at this period [1724], that when some charitable people in Dumfries commissioned two ship loads of oatmeal from Ireland that the poor might obtain it cheap when it was hardly to be had of home growth for love or money, the collector durst not permit the meal to be landed till he was specially authorized to do so by his official superiors. The officers were also scandalized by a daring innovation which had sprung up, especially at Kirkcudbright, of importing Irish cattle, and they sorely bewailed the connivance given to it by the County gentlemen and their tenants.[61]

Leopold's research suggests that the first Levellers action took place at Netherlaw near Kirkcudbright on 17 March 1724. In their *Letter to Major Du Cary* the Levellers mention this incident.

> understanding that there were a considerable number of Irish cattle in the Parks of Netherlaw, we did, in obedience to the law, legally seize and slaughter them to deter the gentlemen from the like practice of importing or bringing Irish cattle, to the great loss of this poor country as well as the breeders in England, too much the practice of the gentlemen here.

Although direct evidence of the import of Irish cattle is lacking in the case of Alexander Murray of Cally, who had 'a large park that feeds one thousand bullocks, that he sends once every year to the markets of England' in 1723,[62] Murray had inherited over 60 000 acres of Irish land, mainly in Donegal. Alexander Murray's ancestor, George Murray of Broughton in Wigtownshire, had been granted these lands in 1610 as part of the Plantation.[63] In 1724, Alexander Murray would therefore have been highly likely to have been involved in the illegal import of Irish cattle and to have been a target for the Galloway Levellers - which he was. According to one of John Nicholson's sources - Violet Nish, whose father Robert was born in 1715 at Enrick in Girthon parish- Alexander Murray's dykes in Girthon parish were levelled in 1724 during an incident in which shots were fired.

At Cardoness in Anwoth parish, on the west bank of the Fleet and only 1 km (½ mile) from Alexander Murray's cattle park at Cally, lay the cattle parks of Colonel William Maxwell. If the Levellers had been intent on breaking the dykes of all such enclosures, then Colonel Maxwell's dykes would have been a next and obvious target. But Maxwell's dykes were left standing. Colonel Maxwell is mentioned in the *Letter to Major Du Cary* as having, along with 'Laird Heron' (probably Patrick Heron II) as having reached an agreement with the Levellers 'that we should live peaceably and throw down no man's dykes'. This agreement was negotiated immediately after an encounter between a party of armed heritors and armed Levellers at the Steps of Tarff. There appear to have been two such confrontations, one in early May and one in early June, but it is

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61 MacDowall W : *History of the Burgh of Dumfries* p. 556

62 Macky J : *A Journey through Scotland* (London, 1729) , in MacRobert A : *To See Oursels...Visitors to Dumfries and Galloway from medieval to modern times* (Dumfries, 2001) p.30

63 www.proni.gov.uk/introduction__murray_papers_d2860-2.pdf

unclear which is being referred to.

More certainly, although the *Letter to Major Du Cary* includes the Herons "Yr. and elder" amongst its list of depopulating lairds, stating that 'the little town of Minigaff belonging to Mr. Heron is only a nest of beggars since he inclosed all the ground about it', the Herons' extensive cattle parks were not levelled. Yet, discussed above, Woodward notes in his comparative study of the seventeenth century Irish and Scottish cattle trade, 'Patrick Heron sent 1000 or more cattle to England via Dumfries in each of the years 1689-91 inclusive'.[64] Until the death of Sir David Dunbar I of Baldoon in 1686, Patrick Heron I had managed Dunbar's cattle trading activities. After Dunbar's death, Heron and Patrick Heron II built up extensive landholdings in Minnigaff parish to become the main cattle traders in Galloway. Since these landholdings included both upland and lowland farms, this suggests that the Herons had developed a 'vertically integrated' approach to the cattle trade. The profitability of this indigenous business model would have been undermined by the illegal import of Irish cattle.

According to a letter dated 20 May 1724 written by James Clerk in Kirkcudbright to his brother Sir John Clerk:

> Upon Wednesday last a party of about 100 [Levellers], all armed came into town, driving before them about 53 Black Cattle which they had, after throwing down the dykes, brought in the name of Irish cattle. They demanded us to assist in retaining said cattle…We thereupon refused to meddle in the affair, especially considered that we writt the Commissioners 15 days ago upon that account, and have as yet no orders to give any such assistance, upon which they drove them out of town and slaughtered each one [of] them in a barbarous manner notwithstanding as law directs proof was made… that they were not imported from Ireland, but bought of a Highland drover.[65]

Morton explains that the slaughter 'in a barbarous manner' was carried out in Dundrennan Abbey a blacksmith named McMinn, giving rise to the local folklore saying that 'M'Minn's fore-hammer was more deadly than a butcher's knife'.[66] Between 1640 and 1700 the *KSCD* record seven related McMinns who were blacksmiths and a Francis McMinn (blacksmith) was a portioner of Gregory croft near Dundrennan in 1724.[67]

Further confirmation that the alleged illegal import of Irish cattle was a significant factor in the events of 1724 is given by the earl of Galloway in one of his letters to Sir John Clerk. In this letter, the earl of Galloway describes an incident which occurred on the 12 May when the Levellers

64 Woodward D : 'A Comparative Study of the Irish and Scottish Livestock Trades in the Seventeenth Century'
65 Prevost W :'Letters Reporting the Rising of the Levellers in 1724', quoting Clerk of Pencuik: No.5288/47/1
66 Morton A: 'The Levellers of Galloway' p.237
67 Kirkcudbright Register of Sasines

'slaughtered near Kirkcudbright 55 or 57 cattell belonging to Hugh Blair of Dunrod [parish of Borgue] notwithstanding he made it appear they were bred in Britain, and they have used some of Basil Hamilton's cattell after the same way and manner upon Saturday morning last'.[68] The defence that the cattle involved were not Irish echoes that made on behalf of Sir David Dunbar I by Symson in his *Large Description of Galloway* forty two years before.

> Those of his [Dunbar's] owne breed, are very large, yea, so large, that in August or September 1682 nine and fifty of that sort... were seized upon in England for Irish cattell; and ... they were, by the sentence of Sir J.L., and some others who knew well enough that they were bred in Scotland, knockt on the head and kill'd.[69]

By their seizure, public display and slaughter of over 150 'Irish' cattle, the Galloway Levellers were trying to drive a wedge between those landowners and farmers who were involved in the legitimate cattle trade and those who were not. It is difficult to judge how effective this strategy was in broadening the base of support for the Levellers' actions in the Stewartry of Kirkcudbright. Certainly in Wigtownshire the use of battering ram to demolish a dyke built around the Fell of Barhullion by Sir Alexander Maxwell of Monreith suggests the Wigtownshire Levellers were numerically fewer. Maxwell was also able to enlist his tenants to defend his remaining dykes, although seven of his cattle were houghed (had their hamstrings cut) in the night. This houghing incident, compared with the very public slaughter of cattle in the Stewartry, is another indication that there were fewer Levellers in Wigtownshire. At Balsier in Sorbie parish, it was the tenant who organised the defence of a field dyke (i.e. a subdividing enclosure) against the Levellers. In the struggle which ensued one of the Levellers was fatally wounded.[70] Finally and most tellingly, the sheriff of Wigtown was able to suppress the Wigtownshire Levellers without recourse to the earl of Stair's Dragoons.[71]

If the Wigtownshire Levellers were fewer in number, why did they not seek support from the Stewartry? One possibility is that if large scale support for the Levellers was confined to the central parishes of the Stewarty of Kirkcudbright, it would have been logistically difficult to level more distant dykes or to give support to the Wigtownshire Levellers. When the known instances of dyke-breaking in the Stewartry are plotted on a map, they are all within an 18km (12 mile) radius of Kelton Hill. This may be a practical reason why the Herons' cattle parks in Minnigaff parish were untouched. Minnigaff is 30 km (19 miles) in a direct line from Kelton Hill and approximately 45

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68 Prevost W :'Letters Reporting the Rising of the Levellers in 1724', quoting Clerk of Pencuik: No. 5246/61

69 Symson A: *Large Description of Galloway*

70 Daniel Mathieson of Sorbie in a letter to John Nicholson dated 1830

71 Agnew A . *History of the Hereditary Sheriffs of Wigtown* (London, 1864)

km (28 miles) by existing tracks. Likewise, although ‘Murray of Cavens’ was alleged to have threatened thirty families with eviction, his estate in Kirkbean parish was left unmolested. Cavens is 24 km (15 miles) in a direct line from Kelton Hill and approximately 30 km (19 miles) by existing tracks.

In a letter to Sir John Clerk of Pencuik dated 3 June 1724, James Clerk states that two troops of horse and four of foot left Kirkcudbright at 3 am on the 2 June and arrived at the Boat of Rhone at 8 am, expecting to confront a gathering of Levellers, but no Levellers appeared. The direct distance from Kirkcudbright to the Boat of Rhone (at the junction of the rivers Ken and Dee) is 15 km (9 miles). Even if the actual distance travelled along the rough tracks then existing was nearer 19 km (12 miles), the troops were travelling at 3.8 km/ hour (2.4 miles/ hour). A large group of Levellers are unlikely to have travelled any faster than the troops so would have taken roughly 12 hours to reach Minnigaff from the centre of the Stewartry and 8 hours to reach Kirkbean. Sorbie parish in Wigtownshire is 20 km (12.5 miles) south of Minnigaff. It would have taken a party of central Stewartry Levellers at least 17 hours walking non-stop to provide support for the Wigtownshire Levellers. Any such attempt would have been easily halted long before this by the two troops of horse stationed in Kirkcudbright.

Morton, using a transcript of the case from Nicholson's notebook, provides details of the 23 Levellers pursued for damages by Basil Hamilton in January 1725 as having demolished 580 roods of dyke at Galtway (near Kirkcudbright) between 12 and 16 May 1724.

Thomas Moire of Beoch and Grisel Grierson his wife
John Walker in Cotland
Robert McMorran inOrroland
John Shennan and William Shennan in Kirkcarswell
John Cogan, John Bean, Thomas Millagane and Thomas Richardson in Gribty
James Robeson in Merks
John Donaldson and John Cultane the younger in Bombie
John Cairns and John Martin in Lochfergus[72]
Alexander McClune and James Shennan in Nethermilns
James Wilson in Greenlane croft
Robert Herries in Auchleandmiln
John, George and Robert Hyslop in Mullock

72 For details on John Martin, see below.

John McKnaught in Meadowisle

Apart from Beoch which is nine miles away and Meadowisle which is eight miles away, all of these locations are within five miles of Galtway. Of the farms, Beoch NX 681 609, Orroland NX 773 466, Kirkcarswell NX 755 493, Merks NX 732 519, Bombie NX 714 503, Gribdae NX 710 503 and Lochfergus NX 515 698 are still working farms, but Mullock NX 711 444 is on land occupied by the Kirkcudbright (Dundrennan) Military Range since 1941. The site of Auchleandmilne [Auchlane NX 711 584] can be traced from Ainslie's 1797 map but is now ruined, as is Nethermilns [Fagra] at NX 748 467. Of the crofts and cots, Greenlane NX 747 558 survives as a mid twentieth century cottage, Meadow Isle [possibly NX 755 580] as a field name only on Airieland farm NX 757 571. Cotland has not yet been identified.

The involvement of Thomas and Grizel Moire is significant since (as discussed above) it reveals that at least some of the Galloway Levellers were owner-occupier farmers. Thomas Moire was the son of Henry Moire of Beoch.[73] McKerlie says that in 1678 Henry Moire commissary-clerk of Kirkcudbright owned Beoch in Togland parish and (possibly) Bellymack and Grannoch Waulk Mill in Balmaghie parish.[74] Grizel Grier was the daughter of Thomas Greirsone of Bargatton farm adjacent to Beoch, but by 1724 Bargatton was no longer owned by the Griersons.

As 'commissar clerk of Kirkcudbright and collector of the Inland Excise within the stewartry'.[75] Thomas Moire's father Henry is well represented in the *Kirkcudbright Sheriff Court Deeds*, although usually as a witness to bonds. For the other named Galloway Levellers, records are more scanty. However some connections can be made. In 1672, the 'Meidow Yle croft' of Aireland was possessed by a John McNaught as it still was in 1724, although Airieland itself was now owned by Basil Hamilton. Similarly, in 1672, John Hesslope was a tenant in Mullock when he borrowed £40 Scots from Samuel Carmont, merchant burgess of Kirkcudbright in 1672. In 1724, John, George and Robert Hyslop were in Mullock.[76] It is possible that the other tenants, cottars and crofters named above had also lived on the same farms for a generation or more, but where a sequence of tacks for the same farm exist the evidence points to regular changes of tenants and cottars.

Finally, amongst the notes taken by John Nicholson is a report of short interview with John Martin 1710-1801. Martin joined the Levellers in 1724, armed with a flail stolen from his father. He later acquired a flintlock musket dropped by an older and less youthfully self-confident Leveller.

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73 *KSCD 1675-1700* entry 3604

74 McKerlie P : *History of the Lands and their Owners in Galloway* Vol.3, Balmaghie parish and Vol. 5, Tongland parish., but Bellymack was only held on a five year tack - *KSCD 1674- 1700* entry 420, dated 16 March 1680

75 *KSCD 1675-1700* entry 934

76 *KSCD 1623- 1674* entries 2088 and 2226

After his experience with the Levellers, Martin became a respectable watch and clock maker in Kirkcudbright and is buried in St. Cuthbert's graveyard in the town.[77]

77 Nicholson's Notebook Hornel Library: NTS Broughton House: Kirkcudbright

Chapter Four : Responses to the Galloway Levellers

In the absence of a police force, the maintenance of law and order in rural Scotland in the eighteenth century rested with the heritors (land owners) most of whom also served as Justices of the Peace. Only when the heritors were unable to contain unrest would the army be used to restore order. Yet, according to a letter dated 2 May 1724 written by James Stewart 5th earl of Galloway to his brother in law Sir John Clerk of Penicuik, Sir Basil Hamilton of Baldoon and Thomas Gordon of Earlston had already travelled to Edinburgh to request that troops be sent to Galloway and that the gentlemen of Galloway had made a similar request to the lord Justice Clerk when he was in Dumfries a few days earlier.[1] It was not until 16 May that a group of about 50 heritors and Justices of the Peace confronted a much larger group of armed Levellers at the Steps of Tarff in Tongland parish. This was four days after the first of Stair's dragoons had arrived in Kirkcudbright.

The implication is that the meeting of the Levellers held in Tongland parish in early April, and which was summoned and addressed by the Reverend Hugh Clanny, attracted sufficient numbers to overawe the heritors and JPs. The immediate recourse to external aid by the heritors and JPs in their response to the Galloway Levellers may have been influenced by recent experiences. In 1724, the Reverend John McMillan had been in illegal possession of Balmaghie kirk and manse for twenty years, despite the best efforts of the Presbytery of Kirkcudbright and General Assembly of the Church of Scotland to remove him. Several attempts were made to physically evict McMillan, but even a combined force of 80 heritors and JPs were unable to prevail against 300 of McMillan's supporters who occupied Balmaghie kirkyard. At least some of these supporters were armed - either followers of John Hepburn of Urr or Cameronians from Ayrshire and Lanarkshire.[2]

With the Galloway Levellers able to muster a force in the central Stewartry of up to 1000 of whom as many as 300 were armed, it is hardly surprising that it was only after the deployment of Stair's dragoons that the heritors and JPs felt emboldened to confront the Levellers at the Steps of Tarff on 12 May and again on 2 June 1724. James Clerk gave an account (possibly exaggerated) of this first confrontation in a letter to his brother Sir John dated 17 May. In this encounter, a party of 50 'well-armed' heritors and JPs were faced with a group of 1000 Levellers, of whom 300 were armed with flintlocks. After a stand off lasting four or five hours, Patrick Heron II of Kirroughtrie approached the Levellers and made an offer that if the Levellers agreed to cease their activities and

1 Clerk of Penicuik Muniments : GD 18 5246/I/142 in Prevost W :'Letters Reporting the Rising of the Levellers in 1724'

2 Reid H : *A Cameronian Apostle*

re-build any dykes already demolished, the gentlemen would agree to build no more park dykes. James Clerk adds a postscript that 'Laird Heron has given it under his hand to let out a great deal of land next week to appease them, but this is what I canna confirm and do not believe'.[3] This would seem to be the incident referred to by the Levellers in their *Letter to Major Du Cary* when they agreed with Laird Heron and Colonel Maxwell of Cardoness 'that we should live peaceably and throw down no man's dykes'. From this same source, the Levellers believed that a formal acceptance of this agreement would be made by the Commissioners of Supply when they met in Kirkcudbright on 'the seventh of May'. No such agreement was ever formally confirmed and dykes continued to be thrown down despite the presence of four troops of foot and two of horse in Kirkcudbright.

The practical difficulty was that when the troops were deployed to confront the Levellers (e.g. at the Boat of Rhone on the 2 June as discussed above), the Levellers simply dispersed across the countryside in smaller groups. What the presence of the troops did achieve, especially the more mobile troops of horse, was to contain the unrest to the central parishes of the Stewartry of Kirkcudbright and prevented the Stewartry Levellers supporting the Wigtownshire Levellers. The difficulties involved in bringing the troops to bear on the Stewartry Levellers raises questions about the 'last stand' of the Levellers which took place at Little Duchrae[4] in Balmaghie parish in October 1724.

Little Duchrae is 2 km (1.25 miles) from the Boat of Rhone which it took the troops five hours to reach from Kirkcudbright on 2 June - and where the Levellers had had ample time to choose not to confront the troops. If the Levellers had managed to avoid any large scale confrontation with the troops since their arrival in Kirkcudbright in early May, why did they choose to stand and fight in October? And, once they had chosen to stand and fight at Little Duchrae, why did they put up so little resistance? Especially since the troops had been ordered not to use their arms except as a last resort in self-defence and to behave leniently towards the Levellers? Is it significant that out of the 200 Levellers captured all but 20 or so were 'allowed to escape' whilst being marched back to Kirkcudbright?[5]

Part of the answer to these questions may lie in the character of the commander of the troops involved. Following the death of Major Du Cary in the summer of 1724, Major James Gardiner replaced him as commander of the earl of Stair's regiment (the Inniskillen dragoons) on 20 July 1724. By 1745 Gardiner had been promoted to Colonel. In that year he was killed while leading a

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3 Clerk of Pencuik Muniments GD 18 5288/45 in Prevost W :'Letters Reporting the Rising of the Levellers in 1724'
4 RCAHMS : Little Duchrae Earthwork , NMRS Number: NX66NE 1, Map reference: NX 6630 6956
5 Morton A: 'The Levellers of Galloway' p.258

counter-attack against the Jacobites at the battle of Prestonpans. Gardiner features in Sir Walter Scott's novel *Waverley* as the commander of Edward Waverley's regiment. In a historical note to the novel, Scott quotes from a biography of Colonel Gardiner. This source reveals that Gardiner became a soldier at the age of 14 in 1702, fighting with Marlborough's army against the French in Holland. In 1714 he was made coronet in the Scots Grey Dragoons commanded by John Dalrymple, 2nd earl of Stair. In 1715 Gardiner became aide-de-camp to Dalrymple who was actively involved in anti-Jacobite diplomacy at the French court. Later in 1715, Gardiner returned to active service, fighting at the battle of Preston where he led a small group of 12 soldiers (8 of whom were killed) against one of the barricades erected by the Jacobites - who included amongst their numbers the Levellers bete noir Basil Hamilton. In 1719, Gardiner experienced a transformative religious experience after which he became a deeply Christian soldier.[6] Writing his journal of May 1725, Wodrow commented on Gardiner's 'conversion'

> profane swearing was the first thing he refrained from, and then other vices, and still as he refrained from them, he bore testimony against them in others, in the army, at court, and every where, and reproved them in great and small with the utmost boldness. At length he is thoroughly reformed, and walks most closely in ordinances, and while with his troops in Galloway, he haunts mostly at the houses of the ministers; and has made a sensible reformation among the troops he commands, and nothing like vice is to be seen among them.[7]

The houses of the ministers in Galloway haunted by Gardiner which Wodrow mentions may have included those of the more evangelical ministers - McKie of Balmaghie (where the manse and church were still illegally possessed by John McMillan in 1724), Falconer of Kelton, Telfair of Rerrick, and Monteith of Borgue (who joined the defenders of Londonderry in 1689[8]) - all identified by Leopold as being sympathetic to the Levellers.[9] If one of the ministers Major Gardiner met was Andrew Maitland, minister of Tongland parish, he could also have met Maitland's uncle Hugh Clanny - former minister of Kirkbean parish. Clanny, as discussed above was a leader of the Levellers and the most likely author of their various manifestos.

A person Major Gardiner must have met would have been Colonel William Maxwell of Cardoness. Aside from his official status as a senior magistrate (Maxwell presided over at least one trial of the Levellers in January 1725) and his attempts with Patrick Heron of Kirroughtrie to negotiate a settlement with the Levellers, Maxwell was a fellow Christian soldier. From the

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6 Doddridge P: *Some Remarkable Passages in the Life of Colonel James Gardiner* (London, 1791)

7 Wodrow R: *Analecta:* Vol.3 p. 199

8 Reid H : *A Cameronian Apostle*

9 Leopold J: 'The Levellers Revolt in Galloway in 1724' p. 19 of Ewart Library transcript

surviving extracts of his diary[10] it is clear that Colonel Maxwell was a deeply religious man whose father had been minister of Minnigaff parish until his dismissal in 1662. When the national political background to Major Gardiner's appointment to Galloway is considered, it is possible to speculate that Maxwell and Gardiner between them arranged the peaceful end to the Stewartry Levellers uprising.

In late May/ early June 1724 two anonymous pro-Leveller pamphlets were published - *An Account of the Reasons of Some People in Galloway, their meetings anent Public Grievances through Enclosure* and *News from Galloway, or the Poor Man's Plea against his landlord in a letter to a friend.*[11] These explain that the Levellers actions were directed purely against de-populating cattle enclosures and stress that the Levellers were not opposed to 'improving' enclosures. Both documents also raise the spectre of Jacobitism:

> And lately the said Mr Basil Hamilton hath cast out thirteen families upon the twentysecond day of May instant who are lying by the dykesides. Neither will he suffer them to erect any shelter or covering to preserve their little ones from the injury of the cold, which cruelty is very like the accomplishment of that threatening of the Jacobites at the late rebellion, that they would make Galloway a hunting field, because of our public appearance for his majesty King George at Drumfries, and our opposition against them at that time.[12]

News from Galloway goes further in its anti-Jacobite rhetoric, suggesting that the threat made by the local Jacobites in 1715 to 'make Galloway a hunting field' was part of a 'Jacobitish plot' first proposed by Mary of Modena, James VII's second wife, who is quoted in *News from Galloway* as declaring that 'Scotland would never be at peace till the southern parts were made a hunting park'. (James VII's interest in hunting was 'an obsession, almost amounting to a vice'.[13]) The anonymous author of *News from Galloway* continues 'for what King Charles II and King James VII could not accomplish by iniquitous laws and force of arms the landlords do it effectually by turning out their tenants'.[14] Copies of these documents must have reached Edinburgh, since a twenty page pamphlet *Opinion of Sir Thomas More, Lord High Chancellor of England concerning enclosures, in an answer to a letter from Galloway* by 'Philadelphus' was published in Edinburgh on 1 July. This document, whilst condemning the Levellers for taking the law into their own hands, provided detailed and learned support for their arguments against de-populating enclosures advanced in *News*

10 Reid H : *One of King William's Men* (London, 1898)

11 *An Account of the Reasons of Some People in Galloway, their meetings anent Public Grievances through Enclosure* (1724) Edinburgh University , New College Library [Special Collections] B.c.4.8/14 and *News from Galloway, or the Poor Man's Plea against his landlord in a letter to a friend* (1724) Edinburgh University , New College Library [Special Collections] B.c.4.8/10

12 Morton A: 'The Levellers of Galloway' p. 244, quoting *An Account of the Reasons*

13 Turner F: *James II* (London , 1948) p. 63

14 Morton A: 'The Levellers of Galloway' p. 245

from Galloway, stating that

> The necessity of the common weal hath such power over the actions and estates of man that no one must abuse or misemploy the talents of his means, that no man must do that in his own property or possessions as may hurt another man.

As well as supporting this limitation of property rights with the opinion of Sir Thomas More against the enclosure of arable land for the rearing of sheep, the author quotes from *Depopulation Arraigned, Convicted and Condemned by The Laws of God and Man,* published in 1636 by English barrister Robert Powell. The suggestion that property rights may be conditional rather than absolute deeply disturbed Lord Advocate Robert Dundas, who personally visited the bookseller to demand the name of author and attempted to suppress pamphlet.[15]

At the same time, the Levellers' claims that they were loyal subjects of the Crown attempting to defeat a 'Jacobitish plot' provoked a more sympathetic response in London. On 2 July, king George discussed their plight with the John Ker, 1st duke of Roxburghe and Secretary of State for Scotland. The king asked Roxburghe 'what legal right those concerned had to 'eject so many Tenants at once as to render them, and the Country desolate' and 'what provision the law has to make for the Tenants so ejected'.[16] Presumably as a consequence of king George's sympathetic intervention on behalf of the Levellers Roxburghe wrote to Dundas in ordering him to set up a Public Inquiry into their grievances. As steward principal of the Stewartry of Kirkcudbright, James Johnstone, 2nd marquis of Annandale, was in overall charge of this Inquiry. The day to day running of the Inquiry was to be carried out in Kirkcudbright by John McDowall, steward depute. McDowall's method was to take evidence in open court from eight or ten men from each parish who had been certified by a Minister or Magistrate.

The Inquiry must have been under way by 17 August, when Annandale wrote to McDowall asking him to give details of his procedures.[17] Annandale was responding to concerns raised by Sir Basil Hamilton, who was convinced that the process was biased towards the Levellers and complained frequently and furiously to Annandale on this score. As well as casting doubt on McDowall's impartiality (and that of the ministers responsible for certifying the witnesses) Hamilton complained to Annandale that the scope of the inquiry had been widened. Instead of considering the impact of enclosures constructed since 1720, evidence was taken on parks made 12, 20 or even 40 years ago. Furthermore, tenants (described as 'rabblers') who had been legitimately evicted by Hamilton for

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15 Morton A: 'The Levellers of Galloway' p. 247

16 Dundas of Arniston MSS: Vol 32: Letters II: Duke of Roxburghe to Lord Advocate 2 July 1724 , 13 August 1724 - in Whatley C: *Scottish Society 1707-1830 Beyond Jacobitism, towards industrialisation* (Manchester, 2000) p. 202

17 Morton A: 'The Levellers of Galloway' p. 255

failure to pay rent were interviewed by McDowall. Annandale passed these and other allegations made to him by Hamilton on to McDowall in a letter dated 7 September 1724.[18] Since this letter followed one dated 1 September from Annandale to Hamilton, advising Hamilton that McDowall was preparing to report his findings to the Lords of Session, Hamilton was no doubt attempting to undermine McDowall's report in advance.

Unfortunately, as Leopold notes 'details of the final report do not seem to exist'.[19] Since it would have been passed to Robert Dundas as Lord Advocate, its disappearance may not have been accidental. Given Hamilton's determined efforts to undermine it, McDowall's Report is likely to have been sympathetic to the Levellers' complaints against de-populating enclosures. Since Dundas had been outraged by Philadephus' reply to *News from Galloway*, (see above) he would therefore have been unlikely to accept a report sympathetic to the Levellers grievances and which in any way condoned their attempts to restrict the property rights of landowners. Alternatively (assuming Dundas did bury McDowall's Report), political expediency may have been a factor. Dundas had been elected to Parliament for Midlothian in 1722. To ensure his election, Dundas had made a private agreement with George Lockhart of Carnwath who was a Jacobite. Lockhart agreed not to stand against Dundas in Midlothian in return for Dundas showing leniency to Basil Hamilton and other of Lockhart's friends who had been implicated in the rebellion of 1715.[20] Dundas may therefore have wished to prevent the Levellers 'Jacobite conspiracy' theory from receiving the oxygen of publicity.

If the hope had been that McDowall's Public Inquiry would produce a resolution to the crisis, then clearly it failed to do so. The situation in September 1724 was one of stalemate. The troops commanded by Major Gardiner were able to prevent large scale levelling, and were occasionally able to capture small groups of Levellers (Morton describes one such incident), but they had not defeated the Levellers. Faced with a similar situation in the previous century, Graham of Claverhouse and Grierson of Lag had adopted aggressive 'policing' tactics, scouring Galloway for suspected conventiclers. A reversion to such tactics by the inheritors of the Revolution of 1688/9 was inconceivable. The only advocates of an aggressive policy towards the Levellers in the Stewartry were Thomas Murdoch, his landlord Thomas Gordon of Earlston and Sir Basil Hamilton the Jacobite. Furthermore, as Dickinson points out, popular disturbances in the eighteenth century were usually resolved pragmatically.

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18 Nicholson's Notebook - Hornel Library, NTS Broughton House Kirkcudbright

19 Leopold J: 'The Levellers Revolt in Galloway in 1724' p. 20 (Ewart Library, Dumfries - transcript)

20 Szechi D: *George Lockhart of Carnwath 1689-1727 A Study in Jacobitism* (London, 2002) p.114 and Fry M: *The Dundas Despotism* (Edinburgh, 1992) p. 7

> In seeking to suppress riots the forces of order were generally outnumbered and so it was impossible to arrest all the participants. Even reading the Riot Act might only encourage the rioters to disperse; it did not facilitate their arrest. Moreover magistrates were sometimes reluctant to arrest rioters because to do so could provoke even greater violence or lead to attempts to rescue those placed under arrest. In some election, religious or political riots magistrates so sympathised with the rioters that they did not contemplate making arrests. When arrests were made in any kind of popular disturbance only a small proportion of those involved could be apprehended… In many instances the authorities were lenient because they were anxious to restore good relations within their community and they were conscious of the bitterness and tensions that criminal prosecutions could produce.[21]

With the Galloway Levellers, although Leopold found three reports of civil trials for damages, he did not uncover any criminal prosecutions against the Levellers.

The danger of pursuing a more aggressive approach to civil disorder was shown in Glasgow in June 1725 when soldiers under the command of Lord Deloraine opened fire on a crowd protesting against the Malt Tax. Eight protesters were killed. It took General Wade and seven troops of dragoons plus foot soldiers two weeks to restore order in a situation 'not far short of a national insurrection'.[22] The situation in Galloway in the autumn of 1724 was potentially no less threatening. Assembled en mass, the Levellers could mobilise a force of up to 1000, some of whom were armed. Beyond this hard core of support, the Levellers careful public presentation of their case attracted wide-spread sympathy. Politically, the Levellers stress on their loyalty to king George in 1715 and their claim that the de-populating enclosures were part of a ‘Jacobitish plot’ (thus drawing attention to Basil Hamilton’s Jacobite past) was highly effective, ultimately evoking sympathy for their cause from king George himself. Economically, their position was one of opposing de-populating cattle parks whilst proposing that

> the Gentlemen should enclose their grounds in such parcels that each may be sufficient for a good tenant and that the Heritors lay as much rent on each of these enclosures as will give him double the interest of the money laid out on the enclosures. If he cannot get this enclosure set to a tenant whom he may judge sufficient, he may then lawfully keep that ground in his own hand till he finds a sufficient tenant, taking care that the tenant’s house be kept up and that it may be let with the first opportunity and that a lease of twenty-one years be offered. This will considerably augment the yearly rent of the lands and the tenant will hereby be capable and encouraged to improve the breed of sheep and black cattle and the ground, which without enclosures is impossible.[23]

By advancing such a reasonable and progressive economic case in their defence the Levellers

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21 Dickinson H: *The Politics of the People in Eighteenth - Century Britain* (New York, 1994) p. 151

22 Whatley C: *Scottish Society 1707-1830* p.163/4

23 *Letter to Major Du Cary* : NLS Woodrow MS X L 94

were able to mobilise enlightened support outwith Galloway, such as that provided by 'Philadelphus' in Edinburgh and which so infuriated Lord Advocate Robert Dundas. At a more popular level, what Morton describes as 'a doggerel ballad' was composed by James Charters, Kirkland of Dalry.[24] This *Lamentation of the People of Galloway by the Pairking Lairds* was originally circulated in manuscript form but was later printed in Glasgow, implying distribution across the west of Scotland. Copies must have continued in circulation since Daniel Murdoch of Dalry was jailed in Kirkcudbright in August 1726 for possessing a copy, which he had bought from James Duncan in Glasgow.[25] Concerning the ballad's author, James Charters, McKerlie[26] gives Kirkland of Dalry amongst the farms owned by the Gordons of Earlston. In which case James Charters was a tenant of Thomas Gordon of Earlston, whose lease of Airds of Kells to Thomas Murdoch of Cumloden in 1718 had helped trigger the events of 1724. Leopold notes that John Charters of Drumglass in Balmaghie was one of the defendants in the case 'Laird Murdoch against Debtors for damages caused by levelling on the land of Airds in Kells parish' and speculates that this could have been same John Charters of Balmaghie who was a Cameronian married by John McMillan in 1736.[27]

This may, as Leopold suggests, imply Cameronian involvement in the actions of the Levellers. Such involvement would have been a further deterrent to the forcible suppression of the Levellers, since it would have risked drawing Cameronians from Upper Nithsdale, Lanarkshire and Ayrshire into the Levellers' struggle. However, the Cameronians would have taken issue with the Levellers over their loyalty to an uncovenanted king, as George I was. It is more likely that, as with Gizel Greirson, John and James Charters resented the loss of their family's lands. In the sixteenth and seventeenth centuries, the Charters (or Charteris) family had owned several farms in Balmaghie, including Drumglass, stretching 6 km (3.75 miles) upstream along the river Dee from Duchrae to Loch Stroan. On 31 May 1675, Alexander Charters, heritable proprietor of Duchrae disponed [conveyed] his lands of Stroan to John Carmont, writer in Edinburgh for £600 Scots, being the sum which Alexander Charters owed John Carmont.[28] On 11 June 1675, as security for a bond of 11 000 merks, Alexander Charteris of Duchray granted 'heritable and irredeemable right of his £10 land of Duchray…to William Craik, merchant and present provost of Drumfries'.[29]

The 'lands of Stroan' - a township with several houses, yards and a kiln surrounded by irregular

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24 Morton A: 'The Levellers of Galloway' p. 253, also in McKenzie : *History of Galloway* Vol II p. 395
25 Nicholson's Notebook , Hornel Library, NTS Broughton House, Kirkcudbright
26 McKerlie P *Lands and their Owners* Vol III, Dalry parish
27 Leopold J: 'The Levellers Revolt in Galloway in 1724' p. 15, Ewart Library, Dumfries - transcript
28 *KSCD1675-1700* entry 3410
29 *KSCD1675-1700* entry 3415

pre-improvement enclosures containing traces of rig and furrow on a hill overlooking Loch Stroan - may have been abandoned soon after 1675, to be replaced by Stroan farm which itself was abandoned in the early nineteenth century.[30] The more valuable estate of Duchrae was secured in 1681 by William Craik I when he received ratification of a charter from Charles II dated 8 July 1676. The same ratification also secured William Craik I's charter of the estate of Arbigland in Kirkbean parish dated 26 October 1678.[31] William Craik I died in 1696 and his elder son Adam inherited Arbigland whilst his younger son William II inherited Duchrae.[32] From a Commission dated 1 April 1698, it seems that William II's main source of income was from a merchant trading business in Dumfries. This was a partnership (established by his father) with Robert Johnston of Kelton who was also William II's brother- in- law.[33] In 1721 William Craik II of Duchrae became provost of Dumfries, as his father and brother- in- law had been several times before him.[34]

As discussed previously, Robert Johnston of Kelton had been able to save his march dyke from the attentions of the Levellers. Like his business partner, William Craik II's main source of income came from his trading activities rather than from farming. Although John Charters, Craik's tenant in Drumglass on the Duchrae estate may have held otherwise, William Craik II is likely to have shared his brother- in- law's sympathy for the plight of the Levellers. William's family background - his Presbyterian father having been elected the first 'Revolutionary' provost of Dumfries in December 1688 - would also have placed him within the local Williamite / Hanoverian and Presbyterian establishment centred around the senior figure of Colonel William Maxwell of Cardoness. So when the deeply religious Major Gardiner led the earl of Stair's dragoons against the 200 Levellers gathered at Little Duchrae on William Craik II's estate in October 1724, the lack of bloodshed was not solely due to Gardiner's direction to his troops to use minimal force. Rather it is probable that the Levellers had also agreed to put up only a token resistance. That all but 20 of the 200 Levellers captured by Gardiner's troops were 'allowed to escape'[35] en route to Kirkcudbright further suggests that the conflict at Little Duchrae was not a spontaneous confrontation, but had been negotiated in advance.

Apart from James Clerk's April 1725 report that 'Since the departure of the forces from the town

30 Dixon P: 'Field Systems, Rigs and Other Cultivation Remains in Scotland: The Field Evidence ' in Foster S and Smout C : *The History of Soils and Field Systems* (Aberdeen, 1994) p.46

31 Records of the Parliaments of Scotland to 1707, K.M. Brown et al eds (St Andrews, 2007), 1681/7/163. Date accessed: 28 May 2008

32 McKerlie states that Adam was the only son, but Shirley (1926) p.145 notes that William Craik of Duchrae married Grizzel Wallace and died February 1727.

33 *KSCD1675-1700* entry 2986

34 Edgar R, edited by Reid R. : *An Introduction to the History of Dumfries* (Dumfries, 1915) p 51

35 Morton A: 'The Levellers of Galloway' p. 251

[Kirkcudbright] the Levellers have thrown down another 60 roods of dyke to Mr. Hamilton',[36] no further levelling took place in the Stewartry of Kirkcudbright after October 1724. There was an outbreak of levelling in the Machars of Wigtownshire in November 1724, but as discussed previously, this was on a much smaller scale than in the Stewartry and was rapidly quashed by landowners and tenant farmers combining against the Wigtownshire Levellers.

One of the most immediate and unexpected responses to the Galloway Levellers came from the former Jacobite William Mackintosh of Borlum. In 1715, Mackintosh had led a force of 2000 Highlanders in support of the south of Scotland Jacobites commanded by William Gordon, viscount Kenmure. Both were captured on 14 November 1715 at Preston along with Basil Hamilton of Baldoon.[37] Yet rather than support the anti- Leveller position of Basil Hamilton, when considering the Levellers in 1729 Mackintosh expressed sympathy for them, going so far as to say

> The commons of Scotland have as much right to live in Scotland and pay rent as any landlord has to live there and receive it: and as God Almighty has destin'd them to earn their bread with the sweat of their brow, he gave them Scotland for their theatre to act their toilsome part of. They are certainly as heritable tenants as we are landlords.[38]

Sir Archibald Grant of Monymusk was less sympathetic, keeping a copy of the Church of Scotland's General Assembly's denunciation of the Levellers actions 'in case he needed anything similar'.[39] Grant had been made factor of the Monymusk Estate by his father in 1716. In 1719, when Grant was 23, his father passed the whole estate on to him and Grant began improving the estate, a process which was continue until his death in 1778. Four marriages to four wealthy heiresses helped defray the costs of his improvements.[40] Grant was also a member of the Honourable Society of Improvers in the Knowledge of Agriculture in Scotland which was founded in Edinburgh in June 1723. The Secretary to the Society of Improvers was Robert Maxwell who had recently taken a 19 year lease of a 130 acre arable farm at Cliftonhall near Edinburgh. The *Select Transactions* of the Society[41] contain no references to the Galloway Levellers, but several Society members; Sir George Dunbar of Mochrum, Patrick Heron II of Kirroughtrie, Andrew Heron of Bargallie, Sir John Clerk of Penicuik and John Dalrymple, 2nd earl of Stair as well as Robert Maxwell, were all familiar with their activities. In particular, Patrick Heron II had directly negotiated with the

36 Clerk of Penicuik GD 18/ 5288/ 54, quoted by Leopold J: 'The Levellers Revolt in Galloway in 1724' p. 6, Ewart Library, Dumfries transcript
37 Szechi D: *1715 The Great Jacobite Rebellion* (London, 2006) p.180
38 Mackintosh W : *An Essay on Ways and Means for Inclosing* (Edinburgh, 1729) p. 160-3, in Smout C: *A History of the Scottish People 1560-1830* (London, 1969) p. 327
39 Smout C: *A History of the Scottish People 1560-1830* (London, 1969) p.327
40 http://www.monymusk.com/index.asp?subsec=11 accessed 2 June 2008
41 Originally published in 1743, re-published by Grimsay Press in 2003

Levellers, Sir John Clerk had been kept informed of their activities and the earl of Stair's dragoons had been sent to suppress them. Robert Maxwell was born at Arkland farm in Kirkpatrick Durham. His mother, Margaret Nielson, came from Barncaillie farm which had its dykes levelled in 1724. Outwith Galloway, Society member Sir George Lockhart of Carnwath had to deal with a fence-breaking incident in 1723[42] and it is clear from Mackintosh's *Essay* that similar instances of resistance to enclosure were widespread. Is it possible then, as Smout speculates in his discussion of the Galloway Levellers, that the Levellers 'may even have slowed the agricultural revolution itself for a time'?[43]

Chris Smout seems doubtful, noting that 'little of the agrarian change in the Lowlands had the same 'depopulating and impoverishing character of that first phase in Galloway' and that outside of Galloway 'the peasants lacked both leaders and an ideology'.[44] That the process of agricultural improvement was slowed or delayed for a generation after the foundation of the Society of Improvers is supported by Devine. Critically assessing the period 1700-1750, he notes that the 6th earl of Strathmore, who was a member of the Society of Improvers, began an attempt to improve his estate in 1737. 'However, this early dawn of improvement in Angus was an entirely false one. The 1730s experiment was exceptional and ephemeral'. It was not until the 1760s that the process of improvement properly took hold on the Strathmore estate.[45]

But if the spectre of the Galloway Levellers did not haunt the Society of Improvers, what did delay the progress of improvement? An obvious reason might be the early improvers lack of economic success. Robert Maxwell was unable to profit from his improvements to Cliftonhall, having to surrender the lease in 1746 and he was forced him to sell Arkland farm on 9 January 1750 for £10 304 Scots.[46] John Cockburn of Ormiston and Archibald Grant of Monymusk had similar struggles to recover the cost of improvements. Grant eventually succeeded but in 1748 Cockburn had to sell his estate to the earl of Hopetoun.[47]

It is not that the Society of Improvers knowledge of agriculture was deficient. Maxwell described the importance of 'the nitrous Particles of Air' and the 'Nitre of the Air' as contributing to the "small and minute particles which are the chief Food of Plants" in the *Select Transactions*[48] although

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42 Szechi D: *George Lockhart of Carnwath 1689-1727 A Study in Jacobitism* (London, 2002) p.43

43 Smout (1969) p.327

44 Smout (1969) p. 328

45 Smout (1969) p. 328

46 Shirley G: 'Two Pioneer Galloway Agriculturalists: Robert Maxwell of Arkland and William Craik of Arbigland ' *Transactions DGNHAS* 3rd Series Vol. 13 (1926) p. 141 and 143

47 Devine T: *The Transformation of Rural Scotland Social Change and the Agrarian Economy 1660-1815* p.32

48 Maxwell R: *Select Transactions* p. 18, 35 and 40

nitrogen itself was not discovered until 1772 by Daniel Rutherford of Edinburgh.[49] The problem was rather one of market forces. Whilst cattle and sheep could be sold to meet demand - mainly from London, but also Edinburgh - there was no equivalent demand for grain. Grain prices remained stable until after 1750,[50] so there was no economic incentive (or justification) for large scale improvements which would increase cereal crop production. With the cattle trade of south west Scotland; the gradual transition of the Scottish Highland economy from subsistence to the export of surplus livestock had a constraining impact on its growth, as did the lifting of the 1667 Irish cattle ban in 1758.

Certainly the actions of the Galloway Levellers checked the further construction of large cattle parks which failed to become an enduring feature of the Galloway landscape. Sir David Dunbar's great cattle park of Baldoon is still visible on the Military Survey of 1750 but by the Ordnance Survey of 1850 'Baldoon Park' had been subdivided into fields. But although the great cattle parks vanished the cattle trade, as the Old Statistical Accounts for Galloway's 45 parishes shows, remained a cornerstone of the regional economy circa 1790. The average number of cattle per parish in the Stewartry of Kirkcudbright was 1693. The average number of cattle per parish in Wigtownshire was 1342. The type of cattle was described in 23 Stewartry parishes - 16 used the description 'Galloway cattle' and 7 'black cattle'. In Wigtownshire, 10 parishes define the cattle type - 5 give 'Galloway', 4 'black cattle' and 1 - Portpatrick - gave 'Irish', noting an average of 11 000 Irish cattle imported per year between 1785 and 1790. Six parish accounts mention that the Galloway breed is polled or hornless. Attempts to improve the Galloway breed were noted in Kirkbean, where William Craik III experimented with Bakewell cattle; in Kirkgunzeon where John Dalzeil of Barncrosh (Tongland parish) 'bestowed great pains on improving the breed' and in Sorbie where the earl of Galloway 'improved the size and shape of the original breed by introducing Westmorland bulls'.[51]

The fact that a distinctive breed of Galloway cattle existed by the 1790s and that attempts had been made to improve the breed reveals a move away from the late seventeenth/ early eighteenth century cattle parks. Selective breeding requires the ability to keep cows and bulls separate. This could not happen where herds of 400 to 1000 cattle were kept promiscuously in large parks and so implies the use of smaller and well fenced or dyked fields for a period long enough for a distinctive hornless Galloway type of cattle to emerge. These Galloway cattle were bred to be small boned beef

49 http://www.britannica.com/eb/article-9055947/nitrogen accessed 3 June 2008

50 Devine T :*The Transformation of Rural Scotland* p.32

51 *Old Statistical Account of Scotland* : 'Stewartry of Kirkcudbright and Wigtownshire' (Edinburgh, 1983)Volume V

cattle which could gain weight even on rough grazing.[52] Faced with competition in quantity from the Highland cattle trade and the lifting of the ban on the import of Irish cattle in 1758, landowners in Galloway responded by improving the quality of their cattle. A parallel but later development occurred in north-east Scotland with the emergence of the Aberdeen Angus breed in the early nineteenth century.[53] Since the improvement of black cattle, sheep and land were advocated by the Galloway Levellers in 1724, the Galloway Levellers could also be claimed as a society of agricultural improvers.

Even if the implications of such a claim, suggesting as it does that the Galloway Levellers' revolt was an uprising of a nascent 'bourgeoisie' or 'lower middle class' cannot be sustained, they were certainly treated with exemplary respect by the troops sent to quash them. That the troops involved were the earl of Stair's dragoons is surely significant. John Dalrymple was not only, like William Maxwell of Cardoness 'one of king William's men' he was also one of the most active members of the Honourable Society of Improvers in the Knowledge of Agriculture in Scotland whose Secretary was Robert Maxwell from Galloway.

> Field Marshal Lord Stair was one of [Maxwell's] greatest patrons; and it is well known that his lordship's enlightened improvements and experiments in farming were done either at his instigation or with his approval.[54]

In his Dedication to the *Select Transactions* of the Society, published by Maxwell in 1743, the earl of Stair is praised for his 'noble examples of Improvements' (including a manufacture of fine linen as well as the planting of turnips) at Castle Kennedy in Galloway and Newliston in Lothian.[55] Colin Kidd suggests that Maxwell's praise for John Dalrymple was exceptional and places it within a struggle between Jacobite and Whig interpretations of Scottish history sparked by the Union of 1707. Amongst the combatants in this struggle were Andrew McDowell (1685 -1760), and Thomas Ruddiman (1675-1757). McDowell, who became lord Bankton in 1755, was a Whig jurist from Wigtownshire.[56] Ruddiman was a Jacobite historian and (from January 1724) printer, later publisher, of the *Caledonian Mercury*.[57] This historical struggle between Whigs and Jacobites was given a contemporary political and economic edge by Jacobite historian Patrick Abercromby who criticised the Whigs' agrarian policies in his *Martial Achievements of the Scottish Nation*[58] and 'favoured a revival of royal authority to liberate the mass of Scottish people and their economic

52 http://www.gallowaycattlesociety.co.uk/why.asp accessed 3 June 2008
53 http://www.aberdeen-angus.co.uk/history.asp accessed 3 June 2008
54 Murray T: *The Literary History of Galloway* -second edition (Edinburgh 1832) p. 172
55 Maxwell R: *Select Transactions* p.v
56 Murray T: *The Literary History of Galloway* (Edinburgh 1832) p.159
57 Chalmers G*: Life of Thomas Ruddiman* (London, 1796) p. 125
58 Published in two volumes in 1711 and 1715.

energies from the dead hand of the feudal nobility'. Abercromby's critique was further extended by fellow Jacobite William Mackintosh of Borlum who wrote *An Essay on Ways and Means for inclosing, fallowing, planting*[59] while a prisoner in Edinburgh Castle after being captured at Preston in 1715. Mackintosh (see above) made reference to the Galloway Levellers in this *Essay.*

This early eighteenth century war of words between Jacobite and Whig interpretations of recent history was also fought on religious territory. Episcopalians claimed that Presbyterian ministers 'roused congregations to enthusiastic frenzies with apocalyptic preaching' and were 'the demagogic prisoners of the rabble they courted'. Robert Wodrow published *The History of the Sufferings of the Church of Scotland* in 1721-2 as a defence of moderate Presbyterianism but Alexander Bruce immediately counter-attacked in 1722 and 1723, targeting Wodrow's reluctance to renounce the Covenants or fully condemn the murder of Archbishop Sharp.[60] Bruce's criticisms clearly irritated Wodrow. Replying to a letter from Colonel William Maxwell of Cardoness in January 1724, Wodrow says 'My back friend Mr. Bruce, has now another and heavier author to deal with than I, Bishop Burnet in the History of his Own Times'. Wodrow goes on to ask Colonel Maxwell if he can find 'vouchers' for Burnet's allegation that 'the beginnings of the [1666] rising before Pentland in the parish of Dalry were not incidental, and from Sir James Turner's barbarities, but from a prior concert'. Wodrow concludes by repeating an earlier request that Colonel Maxwell 'send me all you can gather as to Mr. Rutherford' and to ask Captain Fullerton to 'recover all that can be got about his gracious grandmother M. M'Naught' - Marion McNaught, one of Samuel Rutherford's Anwoth parishioners with whom he corresponded after his removal to St. Andrews.[61]

In June 1725, Wodrow returned to the Galloway Levellers.

> The affair of the Levellers, which last year at this time made such a noise, and I see agrees so much with the case of the Commons in England, 1548, and in the end of Henry the Eighth and King Edwards regine, seems much over. Ther are many of them begging up and down. The souldiers have calmed them, and some proposals they say of erecting manufactorys of wool at Wigtoun, Stranreaur, and Kirkcudbright, which lye very commodiously for trade; and if the Earl of Stair's project hold, will employ the poor who are turned out by the inclosures.[62]

Significantly, although Colonel William Maxwell of Cardoness had received a charter from King William II/III in 1702 to erect a free-port and harbour at the mouth of the Fleet.[63] Maxwell did not pursue this 'industrial' option. Instead he concentrated on the agricultural improvement of his estate.

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59 Published in 1729
60 Kidd C : *Subverting Scotland's Past* p.58 and 69
61 McCrie T : *The Correspondence of the Rev. Robert Wodrow* (Edinburgh, 1843) p. 98 and 108
62 Wodrow R: *Analecta* Vol.I II p.210
63 *The Records of the Parliaments of Scotland to 1707*, K.M. Brown et al eds (St Andrews, 2007-2009), 1705/6/139. Date accessed: 3 March 2009.

It was only after Maxwell's close encounter with the Galloway Levellers that Maxwell took up the challenge of industrial development when he had a lint mill constructed on the site of an older woollen mill at Skyreburn. This attempt to expand and improve the local linen industry led to the first industrial development at Gatehouse of Fleet. Here, in the 1730s, a bleachfield was laid out on the east (Girthon parish) side of the river Fleet, close to the site of a wooden bridge over the river.[64] No less significantly, the earl of Stair set up a wool mill near Stranraer which was in operation by 1731.[65] But, as with the work of the Society of Improvers in the Knowledge of Agriculture, a generation had to pass before improvements in the knowledge of manufacturing were sufficient advanced to effectively 'employ the poor turned out by inclosures'.

64 Russell J : *Gatehouse and District* (Dumfries, 2003) Vol. I p. 87

65 Murray J :*Annals and correspondence of the viscount and the first and second earls of Stair* (Edinburgh, 1875) Vol.2. p. 181

Chapter Five : The Transformation of Galloway 1760 – 1840

If the Galloway Levellers had an influence on the sweeping changes which transformed Galloway in the later eighteenth century, it was more through the fears their actions created rather than any improvements they had advocated. In the case of one influential figure, John Maxwell of Terraughty and Munches, a direct link exists. In other cases, those of James Murray of Cally and William Craik III of Arbigland, the evidence is more circumstantial.

John Maxwell was born at Buittle tower house on 7 February 1720. He was, through a complex set of family connections, related to the Maxwell earls of Nithsdale and to the interconnected Herries family.[1] His father, John Maxwell of Breckonside and Terraughty died on 12 May 1724. Since the family were Roman Catholics, the funeral service would have been held in the Roman Catholic Chapel at Munches close to Buittle. In a letter written to William Herries in February 1811, John Maxwell[2] described witnessing the levelling of dykes at Munches and those of Barncaillie in Kirkpatrick Durham parish. This seems unlikely in the case of Barncaillie, but quite possible in the case of Munches, although there was a family connection to Barncaillie. It was owned by fellow Roman Catholic Robert Neilson (died 1732) whose son Robert had married John Maxwell's aunt Catherine. The Barncaillie connection was strengthened (or confused) by a family link which made Robert Maxwell of the Society of Improvers uncle to John Maxwell. The elder Robert Neilson's daughter Margaret married James Maxwell of Arkland. Their daughter Elizabeth was John's mother and their son Robert became Secretary to the Honourable Society of Improvers in the Knowledge of Agriculture.[3]

John Maxwell's brother William (by his father's first marriage) inherited the family farms but lost the lands through debt. John therefore became a cabinet maker in Dumfries before becoming Chamberlain to the duke of Queensberry, a position he held for 15 years whilst living at Drumlanrig. It was presumably through John's connection to the duke of Queensberry that he became in involved with Richard Oswald.

Born in 1705, Richard Oswald's father George Oswald was the strongly Presbyterian minister of Dunnet in Caithness. In contrast Richard's uncle James was a strongly Episcopalian minister. James had two sons, Richard and Alexander, who became wealthy ship owners and tobacco traders in

1 http://www.buittle.org.uk/maxwells.htm accessed at 4 June 2008, transcript of original document by Wellwood Maxwell, Ewart Library archives

2 GD 1/1681/1 in Hancock D *Citizens of the World*

3 McKerlie P : *Lands and their Owners* Vol. 5 Kirkpatrick Durham parish

Glasgow.[4] In 1725, Oswald moved to Glasgow and began working for his cousins, acting as their agent in America for many years. In 1741, he became a partner in their firm. In 1746 he moved to London and began trading in his own right, gradually building up a circle of trading partners which included fellow Scot William Herries. Oswald‘s trading activities extended from tobacco to the slave trade and sugar trade. He also owned a large sugar plantation in Jamaica and land in Florida, for which in May 1764 he developed an ambitious plan of settlement and agricultural improvement. This project failed - the land in Florida turned out to be a swamp.[5] More successful and profitable was Richard's involvement as a government contractor in the Seven Years War of 1756 - 63. He established a network of grain depots and bakeries across Germany to supply the British forces and their Allies. Oswald supplied 5 935 426 loaves of bread for which he charged the army £191 088, but which had cost him only £79 000 to make thus returning a profit of £112 088.[6]

In July 1764, Oswald bought the Ayrshire estate of Auchincruive from Galloway landowner James Murray of Broughton and Cally. In 1765, Oswald bought the estate of Cavens in the Stewartry and John Maxwell became Richard Oswald's factor until Oswald's death in 1784. The extensive correspondence between John Maxwell and Richard Oswald regarding Cavens has been preserved.[7] From his analysis of this correspondence, Hancock concluded

> If Oswald succeeded in his improvements, it was because he proceeded cautiously, experimenting with new techniques and treating his workers leniently by the standards of his time. Although it is not the image of the improver passed down by contemporary or subsequent commentators, a picture of Oswald as a landlord fiercely intent on establishing close, long-term relations with his workers and tenants emerges from his estate correspondence…The respect and love of one's labourers, he knew from his treatises and actual experiences, was a mark of polite status….By politely beating his neighbours at their own game with a regimen of industry, competence, and control in farming, Oswald could join the ranks of gentlemen.[8]

For Cavens at least, this image of Oswald politely outdoing his more genteel neighbours does not match the reality. Richard's immediate neighbour was William Craik III of Arbigland. Craik was a noted improver and Oswald turned to him for advice on farming matters. Craik's father and grandfather had been Dumfries merchant traders. Craik's grandfather did not inherit Arbigland, but used the profits from his trading activities to buy the estate in 1678. Comparing William Craik III

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4 http://gdl.cdlr.strath.ac.uk/smihou/smihou087.htm accessed 4 June 2008

5 Hancock D: *Citizens of the World* p. 157

6 Hancock D: *Citizens of the World* p. 237

7 GD213/53, Oswald Papers, Maxwell-Oswald Correspondence 1765-1784

8 Hancock D: *Citizens of the World* p. 300

with Robert Maxwell, Shirley comments 'Of the two, Craik was the practical farmer. He made his experiments pay'.[9] He was not, however, uneducated. Born in 1703, according to his daughter Helen, William Craik 'understood several languages well and grammatically, viz., Latin, Greek, Hebrew, French and Italian'. He was 'originally intended for the law' but renounced the profession 'after having made no inconsiderable progress' when his maternal grandfather, Sir Colin Campbell of Ardkinlass refused to let him study at Leyden. During his legal studies, he met Henry Home, later lord Kames 'and their friendship continued through life'.[10] The life-long friendship with lord Kames, who shared Craik's interest in agricultural improvement, is significant since Kames was also a friend of Richard Oswald and a leading figure in the Scottish Enlightenment. Hancock suggests that it was partly through Kames' influence that Richard Oswald and others of his circle (including William Herries who also bought an estate in Galloway) decided to becoming improving landowners.[11]

Yet however cultivated and improved members of the merchant class became through their ownership of land, they still lacked the innate 'nobility' of the landed aristocracy. John Maxwell, although having to buy his way back into landownership through the purchase of the Portrack estate in Nithsdale had, if somewhat diluted, noble blood. In 1776, William Maxwell, son of William Maxwell 5th earl of Nithsdale, died, leaving a daughter as his only heir. On 4 June 1778 John Maxwell 'expeded a service as heir male to Robert Maxwell, 4th earl of Nithsdale'.[12] Since the earldom and its estates had been forfeit since 1715 and since there were other claimants,[13]the claim was of little practical significance, although Robert Burns did proclaim him as 'Maxwell's veteran Chief' in 1791.[14]

Of more consequence to Richard Oswald's cautious approach to the improvement of Cavens may have been John Maxwell's childhood memories of the Galloway Levellers. From his detailed study of the Maxwell/Oswald correspondence, Devine suggests that the adoption of a strategy based on a cautious approach to improvement 'through encouraging participation by discussion and negotiation' in fact came from Maxwell, although Oswald's wealth 'may well have helped insulate the Cavens economy to some extent from the impact of external fluctuations in the prices of both

9 Shirley G : 'Two Pioneer Galloway Agriculturalists', p. 130

10 Shirley G : 'Two Pioneer Galloway Agriculturalists', p. 149

11 Hancock D: *Citizens of the World* (Cambridge, 1997 edition) p.295

12 McKerlie P: *Lands and their Owners* Vol. 5 Troqueer parish

13 http://www.maxwellsociety.com/Chief/claimants.htm accessed 5 June 2008

14 Epistle to John Maxwell,Esq of Terraughty on his birthday, http://www.robertburns.org/works/348.shtml accessed 4 June 2008

grain and stock'.[15] The most revealing instance occurred in 1782 when Oswald bought six farms adjacent to Cavens in the neighbouring parish of Colvend and Southwick. These were occupied by 18 families, paying a total rent of £66.

> Maxwell estimated that if let to three tenants [they] would be worth £90- £100 in rental. He was not willing however, to countenance the mass clearance involved. Instead he was willing to settle for an increase to £80 divided amongst the existing possessors.[16]

Since the events of 1724 could still be vividly recalled by Maxwell in his letter of 1811 to Richard Oswald's business partner William Herries, memories of the fear evoked by the Galloway Levellers may explain Maxwell's reluctance to countenance mass clearance in 1782. Certainly Devine contrasts John Maxwell's 'softly softly' approach to the more aggressive policies adopted by Robert Ainslie on the estates of the duke of Douglas in Lanarkshire and Renfrewshire. Yet Ainslie too was 'fundamentally opposed to mass clearance'.[17] But even if there were no mass evictions, the progressive rationalisation of the farmed landscape required the displacement of cottars and crofters. The improvers' objective, as John Maxwell put in 1767, was ' to determine the limits of each farm, then cause measure each farm, exactly distinguishing the quality of each kind of land in each farm, then adopt the most simple and proper form of husbandry considering the convenience and set a rent'.[18] The results of this process of measuring and distinguishing can be seen in the regular, rectangular grid of hedges, dykes and ditches which march across Galloway's farmed lands. The small, irregular, fields of the cots and crofts along with cottars and crofters which once existed on every farm were all tidied away. One survival, which may have been due to John Maxwell's unwillingness to countenance mass clearance in Colvend, has been preserved by later afforestation.

Amongst the farms in Colvend for which Richard Oswald had sasine on 7 August 1782 was Barnhourie. The farm no longer exists, but gave its name to the Barnhourie Burn and the Barnhourie sandbank just off the Colvend coast. In 1697, Barnhourie belonged to Charles Murray who worked the farm 'in the half-manner' with James Lindsay in Corsock farm.[19] This method of working was only found in Galloway and was a partnership between the owner-occupier of a farm and another, usually tenant, farmer. This particular tack is more detailed than most and gives a comprehensive list of all seven cots and crofts on Barnhourie. Only one, Tarlylian croft, can still be traced as Tarlillyan, surrounded by traces of an irregular field system. Charles Murray's farm house

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15 Devine T: *The Transformation of Rural Scotland* p.81
16 Devine T: *The Transformation of Rural Scotland* p. 82
17 Devine T: *The Transformation of Rural Scotland* p. 86
18 Devine T: *The Transformation of Rural Scotland* p. 80
19 *KSCD 1675 -1700* entry 2742

survives near Newbarns Loch as

> a typical late 17th to early 18th century two -storey laird's house at NX 8856 5523. The walls, 0.7m thick, are of random rubble bonded with lime mortar and enclose an area 11.4m by 4.8m. The SE gable is almost intact and the other walls stand to roof height. There are opposing doorways in the NE and SW walls. On the lintel of the latter is the inscription 'CM' M .....3'.[20]

There were eight changes of ownership of Barnhourie between the end of Charles Murray's ownership in 1705 and Oswald's purchase of the farm in 1782. In 1878, when McKerlie was writing, Barnhourie and the other five Colvend farms were owned by Richard Alexander Oswald, a descendent of Richard Oswald's brother James.[21] This late eighteenth century process of consolidation and stability of landownership, with its continuation into the nineteenth century, facilitated a process of progressive improvements. There may have been no dramatic mass evictions of the kind which triggered the revolt of the Galloway Levellers, but the cottars and crofters vanished none the less. Most, however, did not travel far. Between 1730 and 1855, 81 planned towns and villages were built in Dumfries and Galloway.[22] One of these new villages was Southerness 'which was built by the late Richard Oswald Esq. of Auchincruive, with a view, it is said, of a coal trade…it is now chiefly inhabited by persons who keep furnished rooms, to accommodate, such as, during the season, come to it for the benefit of sea-bathing'.[23]

Oswald's inspiration may have come from the Lowthers of Whitehaven who developed a highly successful and technologically advanced coal industry on the southern side of the Solway Firth between 1660 and 1760. However, although he consulted Robert Maxwell of the Society of Improvers in 1750, Sir James Lowther paid little attention to his advice on ways to improve the agriculture of west Cumberland. Advantage was taken of the Scottish (Galloway?) droving trade to provide winter pasture for Scottish cattle, but otherwise

> the Lowthers' attitude [to agricultural improvement] was governed by what they saw as the best interests of the colliers. Many of the miners were part-time, and the Lowthers considered it necessary to provide them with a parcel of land on which they could cultivate a little grain. Some kept horses for use in the collieries, others had a cow.[24]

The hope which inspired Southerness was that coal might be found on the north coast of the

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20 *KSCD 1675 -1700* entry 2742

21 McKerlie P :*Lands and their Owners* Vol. III, Colvend and Southwick

22 Philip L: 'Planned Villages in Dumfriesshire and Galloway', *Transactions DGNHAS* 3rd Series Vol. 80 (2006)

23 *The Statistical Account of Scotland 1791-97*, (Wakefield, 1983) Vol. V p. 180

24 Beckett J: *Coal and Tobacco, The Lowthers and the Economic Development of West Cumberland, 1660-1740* (Cambridge,1981) p.30 - 34

Solway. Visiting the Isle of Whitorn in 1750, Richard Pococke observed the failed remains of such a search.[25] Despite the best efforts of Richard Oswald and William Craik III, who made a similar search around 1770, no coal was found in Kirkbean parish nor anywhere else in Galloway. As well as the search for coal, the improvers planned hoped canals which they hoped would transform Galloway's fortunes.

In 1796, civil engineer John Rennie was employed by the earl of Selkirk (grandson of the Levellers' Basil Hamilton) to survey the route of a 26 mile long canal from the tidewater of the Dee near Kirkcudbright to Dalry in the Glenkens. Alexander Gordon (who had made the Carlingwark canal in 1765) proposed an extension north to Dalmellington for 'traffic in coals and lime' either by an open cut to Loch Doon or 'by subterraneous passage … through the excellent bed of coal which is worked at Cumlarg'.[26] Although the Glenkens Canal Act was passed in June 1802, the canal was never built.[27] In 1846 the Ayrshire and Galloway Railway Company planned a railway from Ayr to Dalmellington and then on southwards via the Glenkens to a new port at Balcary Bay on the Solway coast. The connection to Galloway did not materialise, but the proposal led to the opening of the Dalmellington Iron Works and its associated collieries (including Cumlarg) in 1848, although it took another eight years before the railway from Ayr reached Dalmellington.[28] Had coal existed to be discovered in Galloway, the resulting industrial developments may have held back agricultural improvement as it did in west Cumberland. Alternatively, agricultural and industrial improvement may have been combined, as they were by James Murray of Gatehouse of Fleet.

It was from James Murray (1727- 1799) that Richard Oswald bought Auchincruive in 1764.[29] Although Murray lacked Oswald‘s huge resources, he rather than Oswald was the most successful of Galloway’s improving landowners. Uniquely amongst Galloway’s many improving landowners, Murray managed to combine the agricultural improvement of his estates with the successful development of a planned industrial settlement - Gatehouse of Fleet. Ultimately, the application of steam power to the cotton mills of north west England and west central Scotland fossilised the water powered cotton mills of Gatehouse of Fleet as part of industrial archaeology. But this should not detract from the achievements of James Murray and his enlightened attempt to combine agricultural and industrial development.

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25 Pococke R (edited Kemp. D) *Tours in Scotland 1747,1750, 1760* (Maryland, 2003) p.16

26 Reid R : 'The Culvennan and Gordon MSS', *Transactions DGNHAS* 3rd Series Vol. 23 (1940-44) p.49

27 Donnachie I: *The Industrial Archaeology of Galloway (* Newton Abbot, 1971) p.164/5. Practically the extension north to Dalmellington would have had to have been by horse drawn tramway.

28 Smith D : *The Dalmellington Iron Company* (Newton Abbot, 1967) p. 19 – 27. The railway is still used to carry coal from open-cast mines to Ayr.

29 Hancock D: *Citizens of the World* p.321/2

The careful consideration of James Murray's development of Gatehouse of Fleet[30] is also valuable since it brings together several of the themes previously discussed. Most immediately, James' father Alexander had an enclosure able to hold 1000 head of cattle near Gatehouse which was levelled in 1724. The Birtwhistle family who built the second cotton mill in Gatehouse in 1787 were Yorkshire based cattle traders. As discussed previously, the Murray family's interest in the cattle trade can be traced back to the Plantation of Ulster.

In 1726 Alexander Murray married Lady Euphemia Stewart, daughter of the 5th earl of Galloway. He was the Member of Parliament for the Stewartry of Kirkcudbright between 1715 and 1727, and before his death in 1751 had added to the family landholdings. The farm of Beoch where Galloway Levellers Thomas Moire and Grizel Grierson had lived, was amongst those he acquired. James Murray followed in his father's footsteps. As well as becoming MP for Wigtown from 1762 to 1768 and for the Stewartry from 1768 to 1774, he married a daughter of the earl of Galloway - his cousin Lady Catherine Stewart, daughter of the 6th earl of Galloway.

> James Murray evidently learnt much from his father on the techniques of managing the financial side of the estates, raising money by wadset or mortgage to finance improvement, the profit of which paid off the money borrowed…Between 1781 and his death in 1799 there were at least sixty five sasines to his name. Typically he got [17 wadsets] on resignation by John Symes W.S…who had probably held these as security to raise money.. Almost immediately he was life-renting these to local gentry who perhaps let them to tenant farmers … so as to maintain his income from these properties. James Murray's expertise in financial management resulted in his being elected a director of the Douglas Heron [Ayr} Bank, although wisely he was not a guarantor and so was not affected when this bank went bankrupt.[31]

When James Murray drew up his will in 1797, as well as his Irish estates, he owned 112 farms in Galloway in the parishes of Whithorn and Wigtown in Wigtownshire and in the parishes of Girthon (where he owned the whole parish) Anwoth, Twynholm, Borgue, Tongland and Rerrick in the Stewartry of Kirkcudbright. In addition to his farms, James Murray also owned the industrial settlement of Gatehouse of Fleet.

In a development which was probably influenced by the earl of Stair's response to the actions of the Galloway Levellers, a bleachfield was laid out on the east (Girthon parish) side of the river Fleet circa 1730. This development was related to the construction of a lint mill by Colonel William

30 The following is based on Russell J: *Gatehouse and District* (Dumfries, 2003)

31 Russell J : *Gatehouse and District* Vol. I. p. 91 John Syme was bankrupted by the collapse of the Ayr Bank. He was the father of Robert Burns' friend John Syme

Maxwell of Cardoness on the site of an older grain mill on the Skyreburn, 2 km from Gatehouse.[32] As well as the grain mill, there had also been a waulk mill at Skyreburn since at least 1668, when Alexander Makewin was the 'walker'. Twenty years later, Alexander Carsan at Skyreburn mill received 39 stones of wool from John McKie of Craig farm and in 1691 Patrick McKie was 'dyer at the walk milne of Skyerburn'.[33]

It was probably the construction in 1763/4 of a military road from Gretna to Portpatrick which inspired James Murray to develop Gatehouse of Fleet. The first action James Murray took was to have a coaching inn built in the centre of what was to become the new town. The first industry James Murray established in Gatehouse was that of tanning in 1768, followed by brewing in 1769. Sometime in the 1770s, a lint mill was built near the bleach fields, but it was not until 1788 that the first of Gatehouse's four cotton mills was established. Before this mill was built, miners from Wales were employed to cut a 500 metre tunnel from Loch Whinyeon in the hills above Gatehouse to supply a complex system of lades and mill ponds which in turn fed the mill. Finally, a soap works was established. By 1792, the parish of Girthon had a population of 1730, a 371% increase in population since Webster's survey of 1755. The majority lived in the new town of Gatehouse of Fleet which had a population of 1150, of whom 500 were employed in the cotton works.

Even in the parish of Rerrick, which experienced zero population growth between 1755 and 1794, there was enthusiasm for industrial development.

> What now gives a prospect of comfort, affluence and importance to the lower class, is a spirit of cotton manufacturing got in amongst us; which we hope in time will lead to woollens. Here we have two small villages; one at the old Abbey [Dundrennan], and another at the head of Heston Bay [Auchencairn]. At the former, a few spirited young men commenced business last summer. At the latter a company of farmers…have subscribed a capital of £1200 for that purpose. The machinery of the last mentioned place is to go with water.[34]

Whilst the spirit of cotton manufacturing was embraced, the substance was lacking. The Auchencairn cotton mill, which was 50 feet long, 19 feet wide and three storeys high and contained 5 carding machines and 6 spinning jennies, was put up for sale in March 1800. In 1815, the building was in use as a paper mill, in 1843 as a cotton mill again, in 1852 as a woollen mill, then as a saw mill and finally as a washing and crushing plant for the Barlocco bayrtes mine before being demolished at the end of the century.[35] Cotton was still being manufactured in Gatehouse of Fleet in 1847, but ultimately, it was the policy of 'improvement through agriculture' pursued by John

32 Russell J : *Gatehouse and District* Vol. I p. 87
33 *KSCD 1623- 1674* entry 586 and entry 725 and *KSCD 1675-1700* entry 1871
34 *The Statistical Account of Scotland 1791-97,* (Wakefield, 1983) Vol. V p. 312
35 Fortune J: *The Story of Bengairn* (Castle Douglas, 2005)

Maxwell, Richard Oswald and William Craik III in Kirkbean parish which prevailed over James Murray's attempt to industrialise Girthon and William Douglas' similar attempts in Kelton parish.

Gatehouse of Fleet, which had grown so dramatically, became a quiet backwater, a piece of industrial archaeology within a farmed landscape. Successive changes in agricultural techniques and technology have had their impact, most noticeably the nineteenth century shift to dairy farming across the lowland zone of Galloway. In the upland zone, vast plantations of Sitka spruce and other fast growing soft woods have replaced sheep and cattle farms. Only in the intermediate areas of unimproved land does something of the pre-improvement landscape survive.

In the west of Ireland and in the Scottish Highlands the conversion of arable land to pasture left an enduring legacy of grievances rooted in the anger and bitterness of those forced from the land. Galloway has no such legacy of grievance, no tragic traditions of clearance and exile preserving folk stories and memories of the Galloway Levellers. In the absence of any such historical consciousness, the uprising of the Galloway Levellers could be seen as a failed attempt to hold back the tide of 'progress through improvement' ; with the miles of still existing dykes and hedges bearing witness to the triumph of enclosure. But in Galloway, unlike Ireland or the Highlands, the Levellers' actions halted and then reversed the wholesale conversion of arable land to pasture. Thus, due to the actions of the Galloway Levellers a generation before, even when the great wave of improvement swept across Galloway after 1760, the cottars and crofters were not driven into exile but found new homes and jobs in the dozens of new towns and villages built across Galloway by improving landowners. So that the improved landscape of Galloway – which contains no trace of the de-populating cattle parks they rose up against- can be read not as a sign of the Galloway Levellers failure, but of their success.

Plate 5 : Kilnair near Lochinvar, St. John's Town of Dalry, Stewartry of Kirkcudbright.

In 1669, Margaret Neilson, daughter of Robert Neilson I of Barncaillie and widow of Alexander Gordon, merchant in Balmaclellan, set 'the equal half' of Kilnair in tack to John Greirson in Fingland for two years for 80 merks yearly. John Greirson was to herd 'sixtein ky and followaris and sixteen scoir sheep togithir with two naigs for labouring the ground … and to milk her ky and ewis' and produce two stones of cheese or one stone of butter for each cow and calf and two stones of cheese for each 12 ewes. Margaret Neilson also granted John Grierson her half of the corn and beir (arable) land.[36] The house in the photograph was built for a shepherd in the nineteenth century (by the Oswalds of Auchincruive and Cavens) and occupied until circa 1950.

36 *KSCD 1623- 1674* entry 1110

Chapter Six : The Mechanical Age[1]

> Meanwhile, we too admit that the present is an important time; as all present time necessarily is. The poorest Day that passes over us is the conflux of two Eternities; it is made up of currents that issue from the remotest Past, and flow onwards into the remotest Future. We were wise indeed, could we discern truly the signs of our own time; and by knowledge of its wants and advantages, wisely adjust our own position in it. Let us, instead of gazing idly into the obscure distance, look calmly around us, for a little, on the perplexed scene where we stand.[2]

Thomas Carlyle wrote these words at Craigenputtock in Upper Nithsdale in 1829. Having looked calmly around him, Carlyle decided to characterise his age as the Mechanical Age. As an age when 'the shuttle drops from the fingers of the weaver, and falls into iron fingers that ply it faster'; an age when 'the horse is stripped of his harness, and finds a fleet fire-horse invoked in his stead'; an age when 'for all earthly, and for some unearthly purposes, we have machines and mechanic furtherances'. Yet the actual scene upon which Carlyle looked so calmly around was one of open moorland and rough grazing, rising up in the west towards the Rhinns of Kells and the 2650 feet summit of Corserine. A scene little changed since 26 July 1649 when William Maxwell and his accomplices stole a bull and eleven cows out of Craigenputtock.[3] The livestock belonged to an ancestor of Carlyle's wife Jane Welsh whose family still owned Craigenputtock.

On more careful examination, the Mechanical Age had already left its traces on this landscape. The irregular earth, turf and rough stone dykes which had sufficed to separate Lancelot Wellsh's cattle and sheep from his crops of oats and bere had been replaced by mile upon mile of neat but strongly built Galloway dykes. In the uplands, these drystane dykes marched in straight lines across the moors to the summits of the hills, enclosing sheep walks measured in square miles rather than acres. Lower down in Nithsdale and in the valleys of the Urr and Dee in the Stewartry of Kirkcudbright, dykes and hedges were more concentrated, imposing a rectangular network of enclosures upon the farmed landscape. Most regular of all was the rectangular grid pattern of streets in the new towns of Castle Douglas and Gatehouse of Fleet, both of which were familiar to Carlyle.

The 'mechanism' which left its enduring trace upon this landscape combined mathematical knowledge with instrument makers' skills in the science of surveying. The first sign of these new times to mark the landscape of Galloway was a 2 km long canal, cut in a straight line across Carlingwark Moss in Kelton parish in 1765. Barges used the canal to carry marl, a lime rich clay

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1 'The owl of Minerva takes flight only as the shades of night are gathering'. G.W. Hegel, Preface to *The Philosophy of Right*, 1820

2 Carlyle T: 'Signs of the Times', *Collected Works* Vol. 3 (London, 1858)

3 *KSCD 1623- 1674* entry 11

used as a fertiliser, along the rivers Dee and Ken as far as New Galloway 25 km upstream. To supply the canal with water, a cutting was made into Carlingwark Loch, lowering it by 3 m. The marl was extracted from the loch 'by means of boats and ballast bags, wrought with a wheel'[4] - the 'bag and spoon' form of dredging.

Plate 6 : Carlingwark canal built in 1765.

Such rude mechanisms were scarcely more sophisticated than the oxen drawn Old Scots Plough which was in use at Keltonhill (overlooking Carlingwark Loch) in 1663 when the farm was set in tack for five years. The farm was owned by Thomas Hutoune of neighbouring Arkland who agreed to work the 'equal half' of Keltonhill with John Garmorie. As well as providing Garmorie with nine loads of seed corn and the food for five oxen for the first year, Hutoune also provided Garmorie with a set of 'ploughe irones...and ane ploughe' which were to be returned on the expiry of the tack.[5] As late as 1793 such ploughs were still used in Wigtownshire, but were progressively displaced by the development of James Small's plough after 1767. A critical stage in the development of Small's plough occurred in 1780 when the Carron Iron Company produced a cast iron mouldboard for Small. Ploughs entirely made of iron soon followed. Now one or two horses could do the work of a team of eight or ten oxen; or the four horses abreast which were used with a lighter version of the Old Scots Plough.[6]

4 *The Statistical Account of Scotland 1791-1797*. Vol. V, *(Wakefield, 1983)* Kelton parish
5 *Kirkcudbright Sheriff Court Deeds 1623- 1674* (Edinburgh, 1939) entry 430
6 Fenton A : *Country life in Scotland, Our Rural Past* (Edinburgh, 1987) p. 96 and 100. For regional developments see

Plate 7 : Broad rigs on Military Training Range, Kirkcudbright. RCAHMS

As the oxen powered Old Scots Plough passed into history, so too did the long, broad 'rigs' it created. This shift facilitated the rationalisation of the lowland landscape of Dumfries and Galloway, permitting the rectangular sub-division of farms into blocks of small enclosed fields. Only with the smaller, more mobile and more efficient horse drawn iron plough could such fields be cultivated. Such fields still had to be ploughed up into narrow rigs to provide drainage, until, around the time Carlyle was writing in 1829, the use of tile drains allowed the levelling of even these rigs. Once the rigs had been levelled, the Mechanical Age replaced the 'bandwin of shearers'[7] with reaping machines. The first successful design for such a machine was patented by Cyrus McCormick in America in 1834.[8]

In 1805, John Gladstone of Castle Douglas had unsuccessfully attempted to produce a reaping machine. Gladstone had more success with a threshing machine which he invented, selling 200 between 1794 and 1810. The first successful threshing machine was built in 1786 by Andrew Meikle of Know Mill in East Lothian, improving on a design patented by Michael Menzies in 1732.[9] Powered by wind, water, horses and later steam, such machines replaced the flail and the threshing floor on larger farms, especially in grain growing districts like East Lothian as described

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Fenton. A: 'Plough and Spade in Dumfries and Galloway' , *Transactions DGNHAS*, 3rd Series Vol. 4

7 A group of three to eight hand reapers - Robinson M (ed.) : *Concise Scots Dictionary* (Edinburgh, 1999)

8 Fenton A : *Country life in Scotland* p.115

9 Maxwell R : *Select Transactions* p.276

by William Cobbett in 1832.

> Here we entered into what is called East Lothian...and such corn-fields, such stack-yards, and such a total absence of dwelling-houses, as never, surely, were before seen in any country upon earth. You very frequently see more than a hundred stacks in one yard, each containing, on an average, from fifteen to twenty English quarters of wheat or of oats... In some of these yards the thrashing-machine is worked by horses, but in the greater part by steam ; and where the coals are at a distance, by wind or by water; so that in this country of the finest land that ever was seen, all the elements seem to have been pressed into the amiable service of sweeping the people from the face of the earth.[10]

Cobbett had a particular interest in threshing machines. As Smout explains, 'he had left the southern English counties in that year [1832] smouldering on the edge of social war, with ricks being burnt, new machinery destroyed, men transported and in a few cases executed for their part in the destruction of property…Cobbett came north to find out why the Scots were quiet while the English burnt the ricks'.[11] These 'Captain Swing' riots of 1830/31 saw a wave of rick burning and destruction of threshing machines extending across southern England from Norfolk to Dorset, whilst isolated outbreaks occurred from Cornwall to Cumberland. Cobbett himself was tried and acquitted for instigating the movement.[12] As Cobbett recognised, threshing machines had an impoverishing effect on farm labourers who had previously been able to earn money by hand threshing during the winter months. Such activity 'could amount to a quarter of the entire annual labour requirements of the farm'.[13] Cobbett was also infuriated by those Scots, like Dr John Black, editor of the *Morning Chronicle,* who held up the 'quiet submission' of Scots labourers as an example for their English compatriots to follow.

> Dr. BLACK (who is spoken of with great respect here)...holds out the labourers of Scotland as an example to be followed by the *chopsticks* [farm labourers] of the South.... he talks of the *ignorance* of my countrymen, the chopsticks ; he imputes the fires [rick burning] to their *ignorance* and not to a *sense of their wrongs;* he contrasts their turbulent behaviour with the *quiet submission* of the labourers of Scotland, whom he represents as being WELL OFF in consequence of *their fewness in number;* he ascribes the suffering of the labourers of England to the *excess of their numbers,* and not to the weight of the taxes and the low wages which those taxes compel the farmer to wish to pay.[14]

As well as Dr. Black of the *Morning Chronicle,* Cobbett also railed against the 'Scotch

10 Cobbett W: *Cobbett's Tour in Scotland* p. 89/90
11 Smout C: *A History of the Scottish People 1560-1830* (London, 1969) p. 324
12 Hobsbawm E and Rude G: *Captain Swing* (London 1969) p. 89 and 202
13 Hobsbawm E and Rude G: *Captain Swing* (London 1969) p.74
14 Cobbett W: *Cobbett's Tour in Scotland* p. 96 and 100-109

feelosophers' (as he called them) of the *Edinburgh Review* including 'McCulloch'.[15] In Germany, Georg Hegel also studied the works of a such Scots philosophers and read the *Morning Chronicle* and *Edinburgh Review* with keen interest.[16] Cobbett's 'McCulloch' was John Ramsay McCulloch (1789-1864). After editing the *Scotsman* between 1817 and 1820, McCulloch explained David Ricardo's theories of political economy through articles in the *Edinburgh Review* and published his own *Principles of Political Economy* in 1825. This was a 'lucid and popular restatement of the classical economic theory of Smith and, more especially, Ricardo'.[17] Carlyle met McCulloch in Edinburgh in 1822, describing him as 'sitting like a great polar Bear, chewing and vainly trying to digest the doctrines of Aadam [*sic*] Smith and Ricardo which he means to vomit forth again next spring in the shape of lectures to the 'thinking public' of this city'.[18]

What Carlyle at Craigenputtock in 1829, Cobbett on his tour of Scotland in 1832 and even Georg Hegel in Berlin realised (from the *Edinburgh Review* and *Morning Chronicle*) was that the outward signs of the Mechanical Age reflected profound changes which were taking place within British society. Changes which were destroying the age-old customary relationships of rural farming communities. Cobbett could see these changes happening in rural England. Cobbett convinced himself that the pernicious doctrines of Malthus and Ricardo were a major part of the problem and resented the promotion of these doctrines by 'Scotch feelosophers' like J. R. McCulloch and Dr. Black. Cobbett died in 1835, by which time Carlyle had left the rural isolation of Craigenputtock for London, the 'great wen'[19] as Cobbett described it. In London, Carlyle extended and developed the Mechanical Age theme of *Signs of the Times* into a critique of political economy as the 'dismal science'. But, or so Friederich Engels believed, Carlyle's critique of the (Mechanical) present was 'strangely unhistorical'.

> To Thomas Carlyle belongs the credit of having taken the literary field against the bourgeoisie at a time when its views, tastes and ideas held the whole of official English literature totally in thrall, and in a manner which is at times even revolutionary. For example, in his history of the French Revolution, in his apology for Cromwell, in the pamphlet on Chartism and in *Past and Present.* But in all these writings the critique of the present is closely bound up with a strangely unhistorical apotheosis of the Middle Ages, which is a frequent characteristic of other English revolutionaries too, for instance Cobbett and a section of the Chartists. Whilst he at least admires in the past the classical periods of a specific stage of society, the present drives him to despair and he

15 Cobbett W : *Weekly Journal* (London 1834) Vol. lxxxvi p.233
16 Waszek N: *The Scottish Enlightenment and Hegel's Account of "civil Society"* (London, 1988) p.95
17 Watt J.M : *Dumfries and Galloway a literary guide* (Dumfries, 2000) p.324/7
18 http://carlyleletters.dukejournals.org/cgi/content/full/2/1/lt-18221204-TC-AC-01? accessed 10 February 2009
19 Wen – sebaceous cyst

shudders at the thought of the future.[20]

Engels had intimate knowledge of the Mechanical Age. In 1842 his father sent him to England to acquire business skills with the cotton spinning firm of Ermen and Engels in Manchester. Engels returned to Germany in 1844 where he wrote *The Condition of the Working Class in England* after meeting Karl Marx in Paris on his journey home. What brought Engels and Marx together in what was to be a life-long collaboration was a critique of political economy written by Engels.[21] Amongst the political economists Engels and Marx took issue with was J. R. McCulloch whom Marx described as a 'vulgariser' of Ricardo.[22] A more informed view of McCulloch's work is provided by O'Brien who found that McCulloch's contribution to classical economics was 'far more complex and comprehensive than has previously been realized'.[23]

McCulloch's significance for this study is not so much his contribution to political (or classical) economic theory, but rather his background and place of origin. John McCulloch's father was the owner-occupier of the 278 acre Auchengool farm in Rerrick parish, Stewartry of Kirkcudbright. John McCulloch inherited Auchengool in 1805 and continued to own (if not occupy) the farm until his death in London in 1864.[24] McKerlie traced McCulloch's family back to a Robert McCulloch who bought Kirkclaugh farm and Skyreburn mill in Anwoth parish in 1614. Auchenlarie farm in Anwoth was later added and Auchengool was acquired through marriage in the late seventeenth century. Auchengool became separated from the other family farms when John McCulloch's grandfather Edward inherited it. Edward McCulloch married Nicolas Blair, a niece of Hugh Blair of Dunrod in Borgue parish[25] whose cattle parks were levelled in 1724. John McCulloch's mother Sarah was the daughter of James Laing, minister of Glasserton parish in Wigtownshire. John McCulloch was born in 1789, probably near Whithorn where his grandfather owned a house and farm.

McCulloch's background as the son of one of Galloway's numerous owner-occupier farmers was shared with a small but highly influential group who dominated Manchester's cotton spinning industry in the early nineteenth century. Their history begins with William Cannan (or Cannon) who was born in 1743 at Darsalloch farm near New Galloway. As a younger son, William Cannan was

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20 Engels F: *Latter-Day Pamphlets,* Edited by Thomas Carlyle-No. I, *The Present Time,* No. II, *Model Prisons,* Neue Rheinische Zeitung Politisch-ökonomische Revue No. 4, April, 1850. http://www.marxists.org/archive/marx/works/1850/03/carlyle.htm accessed 24 February 2009

21 Foster J : *Marx's Ecology ,materialism and nature* (New York, 2000) p.106

22 http://www.marxists.org/archive/marx/works/1863/theories-surplus-value/ch20.htm accessed 26 February 2009

23 O'Brien P: J.R.McCulloch -A Study in Classical Economics p. 15

24 O'Brien P: J.R.McCulloch -A Study in Classical Economics p. 17-21

25 McKerlie P : *History of the Lands and their Owners in Galloway* (London, 1878) Vol.V, Rerrick parish

unlikely to inherit the farm so was apprenticed to a carpenter in New Galloway. In search of opportunity, in his early twenties Cannan crossed the Solway to Whitehaven in Cumbria which at the time was an important coal exporting, trading and shipbuilding port. Cannan then moved on to Liverpool before finally settling in the village of Chowbent (Atherton) in Lancashire where he became a specialist maker of machinery for the textile industry, including the rapidly developing cotton industry.

As William Cannan's business expanded, he began recruiting apprentices, employing as many as 30 in the making of spindles, jennies and looms. Between 1780 and 1784, Adam and George Murray, James McConnell and John Kennedy joined this group of young apprentices. George and Adam Murray were the sons of a New Galloway shopkeeper, James McConnell and John Kennedy were the younger sons of owner occupier farmers (Hannaston and Knocknalling respectively) from the New Galloway area. After serving their apprenticeships with William Cannon, Adam and George Murray, James McConnell and John Kennedy all moved to the boom town of Manchester. In Manchester they progressed swiftly from making cotton spinning machines for others to establishing their own cotton spinning businesses. The cotton spinning firm of A & G Murray was founded in 1790 and that of McConnell & Kennedy in 1795. By 1816, A & G Murray employed 1215 workers and McConnell and Kennedy 1020, making the largest two employers in Manchester. The dominance of Manchester's cotton spinning industry by the firms of A & G Murray and McConnell & Kennedy continued throughout the nineteenth century.[26]

> The Murrays' entrepreneurial vision drove them to create a mill complex on an unprecedented scale...Their huge mill epitomised the emergence of a new type of urban landscape, and became an iconic symbol of the steam-powered factory system.[27]

Whilst this group from the Glenkens were making their fortunes in Manchester, Wellwood, Alexander and George Maxwell were making their fortunes in Liverpool where they set up a cotton importing business in 1808. The three brothers were grandsons of John Maxwell of Terraughtie and Munches.[28] In 1824 Wellwood Maxwell joined the management committee of the proposed Liverpool and Manchester Railway. John Kennedy was a fellow member of this committee.[29] In April 1829 Kennedy was appointed as one of the three judges of the Liverpool and Manchester's

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26 Miller I and Wild C : *A & G Murray and the Cotton Mills of Ancoats* (Lancaster, 2007) and Lee C: *A Cotton Enterprise, 1795- 1840, a history of M'Connel and Kennedy, fine cotton spinners* (Manchester, 1972)

27 Miller I and Wild C : *A & G Murray and the Cotton Mills of Ancoats* p. 93

28 MacDowall W : *History of the Burgh of Dumfries* (Dumfries, 1867) p.473.

29 Booth H: *An Account of the Liverpool and Manchester Railway* (Liverpool, 1830) p.9

Rainhill locomotive trials which were held during October 1829.[30] John McCulloch knew John Kennedy and considered him to be 'one of the most eminent and intelligent cotton manufacturers in the Empire'.[31] Friedrich Engels was not so impressed. In *The Conditions of the Working Class in England*, he used a prosecution brought by Kennedy as 'absolute law- giver' against striking workers in October 1844 to illustrate the 'slavery in which the bourgeoisie holds the proletariat chained'.[32]

Had Thomas Carlyle's great-grandfather John looked calmly around from Annandale in 1724,[33] he would have found little trace of a Mechanical Age anywhere in Britain or indeed the world. The Mechanical Age was first begun within the lifetime of Thomas Carlyle's stonemason father James (1757-1832) on foundations his south-west Scotland contemporaries - William Cannan (1743-1828), Thomas Telford (1757- 1834), John Loudon McAdam (1756-1836) and William Symington (1767-1831) helped to lay. Yet, despite the best efforts of enlightened improvers across Dumfries and Galloway, by 1837 J. R. McCulloch's comment on the Stewartry was 'Manufactures unimportant. Extensive cotton works were erected at Gatehouse a good many years ago; but they have proved very unprofitable, and recently have been for the most part abandoned'.[34] For Dumfriesshire, McCulloch makes no mention of manufactures at all. Thus the young Thomas Carlyle growing up in Ecclefechan could still, despite William Blake, have heard 'the flute of summer in Annandale'.

> Then left the Sons of Urizen the plow & harrow, the loom
> The hammer & the chisel, & the rule & compasses; from London fleeing
> They forg'd the sword on Cheviot, the chariot of war & the battle-ax,
> The trumpet fitted to mortal battle, & the flute of summer in Annandale
> And all the Arts of Life, they chang'd into the Arts of Death in Albion.
> The hour-glass contemn'd because its simple workmanship,
> Was like the workmanship of the plowman, & the water wheel,
> That raises water into cisterns broken & burn'd with fire:
> Because its workmanship, was like the workmanship of the shepherd,
> And in their stead, intricate wheels invented, wheel without wheel:
> To perplex youth in their outgoings, & to bind to labours in Albion
> Of day & night the myriads of eternity that they may grind
> And polish brass & iron hour after hour laborious task;
> Kept ignorant of its use, that they might spend the days of wisdom
> In sorrowful drudgery, to obtain a scanty pittance of bread:

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30 Stephenson R and Locke J: *Observations on the Comparative Merits of Locomotive and Fixed Engines as Applied to Railways* (Liverpool, 1830) p. 64

31 Guest R : *The British Cotton Manufacturers* (Manchester, 1828) p.93

32 Engels F, *The Condition of the Working Class in England* (London, 1987) p.193

33 Sloan J : *The Carlyle Country* (London 1904) p.25 John Caryle (died 1727) may have been evicted from the family farm at Birrens in Annandale by the duke of Queensberry.

34 McCulloch J : *A statistical account of the British Empire: exhibiting its extent, physical capacities, population, industry, and civil and religious institutions* (London, 1837) Vol.1 p. 287

> In ignorance to view a small portion & think that All.
> And call it Demonstration: blind to all the simple rules of life.[35]

This quotation from William Blake was used by E. P. Thomson in *The Making of the Working Class* to illustrate the profound and disturbing transformation wrought by the Mechanical Age as it forged a new urban working class. The members of this class were forced into the new towns and factories after the 'destruction of the traditional elements in English peasant society' by enclosure, which was 'the culmination of a long secular process by which men's customary relations to the agrarian means of production were undermined'.[36] Thomson is here following Marx who linked the origins of capitalism from 'primitive accumulation' to the 'expropriation of the agricultural population from the land'.[37] In *The History of the Working Classes in Scotland,* first published in 1920, Tom Johnston devoted a short but powerfully written chapter to 'The Clearances'. Whilst Johnston concludes with a brief section on the Highland clearances, the main part of the chapter is based on evidence of clearance in the Lowlands taken from the *New Statistical Account of Scotland.* The first section draws on Wodrow's account of the Galloway Levellers in *Analecta* to explain that 'the ruthless clearances and ejectments of the peasantry which began in Galloway, soon became a general feature in Lowland agricultural economies'. Thus 'From the Lowland hamlets came to the industrial towns a steady stream of destitutes owning no capital but their muscles...destined to... the miserable half-starved drudgery from which an unregulated capitalism wrung fabulous profits'.[37]

Yet in 1724, there were no industrial towns for the Galloway Levellers to be cleared from the land into, as Johnston's quote from Wodrow on the situation in June 1725 reveals.

> ther are many of them [Levellers] begging up and down. The souldiers have calmed them, and some proposals they say of erecting manufactorys of wool at Wigtoun, Stranreaur, and Kirkcudbright, which lye very commodiously for trade; and if the Earl of Stair's project hold, will employ the poor who are turned out by the inclosures.[38]

As discussed in the previous chapter, the earl of Stair did set up a wool mill in Galloway which was in operation by 1731. However the Galloway Levellers themselves did not demand that alternative industrial employment be provided for the dispossessed. What the Levellers demanded was that

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35 Blake W : *Jerusalem, The Emanation of the Giant Albion* (London,1820) Ch.3 Pl.65, quoted in Thompson E: *The Making of the English Working Class* (London,1968) p.488
36 Thompson E: *The Making of the English Working Class* (London,1968) p. 239
37 Marx K : *Capital, a Critical Analysis of Capitalist Production* (London,1946) Vol.1, Ch. XXVI and XXVII
37 Johnston T : *The History of the Working Classes in Scotland* (Glasgow, 1920) Ch.8
38 Wodrow R: *Analecta* Vol.III p.210 in Johnston T, *The History of the Working Classes in Scotland* Ch.8

> the Gentlemen should enclose their grounds in such parcels that each may be sufficient for a good tenant and that the Heritors lay as much rent on each of these enclosures as will give him double the interest of the money laid out on the enclosures. If he cannot get this enclosure set to a tenant whom he may judge sufficient, he may then lawfully keep that ground in his own hand till he finds a sufficient tenant, taking care that the tenant's house be kept up and that it may be let with the first opportunity and that a lease of twenty-one years be offered. This will considerably augment the yearly rent of the lands and the tenant will hereby be capable and encouraged to improve the breed of sheep and black cattle and the ground, which without enclosures is impossible.[39]

As argued above, when this core demand of the Galloway Levellers is placed in the context of the events of 1724 as they actually occurred (at least in the Stewartry of Kirkcudbright), the notion that the Galloway Levellers uprising was a spontaneous revolt by peasants against expropriation from the land is difficult to sustain. The Galloway Levellers uprising was carefully planned and orchestrated, backed up by a highly successful public relations campaign which led King George I to call for a public enquiry into their grievances – much to the fury of Basil Hamilton. Those most likely to have organised the uprising were owner-occupier farmers and their 'half-manner' tenants. This locally important socio-economic group (or class) had become politicised during the religious struggles of the seventeenth century when their property rights had been threatened by arbitrary fines and forfeiture. The fear of a return to such conditions encouraged members of this group to organise local armed anti-Jacobite volunteer militias in 1715. Discussing land ownership Marxist anthropologist David Harvey suggests that

> the most interesting from the standpoint of the social history of capitalism, is the owner -occupier family farm. Under such a system, producers can be both capitalists and landowners so the conflict between the two roles seems to disappear. Marx considers such a situation both exceptional and fortuitous (*Capital*, vol.3, pp.751-2). It is hard to deny his reasoning.[40]

From a different perspective, that of French historian Francois Crouzet in *The First Industrialists: The Problem of Origins*, James McConnell, John and James Kennedy and Adam and George Murray are considered as 'examples of lower-middle-class self-made men...sons of farmers from south-west Scotland'.41 Although all were born after 1760, the social and economic environment of Kells parish had not undergone any dramatic changes since 1724. If this group belonged to a 'lower-middle-class' of owner-occupier farmers (or shopkeepers in the case of the Murrray brothers) then so too did Galloway Levellers Hugh Clanny, Thomas Moire and Grizel Grierson.

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39 *Letter to Du Cary*

40 Harvey D : *The Limits of Capital* (London, 2006) p.365, although the passage Harvey quotes from *Capital* vol. 3 is more ambiguous than he implies.

41 Crouzet F : *The First Industrialists: The Problem of Origins* (Cambridge,1985) p. 130

Furthermore, the cattle parks stocked with (smuggled) Irish cattle which the Levellers targeted were relics of the past in 1724 since the 'mode of production' they embodied was derived from the Plantation of Ulster over a hundred years earlier. Trade in cattle also provides a link between Galloway and Ireland via the Houghers of Connacht in 1711-12 who were 'just as exceptional as the Levellers of Galloway'.42 Most significantly, by the beginning of the nineteenth century 'cattle ranching' had come to predominate the farmed landscape across large parts of Leinster, Munster, Connacht and Donegal.[43] In Galloway, unlike in Ireland, after 1724 the move towards a grazier/ cattle ranching style of farming was checked and then reversed. No traces of Galloway's great cattle parks have survived; all were swept away by the field size 'improving' enclosures advocated by the Galloway Levellers. Beef farming continued and gave rise to the Galloway breed of beef cattle, but as part of an 'improved' mixed farming and manufacturing economy which was developed in the later eighteenth and early nineteenth centuries.

This mixed economy, with its origins in John Dalrymple's enlightened response to the problems posed by the Galloway Levellers, briefly flourished in Galloway, especially at Gatehouse of Fleet. But by 1829 this enlightened economy had already been overtaken by events, by Thomas Carlyle's Mechanical Age. In 1842, when Friedrich Engels first arrived in Manchester, the firms of McConnel & Kennedy and A & G Murray had long since made James Murray's water-powered cotton mills redundant. By successfully harnessing the power of coal fired steam engines to the spinning of cotton, these firms had helped unleash what Engels described as an 'industrial revolution'.

To return to Engels' criticism of Carlyle, the central argument was that 'though he is acquainted with German literature, he is not acquainted with its necessary corollary, German philosophy, and all his views are in consequence ingenuous, intuitive, more like Schelling than Hegel'. Lacking the key provided by Hegel, Engels argued that '[Carlyle's] nationality leads him to empiricism; he is beset by a flagrant contradiction which can only be resolved if he continues to develop his German-theoretical viewpoint to its final conclusion, until it is totally reconciled with empiricism. To surmount the contradiction in which he is working, Carlyle has only *one* more step to take'.[44]

This 'one more step' would have been for Carlyle to adopt the materialist interpretation of Hegel as developed by 'young Hegelians' like Moses Hess, whose teachings had influenced Engels during his stay in Berlin in 1841- 42. But if Engels had been more familiar with the writings of Hegel himself (rather than his interpreters), he may not have found it so easy to criticise Carlyle for his lack of acquaintance with Hegel. The sheer complexity of Hegel's writings allows many conflicting

42 Devine T: *Exploring the Scottish past* (East Linton, 1995) p.183
43 Jones D: 'The Cleavage Between Graziers and Peasants' in Clarke S and Donnelly J : *Irish peasants: violence & political unrest, 1780-1914* (Winsconsin, 1983) p.379
44 http://www.marxists.org/archive/marx/works/1844/df-jahrbucher/carlyle.htm accessed 1 April 2009

interpretations, but if those of Dallmayr and Dickey[45] are followed, then a 'dialectical' path can be traced which leads from the rational challenge posed by the Galloway Levellers in 1724 to the enlightened political economy of Galloway circa 1800.

In this enlightened political economy, the danger to civil society posed by those perceived as a 'rabble of paupers'[46] made destitute by enclosures had ultimately been resolved by the creation of alternative (industrial) employment. Unfortunately, as Hegel recognised from his analysis of James Steuart and Adam Smith's political economy, the dynamic energy of capitalist industry threatened to overturn any stability so created. Hegel died of cholera in 1831. If he had lived another ten years to witness the advance of the Mechanical Age, would he have shared Carlyle's profound pessimism or Engels revolutionary optimism about the future?

Plate 8 : A & G Murray's steam powered cotton mill in Manchester- 1829.

45 Dallmayr F : *G.W.F. Hegel : Modernity and Politics* (London, 1993), Dickey L: *Hegel: Religions, Economics and the Politics of Spirit 1770 -1807* (Cambridge, 1987)

46 Hegel G: *Philosophy of Right* (Oxford, 1967) p. 150

Plate 9 : James Murray's water powered cotton mill in Gatehouse of Fleet.

The cotton mills of both Manchester and Gatehouse Murray's are now heritage museums, become part of the history and archaeology of the Mechanical Age. If Carlyle could look calmly around in this present, he might descry a possible future beginning in Galloway. At Forrest Lodge, in the Glenkens, close to John Kennedy's Knocknalling and the Murray brothers' New Galloway lies the 'Green House', headquarters of the Natural Power company who specialise in renewable energy. It is built of timber and turf, the same materials as the now vanished cots and crofts of the Galloway Levellers.

Plate 10: Natural Power's 'Green House' near Knocknalling, New Galloway.

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