

The Plundering
OF
CULLEN HOUSE
BY THE REBELS:

An Incident in the Rebellion of 1745 -46.

Narrated by
EYE-WITNESSES OF THE PLUNDERING.

Compiled by

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SCHOOLMASTER OF CULLEN.

“They who lived in story only
Seem to walk the earth again.”

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TO
Thomas Dickson, L.L.D.,
AND
James Copland Esq.,
THE FRIENDS OF HISTORICAL INQUIRERS,
THIS
HUMBLE TRIBUTE IS INSCRIBED,
IN GRATEFUL REMEMBRANCE OF
PLEASANT AND PROFITABLE HOURS
PASSED IN H.M. REGISTER HOUSE,
EDINBURGH,
UNDER THEIR GUIDANCE.

PREFACE

Among the family mansions of Scotland few can be named that are at the present day so emblematic of complete repose and unprotected security as Cullen House—the ancestral home of the noble family of Seafield. Amidst the charming walks and lovely views, with which the extensive policies abound, the stranger is struck with the feeling of supreme calm and peace that reign around, not unmixed at times with the spirit of sadness; the very woods, and walks, and streams, all apparently in sympathy with the dark shadow that now for several years has overhung this House.

But Cullen House, though now in peace, had its share of troubles in the troublous times of our nation's history.

The present building is of no great antiquity. It was founded in 1600, on a site adjacent to the old House, which is supposed to have stood from the days of Robert the Bruce.

In 1645 Cullen and Cullen House were plundered by the Farquharsons of Braemar, by orders of Montrose, the Earl of Findlater being “a grite Covenanter.” At the same time the Laird of Grant, with his soldiers, were sent to plunder Elgin. It would have been not a little curious had Montrose appointed the Grants to plunder Cullen House, the estates connected with which they ultimately came to inherit.

“Montrose marches fra the Bog to the place of Cullen of Boyne, the Erll of Findlater himself haveing fled south befor to Edinbrugh, leaving in thir dangerous dayis, pitifull to behold, his lady behind him. This staitlie hous, weill decoirit with braue insicht and plenishing and furneshit with silver plait and all vther necessares wes pitifullie plunderit, and nothing tursabill left.” (*Spalding.*)

It was only saved from being burned to the ground by the intercession of Lady Findlater who obtained from Montrose a respite of fifteen days for the ransom of 20,000 merks, of which she instantly paid down 5000 merks.

In 1640 the neighbouring mansion of Glassaugh was plundered by Monro's soldiers at the instigation, it is said, of the Earl of Findlater.

In the first Jacobite Rebellion, Lord Deskford, son of the Chancellor Earl, was so strongly suspected of Jacobite leanings, that he was put in prison. In his later years, as Earl of Findlater, he was one of the strongest supporters the Government had in the North during the second Jacobite Rebellion. In fact, both the Grant and Ogilvie branches of this family rendered most conspicuous services to the Government at many critical times, but there is no record of any recompense they received therefor. The loss incurred by the Laird of Grant in the service of the Government was estimated in 1785 to amount to £72,000 Stg. “The plain consequence is, that the family of Grant has been ruined by the Revolution, and by its constant and uniform adherence to Revolution principles and the present Royal Family, during the Rebellions of 1715 and 1745.” A like remark may be made as regards the Ogilvie branch.

The following pages consist of notes taken from a *Ms* volume in H.M. Register House, Edinburgh, entitled, “A Register kept in pursuance of Acts 20 and 21 of King George II for

the Earl of Findlater and Lord Elchies.” The part of the Register referring to the Earl of Findlater consists of 53 pages of preliminary matter, followed by depositions up to page 132, then the Decree and Judgment of the Court of Session, which occupies 200 pages. The notes are a summary of the proceedings in reference to the Earl of Findlater, such particulars as have more special reference to Cullen being given in greater detail. Mere repetition or corroboration of previous evidence has for the most part been omitted, while the spelling has, in several instances, been modernized.

This small pamphlet forms a bit of authentic history that has not hitherto seen the light, and is valuable mainly for the vivid picture it presents of the doings of the rebels in this locality immediately prior to the Battle of Culloden, and valuable subordinately for the additional light it casts on the parties concerned in the suppression of that Rebellion.

The facts here narrated have almost entirely departed from memory, even in the locality. Almost all that tradition records in reference to the plundering is the grotesque sight presented by some of the Highlanders carrying away as valuable booty certain articles that even in the North of Scotland have for long been considered essential to the complete furnishing of a bedroom, the use of which articles were, however, altogether unknown to the plunderers. A somewhat similar, and perhaps equally grotesque, sight appears in the course of the following evidence where the Highland gentleman on horseback compels the minister to aid him in loading his horse with Lord Findlater’s law books, the use of which would probably be as unknown to the plunderer as in the previous case. Another small matter that lives in tradition is that the injuries still visible on the marble slab inserted on the north side of the “Big” Bridge, in commemoration of its erection in 1744, were inflicted by the rebels, who first attempted to remove the slab, which had been placed there a short time before, and, failing in this, they injured it with a hammer. Unreliable as tradition usually is, still there is no reason to discredit it in this instance.

The valuable MSS., &c., bequeathed by the late Bishop Kyle to the Roman Catholic Church include among them, the present writer, at least, is of opinion, certain documents that formed part of the plunder of Cullen House, and the opinion he formed from a cursory perusal of them is confirmed to some extent by the evidence adduced in the following pages. It would be interesting were the authorities of Blairs College, or other legatees of the Bequest, to find on examination and consideration that it was proper for them to restore to the Charter Room of Cullen House certain documents that they were led to presume must have been carried off thence by the rebels.

The plundering of Cullen House occurred on Tuesday the 8th day of April, 1746, the day the Duke of Cumberland left Aberdeen on his march, northwards. What effect was produced on the Duke’s mind, when, three days later, in company with the Earl and Countess of Findlater, he viewed the scene of what one of the witnesses characterized as “the most horrible destruction man ever beheld,” has not been recorded, but seeing that, as Ray asserts, the Duke, on the previous day, caused a countryman to be executed for making notches on a stick, it is not unreasonable to suppose that the plundering of the house of one of his most zealous supporters may furnish some explanation of certain of the Duke’s after proceedings.

This Earl of Findlater, who was Vice-Admiral of Scotland (and a portrait of whom is to be seen in the City Hall, Aberdeen), in a petition to Parliament estimated the loss he had sustained by the rebels at £8,000 sterling, and craved redress, but, there is reason to believe, he obtained none.

Betwixt the date when the Earl of Findlater presented his petition claiming the benefit of the Act of Parliament and the final decision of the Court of Session, occurred a transaction between the Earl and the authorities of the Burgh of Cullen, whereby the Burgh disposed to the Earl in perpetual feu the Castle Hill and the greater part of the Burgh Lands.

It will make matters clearer to remember in reading the following pages that the whole regular force under the Duke of Cumberland was 7200 men, besides 2000 militia. At the time the Duke left Aberdeen with the last division of his army, six battalions, with Kingston's Horse and Cobham's Dragoons, under Major-General Bland, were stationed at Strathbogie, and three battalions at Old Meldrum, under Brigadier Mordaunt. The Duke quartered the first night at Old Meldrum and the next at Banff. On the 11th April (Friday) he marched to Cullen, and on his march was joined at Portsoy by the part of the army that had been stationed at Strathbogie and Old Meldrum. The army was too numerous to get quarters in the town, so the foot encamped on some ploughed fields to the right of the town, and the horse quartered in Cullen and the adjacent villages. Here the Earl of Findlater made a present of 200 guineas to the Duke's troops. (*Brown's History of the Highlands.*) Next day they marched towards the Spey. James Bay, a volunteer under the Duke of Cumberland, says, "Cullen is a small town consisting of one street, at the entrance of which is a fine seat belonging to the Earl of Findlater, but had been plundered by the Rebels. His Royal Highness quartered here, and the Lord and Lady Findlater accompanied the Duke, and in all the march from Aberdeen to Inverness. Here the people are well affected to the Government." An English officer, who accompanied the Duke of Cumberland's army, relates that at Cullen the kirkyard was full of rebel horses that had been taken.

The second Jacobite Rebellion took very little hold in this district. From the Church Records it appears that the Synod of Aberdeen enjoined all ministers within their bounds *inter alia* to pray *nominatim* for His Majesty King George and His Royal Family, and all the members of the Presbytery of Fordyce declared they had obeyed said recommendation in the strictest manner. From the Kirk Session Records of Fordyce we learn that (1) on 18th Dec., 1745, a fast was held by Royal Proclamation for the Rebellion (2) on 20th April, 1746, a thanksgiving was intimated by order of the Synod for the prospect of deliverance from oppression by the rebels (3) on 25th May a proclamation was read from the Duke of Cumberland, and a letter from the Lord Justice Clerk, relating to the discovery of the rebels, and the elders gave an account of the several rebels that had gone out of that parish (4) on 15th June the King's Proclamation was read for a pardon to the inferior rebels upon laying down their arms and (5) on 26th June a Thanksgiving was held for delivery from the Rebellion. In Deskford Church a Thanksgiving was held on 23rd April, 1746, "for the glorious victory over the Rebels, 16th inst., where numbers of the rebel army were slain and a complete victory obtained." About 26th Feb., 1746, ministers were unable to attend the Synod meeting, as numbers of the rebels were passing and repassing. In 1746 the Presbytery recommended the schoolmaster at Broadley, in the parish of Rathven, to an increase of salary, "he having suffered considerably by the rebels in their passing and repassing by his house." The minutes of the Kirk Session of Rathven are lost for some years prior to the Rebellion, and the Session Clerk, under date Feb. 2, 1746 notes that "The Troubles in the nation much hindered the free course of discipline at this time." On 30th March, 1746, the Kirk Session of Rathven granted their beadle the loan of a crown, he "being straitned by reason of the Pretender's son's soldiers threatening to poind him for his Excise." On 23rd April the Thanksgiving was held in Rathven. Even on 4th May, 1746, the Session had to record that they "thought proper to supersede the exercise of discipline for some time till magistrates be sitting in judgment, except such as voluntarily comply," but by the following

Sunday matters had so far improved that it is recorded—"Upon a second consideration, appointed charge the delinquents to subsequent dyets." The Kirk Session of Cullen gave 12s. Scots to a sick soldier on 13th April, and in Cullen 23rd April and 26th June were held as days of Thanksgiving for deliverance from the Rebels. The Rebels had the daring to make the Town Council of Cullen prisoners. "On 26th March, while His Royal Highness was at Aberdeen, a party of the Rebels' foot and horse came to this place and forced payment of all the public money, viz., Cess, Eque, Excise, and Postages, by taking us and office-bearers prisoners, and using many threats and menaces against our persons and effects."

In Dr Fraser's "Chiefs of Grant" is a letter from Lord Lewis Gordon in which Lord Lewis presents his compliments to Lord and Lady Findlater, and assures them that "what I am to do for the Prince's cause in Banffshire shall be executed in the mildest and easiest way in my power." A letter of date 11th December, 1745, says that Abachie, Lord Lewis Gordon's "prime minister of oppression" is "playing the devil" with Lord Findlater's tenants. On 10th December, 1745, Duncan Forbes of Cullodeu writes as follows to James, 5th Earl of Findlater and Seafield:—

"I observe with concern the menaces used by the rebels in Bamfshire to induce his Majesty's subjects to raise money and men towards the subversion of the Government. Your lordship has surely returned to those who have consulted with you a very solid advice and has no doubt given the proper directions to those that take care of your affairs on the subject of the letter that was written to yourself and if those advices and directions can prevent men's subjecting themselves to the penaltys of high treason for a very few days they will be delivered from all apprehensions of such usage, for before any notice came from your Lordship a body of between 500 and 600 men was this day marched from Inverness towards Aberdeen by Elgin to be followed by my Lord Loudoun very quickly with as many more if needfull and by a farther force from hence if it shall be wanted. Thus your Lordship's tennants and neighbors will be speedily relieved from the oppression under which they groan and I should hope they will have the fortitude to resist the threats that are employed to induce them to become partys to high treason for a very few days, when relief is so very near at hand, as on the other hand, I imagine the rebels will be cautious how they execute those threats when reprisalls can be so speedily made on those who may be so wicked as to put them in execution."

From the "Chiefs of Grant" we learn some further particulars regarding these times. On 16th December, 1745, Sir Harry Innes wrote the Laird of Grant that Abbachie, Lord Lewis Gordon's officer, went to Cullen with 180 men, retreating from M^cLeod's men. M^cLeod was at Cullen on 17th December, and at Banff two days later. Ludovick Grant of Grant writing his father says that the rebels have intercepted Kyliemore whom he (Ludovick) had sent to Cullen with instructions to a party of his men sent there some hours before to prevent any of them getting into Lord Findlater's house. They detained Kyliemore prisoner till about five o'clock in the morning, and then they marched as fast as they could for Strathbogie before daylight and all the parties that were in Banff and Portsoy fled off on Sunday evening when the party he (Ludovick) sent to Cullen entered that town. On 11th March, 1746 Ludovick Grant of Grant writes from Inverurie to his father as follows:—

"I am informed the Young Pretender has taken possession of Gordon Castle, and that a considerable bodie of the rebels is about Fochabers besides their advanced parties about Keith, Strathbogie, Cullen and Banff. I am perswaded they will all retire as the armie

advancers to the Murray side. The situation of the countrie is such at present that there is noe monie to be had from the most substantiall tenant in it.”

On 29th March 1746 the Earl of Findlater writes to Ludovick Grant of Grant:—

“My gardner was dispatched this morning early to Cullen by His Royal Highness’s orders. I have writ to Mr Lawtie that, if they burn my house or the house of any well-affected gentleman his army will burn the houses of all the rebels and this he has ordered to intimate by showing [my letter] to every party that may come there.”

Ludovick Grant writes as follows to his father, Sir James, in London:—

“Elgin, April 13, 1746.

Fryday the 11th His Royal Highness the Duke marched from Banff to Cullen, and the troups that were in Strathbogie joined him at Cullen. I came with them. Yesterday about one His Royal Highness crossed the Spey; the rebels who were this side of the Spey all fled earlie in the morning. You’ll have heard that they pillaged Cullen House, left naething they could finde and took away all the books. The same was to have been done to yours but the Duke’s advanceing has prevented it.’

On 19th April, 1746, Lord Findlater writes from Inverness that he had been attending on His Royal Highness.

Among the MSS. in Cullen House is a series of letters from Lord Hardwicke to the Earl of Findlater in 1747, 1748, 1751, 1753, and 1764, generally in regard to the settlement of the country after the rebellion, the employment of the factors on the forfeited estates, &c. (Report Royal Comm. on Hist. MSS.)

Want of precise information has led not a few persons to imagine that the rebellions of 1715 and 1745 had equally the active and passive support of the people in this district, but such is by no means the case. There is probably, in the present day, not a movement even of the most revolutionary character that will not find more supporters in this district than had the rebellion of 1745, but it was quite otherwise as regards the rebellion of 1715. That rebellion had the sympathy of Lord Deskford and the active support of Sir James Abercromby of Birkenbog, Sir James Dunbar of Durn, George Gordon of Buckie, James Gordon of Letterfourie, the laird of Farskane and many others, but following it came the ruin of those who had joined in it, and perhaps still more ruinous to the rebel cause—the Disarming Act. At Cullen there were delivered up 136 guns, 74 pistols, 9 barrels of guns, 236 swords, 33 dirks, a steel cape, and 3 calivers. In the first Jacobite Rebellion the Earl of Findlater suffered not a little. Writing to the Laird of Grant on 29th August 1716, he says:—“I have had great loss during the rebellion. The rebels took free quarter for five or six weeks, extorted double taxes, and disarmed my whol tennents, and I was oblidedg with my whol familie to reside at Edenburgh during the rebellion, so that 1000 pound of arrears [referring to his pension due by the late Queen] which brings me to an equalitie, would be most useful to me at this time.”

In case the evidence presented in the following pages should lead the reader to a different conclusion, it may be proper to remark that the Charter Room of Cullen House still contains great stores of ancient and valuable documents.

In connection with the source whence this little work was obtained the writer cannot refrain from making a passing reference to the abundance of materials existing in the Register House, Edinburgh, that inquirers from almost every part of Scotland would find useful for the elucidation of points connected with their respective localities. It is too frequently forgotten that the history of a locality may often be studied with more advantage in the Register House, or the Advocate's Library, Edinburgh, or in the Library of the British Museum, than even in the locality itself.

The narrative will be more intelligible if the reader refer to the plans that appear in the "Reminiscences of the Old Town of Cullen." The position of the outer gate and of buildings now demolished are there seen on the west side of Cullen House, while on the east side is seen the site of the garden, as it existed at the time of the Rebellion.

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THE PLUNDERING OF CULLEN HOUSE

Soon after the close of the second Jacobite Rebellion an Act of Parliament was passed for the relief of such of His Majesty's subjects in that part of Great Britain called Scotland, whose title deeds and writings were destroyed or carried off by the rebels in that rebellion.

All applicants for the benefit of this Act were required to lodge a petition with the Court of Session prior to the twentieth day of July, 1747, and had to obtain certificates that they had continued dutiful and loyal, that their houses had been invaded or rifled, and their writs, or parts of them, destroyed, or carried off by the rebels.

The duty was imposed on the Court of Session of taking proof of such averments, the finding to be inserted in a register kept for this purpose.

On 27th June, 1747, the Earl of Findlater and Seafield lodged a petition claiming the benefit of the Act, and on the fifth day of August following certificates were given in, that intimation of said petition had been made at the Mercat Cross of Edinburgh, at the pier and shore of Leith, and at the Mercat Cross of Banff. Intimation was also made at Cullen as follows:—
“On twenty-third August, at the most patent door of the Parish Church of Cullen, and there in the afternoon, at the time of meeting of the congregation for divine service, after crying of three several oyses, open proclamation, and public reading of said extract and warrant, I made intimation of said petition, and of which petition I affixed and left a full double with a short copy subjoined, at and upon the most patent door of said Parish Church of Cullen. Witnesses present—John Ord of Findochty, and James Brands, Baillies of Cullen. (Signed) John Meldrum.”

1748, January 26th. Follows the interlocutor pronounced by the Lords, upon advising the proof adduced by the Earl of Findlater and Seafield:— Find the executions of intimation and the registration of said petition and executions orderly proceeded: Find it proven James, Earl of Findlater and Seafield, continued dutiful and loyal, that his house was invaded and great part of his writs destroyed or carried off by a party or parties of the rebels, in the month of April, 1746, and therefore the petitioner is entitled to the benefit of said Act.

Hereafter follows record of the executions of the Act and Warrant, 29th November, 1748, before the Lords of Council and Session, on the petition of James, Earl of Findlater and Seafield.

Then follow certificates that the petition and deliverance thereon had been left on the Market Cross of Edinburgh, the pier and shore of Leith, the Market Cross of Banff, the Parish Churches of Banff, Deskford, Fordyce, Alvah, Cullen, Boyndie (otherwise Inverboyndie), Kathven, Ordiquhill, Keith, and Grange.

The register then gives the interlocutor of the whole Lords, upon advising the before-mentioned petition, (pages 35 to 53 of the register): Edinburgh, 16th June, 1750. Find it proven the petitioner was in possession in the year 1745 of the lands and heritages specified in said petition. [See Appendix Note A.]

After a repetition of the foregoing certifications there follows a petition by the Earl of Findlater, craving that a commission be granted to take, at Cullen, the oaths and depositions of witnesses. A Warrant and Commission was accordingly granted to Sir Robert

Abercrombie of Birkenbog, Sir Harie Innes of Innes, and William Ogilvie, merchant in Banff, to take said depositions at Cullen during the ensuing November or December.

1747, November 25:—Certain witnesses appear before one of the Lords of Council and Session—Lord Dun—and give evidence, of which the following is a summary:—

GEORGE LAWRTIE, LAND WAITER AT LEITH, AGED 22 YEARS:—

In September 1745, after the rebellion broke out, he knew that the Earl of Findlater, on a report that the rebels were to apprehend him, fled from his own house at Cullen, and went towards Inverness to meet General Cope, with whom, the deponent was informed, he returned to Cullen House, but after the General and his army marched south, the Earl, not thinking himself safe at Cullen House, fled to Castle Grant, from which he wrote several letters to the deponent's father, Master James Lawrtie, minister at Cullen, exhorting him to spirit up the people against the rebels and the rebellion, and that in March 1746, while the Duke of Cumberland was at Aberdeen, and the rebels were marched northward from Stirling, the deponent knew that the Earl of Findlater left Castle Grant and came straight to Aberdeen to wait upon the Duke, where the deponent saw the Earl of Findlater often attending the Duke, in the month of March, and the deponent was then sent by the Earl of Findlater into the county of Banff for information about the rebels, as to their numbers, and strength of their artillery, and the deponent was charged by the Earl with messages to several people in the country to prohibit them giving assistance to the rebels, and particularly to discharge the Magistrates of Cullen to pay any supplies or contributions to the rebels: That the deponent returned to Aberdeen with such informations as he could get, and with a letter from a well-affected gentleman, containing information of the strength and situation of the rebels, and that while the deponent remained at Banff, which was about two or three weeks before the Duke marched from Aberdeen, he, the deponent, received several letters from the Earl of Findlater, in which he declared his opinion that no contributions should be paid to the rebels, and desired the deponent to publish these letters, as also the strength of the Duke's army throughout the country, and that while the deponent was at Banff he both wrote letters himself and sent others with information to the Earl of the rebels' motions, strength, &c.: That the deponent saw the Earl with the Duke at Banff, at Cullen, and at the banks of the Spey, when the Duke was marching his army to attack the rebels: That in the night betwixt the seventh and eighth days of April, 1746, the deponent was lying abed in the House of Cullen, and was there alarmed with a knocking at the gate by a party of the rebels who had come from Fochabers, commanded, as they said, by one Captain Glasgow, and the deponent, having got out of bed, and being in the close, heard them call for smith's forehammers to break open the gates, upon which the deponent fled out at a back door, and hid himself in the parks till the morning: That he saw the party returning from Cullen towards Fochabers through the said park, some of them having burdens or bundles upon their backs, when the deponent also saw, after the party was out of sight, two lads bringing back one an empty trunk, and the other a cask, wherein were some paper writings belonging to the Earl of Findlater, which the two lads said they had found in the parks as left by the rebels, and the deponent returned with these two lads to a part of the House of Cullen called the Woman House, where he saw every lock-fast place broke open, and furniture there broke in pieces: That upon the tenth day of said month of April, the deponent came to Cullen House with some officers of the Duke's army, and went through the rooms of the house, where he saw most of the furniture broke and destroyed, and particularly he was in the Earl's privy closet where his principal papers were kept, and he saw the presses and trunks there broken open, and several papers scattered upon the floor in much confusion, and the deponent also saw

papers lying scattered through the other rooms in Cullen House, and, further, upon the eleventh day of April, when the Duke came to Cullen, he, the deponent, saw a woman come into Cullen from Mr Gordon of Cairnfield, bringing with her a write book and some papers belonging to the Earl, which Cairnfield had found and sent in with her, and which she accordingly delivered to Mr Lawtie, the minister, the deponent's father, for the Earl's use: That, when the Duke had marched his army from the banks of Spry, the deponent and Thomas Mackie, the Earl's servant, were sent back with a party to search the town of Fochabers for papers or goods belonging to the Earl, and that they found some books in a house there, and particularly a parchment wrote in Latin, which the deponent knew belonged to the Earl of Findlater, all which they left in a safe hand, with a pair of blankets belonging to the Earl, which the rebels had left there.

LACHLAN GRANT, WRITER IN EDINBURGH, AGED 32 YEARS:—

In the beginning of December, 1745, the deponent went from Edinburgh to Castle Grant, and found the Earl of Findlater there, and the Earl was encouraging all to remain firm in allegiance to His Majesty. He (the Earl) wrote letters to people in Banffshire and Invernessshire to the said effect, informing the friends of the Government what passed in the country where his Lordship was, and when the deponent went to Castle Grant he gave his Lordship information that the Government were in possession of the town of Edinburgh, and that his Majesty's affairs were in a better way in the South of Scotland than they were a month before, which gave his Lordship great pleasure, and his Lordship spread the news to remove the impressions of previous false reports circulated a few days before deponent arrived at Castle Grant. The Earl received letters from some well-affected gentleman in Banffshire, and from his own factors there, informing him that Lord Lewis Gordon was demanding the cess or other contributions for behoof of the rebels, whereupon it was concerted by his Lordship and Sir Ludovick Grant that Sir Ludovick, with a number of the Guards, should go down into Banffshire to protect that country from being obliged to pay any money to the rebels, and that Sir Ludovick did go with his men, and for that time prevented the rebels getting any contributions paid them. That the deponent was with Sir Ludovick Grant and his party at Strathbogie, when they were upon that expedition, and in the beginning of March. 1746, deponent went to Aberdeen, where the Duke of Cumberland was with his army, and, two or three days after, the Earl of Findlater came there to attend the Duke, and deponent stayed with the Earl about ten days, during which he was employed by the Earl to write many letters to the well-affected to encourage them to continue to give intelligence of the motions and situation of the rebels, and that when the first party of the Duke's army, under the command of General Poland, marched to Strathbogie, the deponent was sent by the Earl and others to be as serviceable to the troops as possible, and to give his Lordship intelligence of the rebels and their motions, and he, the deponent, was appointed by his Lordship one of the Sheriff-Deputes of Banffshire, and got strict injunctions from His Lordship to get all things necessary for accommodating His Majesty's troops, while they remained in Banffshire, which he did to the utmost of his power, and, on the day of the Duke's arrival at the town of Cullen, the deponent, with Sir Everard Falconer and David Bruce, judge advocate, did inspect the Earl's house of Cullen, and that, in going through the house, the deponent saw in all the rooms great destruction, the furniture broke and destroyed, and the cabinets and lockfast places broke open, and that deponent went into the Charter Boom, the door of which had been broke open, and there he saw the repositories for papers broke open, and papers lying in the floor of said Charter Room, mixed with feathers, and that upon the Duke's army crossing the Spey, the deponent saw in possession of some people there a book of maps and paper writing, all belonging to the Earl, which he was told were left there by the rebels. That in the time the

Duke and his army were at Inverness the deponent saw a stick with a silver head, with the arms of the family of Findlater upon it, which had been recovered near said town, and that in October, 1747, deponent was at Inverness, where he saw in the custody of Mr Grant, Comptroller of the Customs, the Earl of Findlater's patent of honour as Earl of Findlater, which patent Mr Grant told deponent he had got from a farmer near Inverness, and that the farmer told Mr Grant that he had had that patent in his possession from the time of the battle of Culloden or thereby.

SIR ARCHIBALD GRANT, AGED 40 YEARS:—

Deponent was with the Earl of Findlater at Castle Grant, from the middle of September, 1745, till about the middle of February, 1746, except when deponent was absent on the public service, and during that period he knew the Earl of Findlater was often and much employed in getting information concerning the rebels and in communicating the same to those concerned in the service of Government, and deponent went from Castle Grant to Inverness twice with commissions from the Earl of Findlater, and informations, and to concert measures with the President and my Lord Lowdon for the service of the Government, and deponent in February last left Castle Grant with the Earl of Findlater to join the Duke of Cumberland at Aberdeen, where the Earl of Findlater continued with the Duke, and the deponent having marched to the advanced parties by the Duke's order, he, the deponent, kept a close correspondence with the Earl of Findlater, who communicated the same to the Duke of Cumberland, and frequently wrote back the Duke's orders to Sir Ludovick Grant and the deponent, who were always together, and when the Duke marched north from Aberdeen with the army, the deponent saw the Earl of Findlater attending the Duke at the Earl's house at Cullen, where the deponent saw some of the furniture of such rooms as he had then occasion to be in much broke and damaged, which was said and believed to have been done by rebels, and when deponent was standing in said house with my Lady Findlater, the Generals Hawly and Husk came to my Lady, and in the deponent's hearing told her they had been looking through the house, and found there had been great devastation -committed there or words to that purpose, and deponent knew the Earl of Findlater marched with the Duke to Elgin, and afterwards saw the Earl attending the Duke at Inverness, where, or at Elgin, Captain Alexander Grant of Lord Lowdon's Regiment told the deponent that he, the Captain, had by the Duke's orders searched at Fochabers for some of my Lord Findlater's papers and found some of them, which the rebels had left there.

ALEXANDER GORDON OF CAIRNFIELD, WRITER TO THE SIGNET, AGED 50 YEARS:—

About the beginning of April, 1746, before the Duke of Cumberland's army came to Cullen, the deponent, living on the highway between Cullen and Fochabers, observed one morning some of the rebels' army, or those that followed them, carrying away towards Fochabers some pieces of linen and particularly two or three volumes of the "Life of Lewis the Fourteenth of France," written in French, which the person who had them offered to sell to the deponent for a small matter, but which the deponent refused to meddle with, believing that they had been taken out of Cullen House, and in a day or two after a tenant of the Duke of Gordon's, living near the Burn of Tynet. within a mile and a half of the deponent's house, and on the highway between Cullen and Fochabers, brought to the deponent three parchments, which he said he had found lying in the Burn of Tynet, and prayed the deponent to look at them, for that he suspected they belonged to the Earl of Findlater, and desired the deponent to interpose with the Earl, that he might not suspect that he had any accession to the taking away of the papers, for that he had found them in the burn a little time after the rebels

had returned from Cullen House, and that he believed they had been taken out of Cullen House by the rebels, or those that followed them: That the deponent looked into said papers, and believed they belonged to the Earl of Findlater, particularly that one of them was a renunciation of an infeftment in the lands of Redhaven, on a part of the Earl's estate, and that the deponent, the very night the Duke of Cumberland's army came to Cullen (being informed the Earl was come to his own house), sealed up the three parchments, with a letter to the Earl of Findlater, acquainting his Lordship how these papers had come to the deponent's hands, and which he sent by a servant maid for avoiding the papers being intercepted.

MR, ROBERT DUNDAS, YR. OF ARNISTON, ADVOCATE, AGED 30 YEARS:—

In August or September, 1745, the deponent, then His Majesty's Solicitor General for Scotland, corresponded with the Earl of Findlater and Seafield, anent the rebellion, then begun in the North of Scotland; that the Earl gave him notice of what was doing where he lived, and of every other thing that appeared material to the King's service.

LIEUT.-COL. DAVID WATSON, QUARTERMASTER-GENERAL FOR NORTH BRITAIN, AGED 40 YEARS:—

In April, 1746, the Earl of Findlater came to Aberdeen to attend the Duke of Cumberland: That the Earl continued there till the Duke marched north, and the deponent had orders from the Duke to provide quarters for the Earl and his family, and, when the Duke came to Banff, the deponent was ordered by the Duke to Cullen to provide quarters for the army, who were to march to that place next day, and on that occasion the deponent got a letter from the Earl to his Lordship's Chamberlain at Cullen, recommending, in a particular manner, to prepare all things necessary for the army, who were to encamp there next day, and that by the Earl of Findlater's activity and diligence, after he came with his Royal Highness to Cullen, the army was supplied with everything as well as the circumstances of the time or place could admit or afford, and, when the deponent was at Cullen House, he went through several rooms, and perceived furniture broke and destroyed, and presses, trunks, or other lockfast places broke open, and locks broke off the doors, and several other marks of violence and devastation. The Earl marched with the Duke to Inverness, and he remained with the Duke at Inverness several days after the Battle of Culloden.

LIEUT.-GENERAL HUMPHRY BLAND, AGED 40 YEARS:—

The deponent dined at Cullen House with His Royal Highness, and saw furniture broke and abused, and several marks of violence and destruction, said to have been done by rebels a few days before.

DAVID BRUCE, JUDGE ADVOCATE FOR SCOTLAND, AGED 30 YEARS:—

At Aberdeen His Royal Highness the Duke of Cumberland directed the deponent to take the Earl of Findlater's advice in conducting himself in several particulars relating to the examination of prisoners, &c. The deponent heard the Earl say he was willing to risk his all in the service of the Government, and on the night the Duke of Cumberland arrived at Cullen House the Countess of Findlater applied to His Royal Highness to desire he would please order certain persons to inspect Cullen House, and he did appoint Sir Everard Faulconer, his secretary, and the deponent, to inspect Cullen House and make a report, which he said he would lay before His Majesty. The inspection was made, and they found furniture broke and

destroyed, and several lockfast places broke open, and casements of several windows broke, and saw parchments and other papers lying scattered through several rooms of the house. That he had occasion to take the depositions of two rebel prisoners at Carlisle, and of one David Watson at London, also a rebel prisoner, all of whom confessed upon oath they were of the party that plundered and rifled Cullen House, and they saw the said party carry off from thence furniture, books, and papers, and that the two rebel prisoners at Carlisle, the deponent believes, were transported, and as to David Watson, the deponent believes he is at present lying in Southwark Gaol under sentence of death, and he heard the Duke of Cumberland say he was very much obliged to the Earl of Findlater, and that he looked on him as a very honest man and a loyal subject.

EVIDENCE GIVEN AT CULLEN BEFORE WILLIAM OGILVIE.

ALEXANDER GRANT, CHAMBERLAIN TO THE EARL OF FINDLATER AND SEAFIELD, AGED 50:—

Deponent believes the Earl of Findlater was zealously and constantly dutiful and loyal to His Majesty. That in the beginning of September, 1745, deponent went to a fair of My Lord's at Keith, called Summer Riffs Fair. When there, that he had a letter from my Lord, desiring him to return with all despatch, which he did. Found my Lord in bed about three or four o'clock in the morning. The occasion was intelligence he had received that it was likely a party of rebels would come to Cullen on that day, viz., on Wednesday, to make an eclat there, and probably to seize my Lord's person, which the deponent believed to be true, because he got intelligence there was to be an eclat at the market, and that they were to begin by making the deponent a prisoner, which had made him determined to leave the Market, even though he had not got an express from my Lord, and immediately thereafter, as soon as my Lord and Lady got ready, they set out for Elgin, to go wherever General Cope's army should be. That the deponent attended them. That, on the road to Elgin, after passing Spey, they got notice that General Cope and his army were marching South by the Coast road. He wrote a letter to my Lord Lowdon if he might expect to see General Cope at Cullen, and that, on getting answer, my Lord sent deponent, as being Sheriff-Depute, to provide all necessaries for the army in passing through Banffshire, and particularly at Fochabers and Cullen. That the deponent, after settling matters at Fochabers, returned next morning to my Lord at Elgin, and that then my Lord set out for Cullen. On General Cope's leaving Cullen on the Sunday morning, my Lord left for Castle Grant that forenoon, giving orders to deponent to do all for His Majesty's Government. My Lord wrote deponent positive orders not to comply with Lord Lewis Gordon's orders for levying men, and to advertise all the inhabitants of his estate not to join or enlist with the rebels, and that, if they did, though the King should pardon them, he, as landlord, would not, and that he would never suffer them, if they joined with the rebels, to remain afterwards in his estate, but, on the contrary, would not only turn them out themselves, but send their wives and children after them, and that he would not admit of force as an excuse, because they could keep out of the way, or certainly could desert in a few days. These orders had great effect, and none of the inhabitants of my Lord's estate joined the rebels at any time save one Roman Catholic tenant, and one tenant in Keith, and three or four not strictly tenants, and that my Lord turned them all out, and wives and children. When the rebels marched north from Stirling, and came to this district, and issued orders for levying the cess, &c., he, finding he could not safely stay at his own house and resist them, absconded, but left directions with the servants to keep shut doors, and that, suspecting the granaries would be first attacked he desired James Fraser, the grieve, that if he saw them break open the corn yard, and the stable, or the barn, and determined to be in the granaries, he should

either open the doors to them, or suffer them to be broke open, because he foresaw the consequences would be the granaries would stand open to the promiscuous violence of all the rebel mob, and be totally plundered suddenly if the grieve should absolutely refuse to open. That he kept a private correspondence with the minister of Cullen and servants who were faithful, that they, in their anxiety, sent to him for new orders on perceiving the violent threats of the rebels, but he answered that he would give no other orders. That he soon understood the rebels had broke into the house and offices, and were living and disposing of things at their pleasure. That the parties for some time changed, succeeding one another, but, at last, Colonel Baggot, with his hussars, settled for a considerable time, until a part of the King's army came to Strathbogie. That the Colonel, not finding his orders readily and speedily complied with, summoned the deponent, and fugitate him at several Parish Churches, and gave orders to search for him, and make him prisoner, and threatened to burn his cornyard, and drive his cattle, unless he would appear. He would not comply, and concealed himself, though with great hardship and difficulty. That about the time of Colonel Baggot's beginning to think of departing, and making a feint for that purpose, he adventured to come to his own house, and to go into the house of Cullen to see how things were, and found the cabinets, chests, &c., locked and safe, and the furniture and books in general, as he thought, quite entire, only the cellars were emptied of wine and liquors of all kinds, of which there had been a great plenty, and the oats, wheat, pease, hay, &c., of which there had been vast plenty, consumed or carried off, and likewise a considerable part of the oatmeal and other provisions. That the Colonel returning suddenly with his party, the deponent had the misfortune to be catched and made prisoner, and was very roughly used, and robbed of a small sum of money by some of the gang. That he was liberated by the humanity of one of their gentlemen, who lived in his house. That, after the violence of the running parties becoming great, and the demand for levy money becoming strong and peremptory, the deponent wrote to my Lord to acquaint him of the danger, and of an order being issued, or intended, for burning Cullen House, at the same time telling my Lord he could not procure money for their demands. That he received an answer from my Lord to keep out of the way and take care of his own person, because, my Lord said, he was determined not to comply with their demands, whatever the consequences might be. That he and William Dunbar, chamberlain of the estate of Boyne, went to the other side of Doovern, to abscond there. That when he was there he received the melancholy and stunning accounts of the total plunder of Cullen House, and that immediately thereafter my Lord came to Banff with the Duke, and the deponent went and got his directions for providing for the army at Cullen House, which he obeyed, though with difficulty, because the neighbourhood of Cullen, even then, was invested with small parties of rebel hussars. That the day the Duke was at Banff the deponent went in to Cullen House and inspected it, which was most dismal, the whole furniture, except some pictures and some trifles of small value, being carried off or destroyed, the cabinets, chests, trunks, and particularly the repositories of papers and writings broke in pieces, and lying opened, particularly in the Charter Room, in the Gallery, and in the big Blue Boom, where there was a large charter chest, and in the closet within that room, where there were likewise some trunks, and chests and papers, and in my Lord's bed-chamber, dressing-room, and closet, where there were various things of value, and a great many papers in the presses and cabinets. That he had the more opportunity to know certainly that multitudes of papers, writings, charters, &c., were amissing, because my Lord, at his first departure from Cullen, had delivered him two or three keys of drawers, in which he told him he would find all the other keys of the house, if occasion required. That my Lord wrote to him from Castle Grant to open these drawers, and to look into all places where were papers, and to range them in the best order he could, so as to know where to find them, which he had done, and when he came back, after Cullen House was plundered, he found these repositories of papers broke and

lying open, many that were left full now almost entirely empty, and many of the drawers carried off, and the writings that remained scattered on the floors, mixed with dust, rubbish, dirt, and feathers, torn, trampled upon, and in the utmost confusion, very many extremely wet, especially in the Charter Boom, which the deponent apprehended to be with the staving of some casks of wine that were there, which the deponent by the smell believed to be orange wine. The deponent at once ordered the horse to be cleaned up for His Royal Highness's reception, and his and the officers putting up their tent beds in it, so the papers were thrown by in heaps in the most secure corners. After the Duke and his army passed, the deponent gathered and ranged the papers with all care, and was then more deeply sensible of the loss, and that vast numbers were gone, and it was great pains to him to gather the remains together, and to dry them that were wet. The deponent had been at great pains to get back some of my Lord's furniture and papers, for which he generally paid money. The furniture got back was of little value. He had got back some papers, parchments, and books, many much spoiled, found in fields and various places at a distance, and the most got back was from low people and beggars, some of whom said they were going to make use of them for snuff papers or the like. That the deponent knew that the house was most conveniently and plentifully furnished with variety of all sorts of substantial and convenient things, and had in it many things of value, and that the windows of the house were all broke less or more, and many of the panels of the doors and panels of boxed rooms were broke and beat down, and even to the kitchen furniture and low utensils in the offices, and almost all the locks of doors had been carried off or destroyed, save a very few trifles of small value.

MR JAMES ANDERSON, MINISTER AT BOYNDIE, AGED 39 YEARS:—

Deponent intimated from the pulpit his Lordship's orders not to join the rebels. Not a man in the parish bore arms. His Lordship gave a compliment to the soldiers when at Banff.

MR WALTER MORRISON, MINISTER AT DESKFORD, AGED 50 YEARS:—

Deponent intimated *ut supra*: No man in the parish joined the rebels, save one loose, disorderly person, whom my Lord has since turned out of his estate.

WILLIAM MUNRO, MERCHANT, BANFF, AGED 40 YEARS:—

Deponent saw my Lord at Banff, and he, the deponent, executed a pretty hazardous order my Lord gave him, viz., to go to Murray with a ship, and get in amongst the midst of the rebels, and bring back exact intelligence of their situation and designs, and either to land himself among them or send trusty persons from his ship. This he did, and sent intelligence to His Royal Highness at Cullen. The deponent saw my Lord at Nairn and at the battle of Culloden, where he helped my Lady Findlater to go up the hill to the field of battle.

MR JAMES LAWTIE, MINISTER AT FORDYCE, AGED 27 YEARS:—

Deponent is son of the minister of Cullen, and was formerly tutor to Sir Ludovick Grant. Preparations were made to attack the rebels in the defiles should they come to Castle Grant, and a strong garrison was posted in the house and preparations made for defence.

WILLIAM DUNBAR, CHAMBERLAIN TO THE EARL OF FINDLATER IN THE ESTATE OF BOYNE, AGED 27 YEARS:—

None of the tenants in deponent's collection joined the rebels save one who went for a few days and returned. Also a sailor in Portsoy who had a feu of a house did appear with a white cockade, but, going out with a boat which a rebel party had forced to go out to a fleet of ships which they imagined to be French but which proved to be English, the said feuar was caught. When deponent returned to Portsoy he found the granary broke up by rebels and a great deal of meal taken away, and it would have been totally rifled if one of His Majesty's ships of war had not come opportunely to the bay, and the King's army coming that day to Banff made them think fit to retire without finishing their intended spoil.

ROBERT DUNBAR, MINISTER OF DYKE, AGED 40 YEARS:—

Deponent saw the Earl of Findlater setting out from Nairn on the day of the battle of Culloden to go to it.

ROBERT STERLING, GROOM TO THE EARL OF FINDLATER, AGED 40 YEARS:—

Deponent was with my Lord all the time he was with His Royal Highness the Duke at Aberdeen, and on all the march from thence to the battle of Culloden, where he the deponent likewise was, and was near my Lord the whole time of the battle.

JOHN MONRO, MERCHANT, BANFF, AND CHAMBERLAIN TO THE EARL OF FINDLATER:—

None of my Lord's tenants in his collection joined the rebels. The rebels took him, the deponent, prisoner at every unseasonable times, and with difficulty and by using art with speed, he got off.

MR JAMES LAWTIE, MINISTER OF CULLEN, AGED 63 YEARS:—

Deponent sent his second son George to Aberdeen to come and go my Lord's errands under the Duke's direction, which the young man did, frequently at the hazard of his life. Deponent was at Cullen when the first of the rebel parties came north from Stirling in February 1746. He saw them break open one of the granaries and carry off oats, &c. One of the rebel parties obliged the deponent to give them the key of my Lord's meal giral, and he had to open and weigh out meal to them with armed men attending to cause him perform. That at several times he weighed out to them 600 bolls, for which they gave him receipts. They forced him, the deponent, to send off my Lord's hay and forage in considerable quantities to their parties at Portsoy and Fochabers, by horses which they forced in from the country. Colonel Baggot with his hussars settled longest at Cullen House, where they lived at free quarters about five weeks, and made use of all the wines and liquors and provisions of all kinds at their pleasure, and sent provisions to their friends at Speyside. That, on the armies coming to Strathbogie, Colonel Baggot went off with his party, and smaller parties of hussars, calling themselves patrollers, came daily, and made use of my Lord's stables, and oats, and forage, at their pleasure. That an officer living in deponent's house showed him an order, signed Strathallan, to make my Lord Findlater a prisoner. That towards the end of that period of time one Francis Gordon of Miln of Kincardine, a rebel officer, came to the deponent, and produced to him an order, signed John Drummond, directing that, by virtue of orders from the young Pretender, therein called His Royal Highness, Charles, Prince of Wales, &c., Cullen House should be pillaged and burned if the levy money and march cess should not be immediately paid, and that this be done forthwith, but that deponent obtained a delay of twenty-four hours till he should try to find the factor, who was then absconding,

which Gordon granted, saying he had obtained leave from Lord John Drummond. That deponent sent George Nicolson, my Lord's gardener, to Aberdeen, to acquaint his Lordship of the danger. That he received an answer that my Lord would not yield anyway to the rebels, whatever the consequences might be. That a letter was sent to deponent by said Gordon, shortly before the plunder actually happened, to intimate quick execution of the order, and the reason was not only my Lord's not paying the levy money, but because he was so firmly obstinate in opposing their cause, and aiding the Duke of Cumberland. That on Tuesday, 8th April, 1746, in the morning, about one o'clock, Colonel Baggot came to deponent's house, and said he was to search for the deponent's son George, which he did, and made deponent prisoner by putting two men to guard him. That about an hour thereafter the deponent had a message from the gentlewomen in Cullen House, desiring him to come in, for God's sake, because they were in the highest distress by the rebels breaking in on the house and plundering it. That the deponent obtained leave from Colonel Baggot to go in, attended with his guard. That in the going the deponent heard a most terrible noise of beating and breaking things, and, when he went in to the court, saw the Charter Room open, and rebels going out and in, and carrying off great quantities of papers, writings, and other things, and he saw the titmost confusion of multitudes going through the house and court, breaking and pulling down things in the house, and carrying off burdens of all sorts of furniture, books, and valuable things, and parchments, and papers in great numbers. That, after staying some time there, deponent returned to his own house with his guard, and sat with Colonel Baggot until Major Glasgow came to them, about the time of daylight coming in. That Baggot spoke French to Glasgow, as the deponent imagined, saying that he had acted so violently, to which Glasgow answered that he had orders, not only to pillage, but to burn the house. That the rebels then departed. The deponent, after having sent off his son George in a boat, went into Cullen House, and saw the most dismal scene he had ever beheld, all the furniture tore down, and almost all carried off, all the chests, trunks, cabinets, presses, broke in pieces and lying opened, all the floors full of rubbish and strewed with feathers, broken mirrors, broken glasses, broken china, pieces of broken wood, torn down from the panels of the rooms, papers, parchments, torn and trampled, and mixed with dust, and feathers, and jelly, and marmalade, and honey, and wet, and all sort of nastiness mixed together, and that in some rooms he waded to the knees in that mixture. That next morning about daylight or a little before, another rebel party came, who called themselves Lord Ogilvie's men, and likewise broke into the house. That the first notice the deponent got of it was by two of the gardener's men coming to him, telling that the rebels had seized upon some sackfuls of papers and parchments, which the deponent assisted in packing up from the house, and which had been concealed in a beehouse in the garden, on which the deponent went to an officer, named Shaw, and got him to go with him and stop the men emptying of the sacks, saying these were of no use to them, but many papers had been carried off before the deponent came, and many were strewed in the walks of the garden, which the gardener's men gathered up again, and then with said Shaw, the deponent went to the far side of the Big Bridge, near Cullen House, where he saw a kind of fair holding, and the men selling to one another, or dividing the remains of the plunder of various kinds, which they had gathered at this second coming, which consisted much of books and papers, and the breakings of broken things, that remained after the first day's plundering. That Shaw, at deponent's desire, caused them give back one looking-glass, because the deponent said he was sure there was not one left in the house. That the deponent begged and prayed for papers and parchments, and though Shaw desired the men to give them back they would not comply. After that, when the deponent thought they were all gone, he, going home, met a rebel gentleman on horseback, with his arms and accoutrements, who told the deponent he understood Lord Findlater had a good many law books, and that he must have some of them, and that the deponent must go and show him the

way, which the deponent was obliged to do, for fear of worse, and saw the gentleman carry off his burden from the remains of the library. That the deponent this day took another view of the dismal state of the house, where he found the confusion the same as the day before, but the house more emptied, the second party having made very clean work and left nothing, scarce a tongs, or a shovel, or the lowest things in the kitchen or offices, only a good many of the pictures remained untouched, and some broken chairs, and some tables in the private dining room, and some hangings there, that being the place where the rebel gentry used to sit. That he had known Cullen House intimately for forty-two years, and he knew certainly it was one of the most completely and best furnished houses in Scotland, he having seen many great houses, both in the south and north of Scotland, and many valuable curiosities were in it, many fine things and curiosities of silver and gold, &c., and robes of different sorts locked up. That the deponent gathered together, from the streets and roads, several papers and parchments the rebels had dropped, and got some that different persons brought him, and many of these extremely spoiled and torn and wet. [It may here be added it was in Cullen House, which he had known so long and so intimately, that Mr Lawtie died, in the year 1751. He died suddenly while kneeling at prayer at evening worship.]

PATRICK TAYLOR, BURNSIDE OF DIPPLE, AGED 36 YEARS:—

Was compelled to join the plunderers when they passed Woodside from Fochabers. When within a mile of Cullen House they saw the house all illuminated with candles going through the rooms, as he reasonably supposed, and heard the horrible noise of breaking and beating down things in the house. That when he passed the Big Bridge near the house, where the sentinels had been posted, these sentinels desired the deponent, and those with him, to march into the house. That at the gate he found a servant of the family whom he desired first to fetch him some small beer, which the man did. That he then asked him what the party was doing in the house, and the man told him they were breaking and destroying everything in the house. The deponent then desired the servant to show him where the officers that commanded were, and where they were doing greatest destruction, to which the servant answered that they were destroying everywhere, and there was no part of the house exeemed from destruction. That then the deponent walked upstairs directly, and passed by some rooms where they were breaking and plundering. That by that time the furniture was mostly quite taken down, and the deponent came to a very long room that appeared to be a gallery, where he observed several cabinets, drawers, and presses broke down, and papers and parchments thrown out into the floor, and the floor was pretty full of them. That the deponent saw some people there reading, or attempting to read, some papers, and then tearing them and throwing them by, and others taking up the papers and parchments in bundles and heaps, and putting them into their belted plaids, upon which the deponent went to one of those people and said audibly that no man should command them without having power to shoot them if they transgressed orders, for he supposed they were exceeding their orders, and that if he (directing his discourse to one of them) were sent there to do harm he might take things that would suit him better and be less prejudicial to the nobleman, and that, if he did not lay down these papers and parchments, he would tie him there neck and heel, and leave him to be punished as the Earl should think proper, if he came, or anybody else that might come that had power to punish him, and he pulled the papers and parchments from him, and threw them down on the floor among the others. That this man was one of the Glasgow militia who had been taken prisoner at the Battle of Falkirk, who had enlisted in the Highland army, and the deponent knew him personally because he had a mole upon his cheek, near the tail of his left eye, and the deponent, having been ordered after the Battle of Falkirk to guard these prisoners in the Church of i'alkirk, had opportunity to observe this man particularly; that thereafter the said

man went out of that room and walked upstairs to a very pretty library, the deponent following him pretty close behind, but so as the man did not observe him. That in this library there were nearly about 14 or 16 persons, and to one of them, who seemed to command, the man made a complaint, saying that a Lowland scoundrel, or cullion, or some such word, had insulted him, and threatened to make him prisoner, and tie him neck and heel for taking up the papers and parchments which had been thrown out of the presses and drawers, and had taken the papers from him, whereupon the commanding man, who was in the library, whom the deponent took to be an officer, asked who it was, and desired him to show him the man, upon which the fellow, turning about, saw the deponent and said it was he, and the officer asked the deponent what authority he had over that man, and if it offended the deponent to see the papers destroyed. The deponent answered it did, and he thought it ought to offend him likewise, whereupon, in contempt of the deponent, the said officer, or person who seemed to be so, took an handful of papers and parchments or writings out of his belted plaid, and, having a burning candle in his hand, put fire to them, and threw them down, whereupon several others that were there took writings from their plaids and did the like, and threw them on the fire that was kindled, and then those who had no papers took books and threw on the fire; and then the deponent almost extinguished the fire, and another young man that was with the deponent afterwards quite extinguished the same, and the deponent kicked the man who had kindled it, and afterwards some south country man, who seemed to have greater authority, came up and quelled the fray. Thereafter the deponent went down stairs again, and, in passing through the aforementioned long gallery, observed that such presses, cabinets, drawers, and the like, which had not been fully broke down when he went up were quite broke down, and then the deponent went out, and, as their drums were beating for their marching back towards Fochabers, it being by that time daylight, they marched off: That the deponent observed, that almost all the party that he saw marching from Cullen House had burdens on their backs, and some of them had loaded horses, as he reasonably supposed containing and carrying the furniture and other things they had taken, and the deponent saw particularly a good deal of bed and table linen, and incidentally he saw one web of napery carrying, tied to a Highlandman's gun, and he saw a snuff-coloured coat with a star on it, and he saw the hangings of some beds, or silks and camblets, which he judged to be hangings of beds, and he saw one large mirror glass, which appeared to be about six feet long and two feet broad: That he said to the fellow who had it, who was going to break it, he would give him half-a-crown for it, if he would carry it to Fochabers, but he saw one of the Highlanders throw a stone at it and break it after it came there, and that he saw some, who had overloaded themselves, throw by their burdens, or part of them, on the road, and of that sort he observed somewhat like two dozen of pewter plates, marked with "F" and crown, and several fine bed twills of needle work, and that he saw feathers strewed on the road, which he supposed had come out of the feather beds, bolsters, and pillows, which they had taken, and that he saw a good many papers and parchments, ten or twelve feet long, flying a great way behind them, for the wind was in their face, whether they might have been originally so long or fixed together, to make that appearance he does not know, and he saw a good many papers and parchments tied to the soldiers' muskets, and some of them carried by way of colours, and that he saw several papers and parchments strewed on the road, part of which was wet enough, there having been some rain that night, and they had burdens of books on their backs, and he observed some fine pieces of needle work, which he supposed had been hung in the rooms, but he does not know particularly, as most of the furniture had been packed up before he came that length, Major Glasgow and his party, so far as he could understand, having marched from Fochabers about eight o'clock at night, whereas the deponent did not march till towards twelve o'clock. Further, depones that when they came to the Hill of Boghead, near Fochabers, on their return from Cullen House, Abacky drew out his battalion,

which the deponent thinks was between three and four hundred men, and stopped those that were coming from Cullen, and said it was a shame to any that pretended to call themselves gentlemen to be concerned in such an action as the plundering of that house, and that he would stop them and take their plunder from them, and laj it by, either to be restored, or at least to be disposed of as the superior commanding officers of their army should direct, upon which they stood at a full stop for some time, until orders came, the deponent does not know from whom, that every man should keep what he had, and then they proceeded to Fochabers. That this stop occasioned the rear of those that were come from Cullen House to come up with the front, when he saw them altogether, and he thinks those that were at Cullen House and stopped at the Hill of Boghead, were between four and five hundred men, but there might have been some more.

ALEXANDER SUTHERLAND, APPRENTICE TO JOHN BRANDER, SQUARE WRIGHT IN FORRES, AGED 21 YEARS:—

Deponent was one of the party last witness was in: He was with some others posted at the gate, with orders to let no man go out or in without direction of the commanding officer. That before he came to the house he heard a most thundering noise of beating and breaking, and saw the lights passing backwards and forwards through the windows of the rooms: That, after standing some time at the gate, he and those with him were called up and posted at the door of a room called the Blue Room, which was a large room, and that they were told they were to keep that room, because the Earl's Parliament robes, as they said, were there: That in going to that room he passed first through a long gallery, and then through a trance: That in the big Blue Room he saw, in a press or closet in the wall, white china or earthenware things, with blue sprangs upon them, which were broke, and what was in them was spilled out, which some called one thing and some called another •• That he saw great multitudes of papers and parchments on the floor of that room: That he had not stood long there when a great number of Highlandmen came there and deforced him and the other sentinels, and broke in, in spite of them: That most of the furniture was tursed up in burdens before he came to Cullen House, but he saw them packing up at the gate what they had, and carrying the same away, and that every man had his portion: That he saw things like colours and flags of papers and parchments fixed to the muzzles of their guns, some long and some short: He saw pictures carrying like flags and colours: And that the Highlandmen had pressed country horses on the road for carrying their plunder.

JAMES ANDERSON, IN UPPER DALLACHY, AGED 26 YEARS:—

Deponent being in Fochabers, and of Stoniewood's battalion, orders came on the Monday night before the Duke of Cumberland came to Spey, to go along with Colonel Baggot and Major Glasgow: That he does not know from which of the highest officers the orders came, the Duke of Perth and Lord John Drummond being there, but that is not the business of a private man to know, and he, being of Stoniewood's battalion, received his directions from him: That they came to Cullen House about one o'clock on the Tuesday's morning: That he saw Cullen House lighted up before he came, some of the horsemen having come forward sooner: That these with whom he was stopped a good while at the Big Bridge, and a good deal of plunder was lying about the walls, before the gate, before they came in; for he saw people carrying out things before those who were with him came in: That when he went upstairs he saw the most horrible destruction that ever man beheld, which would make any man's heart ache who had a heart within him, particularly papers and parchments scattered through the floors, torn, trampled upon, and totally spoiled: That he could not make any

particular description of things, because the Highlanders were so outrageous about the plunder, they could not let Lowlandmen come near them, but he is sure everything was pulled down, destroyed, and carried off: That he saw many papers and parchments lying scattered and torn on the road as they returned, and that Abachy Gordon stopped them at Boghead, and was angry at the plunder, and would not let them go into Fochabers until orders came that they might keep what they had, and then he heard it said that it was fit that Highlandmen should have plunder.

WILLIAM GRAY, IN FOCHABERS, AGED 45 YEARS:—

Deponent came along with Patrick Taylor, one of the preceding witnesses. Before they came to Cullen House it was like a whole sight of light. He saw some of the Highlandmen riving the papers, and others were taking them up to put in their belted plaids, and Peter Taylor was angry and quarrelled one of them for so doing, who complained to some of his fellows upstairs, and one of the Highlanders took papers in his hand and fired them with a caudle and threw them down on the floor, and other Highlanders threw on more papers and books on the fire, and Patrick Taylor gave the man who kindled the fire a kick with his foot, and then put out the fire, and there came up a man who held out Patrick Taylor to be a great man in the army, and so stopped the quarrel; and soon after the drum beat to march, and they went off well enough loaded with baggage of all sorts of things that were about the house. He saw the Highlanders breaking the trunks, presses, and cabinets, both in the long room and in many other rooms at the end of a trance that goes from the said long room.

JOHN SYMON, FOCHABERS, AGED 40 YEARS:—

Deponent came from Fochabers also with Patrick Taylor. On the way to Cullen House they were all told they were to go to Muiryfold's house for meal, and that Patrick Taylor, thinking so, called out they were going out of the road, but they were desired to come forward. That the said Patrick Taylor expressed a great unwillingness to any gentleman's or nobleman's house being plundered, and had kept out of the way, and sent his brother out of the way, but a party had been sent to oblige the said Patrick Taylor to come. That they stopped upon the hill near Woodside, and saw Cullen House so entirely illuminated that it looked as in a flame. That they were brought forward to the main gate of the house. From thence they were called upstairs to a room, whereof the door was shut, and it would seem Major Glasgow had a mind it should continue so, but they were soon thrust from it by the Highlandmen, and the room was broken up. A man with a lace upon his coat quarrelled Patrick Taylor, and asked him if it offended him that the papers were destroyed, and Mr Taylor said that he thought it ought to offend him likewise. After Mr Taylor gave him a kick the Highlanders there cocked their guns, and stood to the wall, and threatened to shoot Mr Taylor, till a man came up who took his part, and soon after the drum beat. He saw a down bed emptied on the road, at least he saw a good part of it emptied near Upstrath; for he saw the feathers lying. He particularly remembers one long riven paper they had cast away at the garden of Kaunas. ...

ELSPET SHEPHERD, SPOUSE TO JOHN WEIR IN THE HILLS OF GLASTERIM, AGED 26 YEARS:—

Deponent served the Earl of Findlater in winter 1745 and till Martinmas 1746. That she was in Cullen House in February 1746, having the gates shut, when a party of the Highland army came seeking entrance, with a view to quarter till payment of the cess. That she and others within the gates continued obstinate not to allow them free entrance, but that they soon scaled

the walls and got into the house. That some of them broke open the cellar door, and carried off about eight bottles of wine. That they broke open the doors of several other rooms, and stayed there upon free quarters. That one party was succeeded by another for a considerable time, and most of them, at least as many as Cullen House could contain, were always sure to lodge there, and all entertained upon free quarters. That she was obliged to bake bread for them for about six weeks' time of my Lord's meal from his granaries. That they exhausted the whole wine, ale, and other provisions in the cellars, of which there was great plenty. That during all the above time their horses were likewise kept in my Lord's stables, and entertained upon free quarters from my Lord's stores of hay and corn, and that she frequently winnowed corn for them. That on the Tuesday, about half an hour before one in the morning, she heard a violent beating at the outer gate of Cullen House, which she apprehended at first to be Mr Lawtie, minister of Cullen, but upon further reflection found their beats to be more violent than his, and soon thereafter heard the glass windows of the kitchen broke and turned either into the floor or close, at which a number of Highlanders entered, and soon appeared in the close, amongst which she knew Colonel Baggot and his servant, they having been in the house for a considerable time before, but he went out again. That she stood upon the Woman House stair, saw them enter the house, hoard them break doors, chests, &c., and in a short time saw the whole house illuminated, a good many of the windows broke and turned into the close; that she likewise observed them come, calling for the key of the Charter Room, and when it was not given them, they broke open the door by taking out a piece of freestone at the side of that door, and entered and staved two casks of orange wine placed there, which they spilled among the papers, and greatly abused what the mob had left behind them. That she saw them take away a very fine pair of barred plaids of my Lady Findlater's, which, they spread in the close of Cullen House, and saw them take a great many webs of linen and dornock, and they packed up the same in that plaid, and that she saw one of the Highland army tie the corners of it together, as full as it could hold, and carry off the same upon his back. That she likewise observed every one, as they came down stairs, to have full burdens of bed and table linen, hangings of beds, silk and camlet arras, hangings of rooms, bed twills, house clocks, the jack, looking and mirror glasses, tables of the rooms, some silver spoons, and salts, and silver salvers, a good deal of china and other furniture of the house, packed up in bundles and placed in the ticks of beds, which they had emptied, and turned out the feathers for the purpose. That she likewise observed them carry away a great many books, papers, parchments, and that she saw the burnt ashes of a good many papers and parchments in the milk house and before the milk house door, and particularly remembers she saw one, under the name of the Colonel of the Macgregors, come up to the Woman House, and carry off a great many webs of linen and dornock, as likewise of bed and table linen, and of everything else he could find, so much that he incensed the mob themselves. That some of them advised their neighbours to fall upon him and plunder him, because he was a Colonel, and they thought the plunder did not belong to him or fall to his share. That she observed a great deal of broken china, &c., and she herself cleaned out the same from several parts of the house, as much as she thinks would have filled four carts. That she saw the party •which came out the second day which was the Wednesday morning. They •went through the house and took what remained, but she supposes there were not many good things remaining for them, but one thing she knows, they took a bedding of clothes, which one Graham, a gentleman, had caused leave the day before for the serving woman to lie in, and she saw that second party carry off great quantities of books, papers, parchments. She remembers well that especially on the first day they broke and carried off all the looking-glasses and mirrors, so that they left none in the house, and that they had hewn the screens, and they had hewn down a great many of the chairs, and she saw them take in a stone to break down the great marble table, but she knows not if they got it done.

JOHN FORBES IN SKINSHARNIE, AGED 30 YEARS:—

Deponent was called in by order of Major Glasgow, and came in to Cullen House after stopping a good while at the Big Bridge, which occasioned most of the party to be in the house before him. He saw the Highlanders carrying off turses of papers and parchments, and tearing others of them, also carrying off robes and vestments of velvets, and saw some old silver vessel, and some broken silver vessels or plate, at Fochabers. The Highlanders made pocks of the tickings of feather beds. He saw bed twilts of silk, and several other things of silk and fringes about them. He saw the papers, bedding, as it were, some of the rooms. He saw a great many horses loaded with things from Cullen House, and saw a great many canes with silver heads, particularly in one man's hand.

ANDREW KNIGHT, AT THE BURN OF TYNET, AGED 23 YEARS:—

Deponed that he was a countryman, and that Colonel Baggot with the hussars, passing by his house, stopped and called to bring out the horses, twenty if they were there, and held a cocked pistol to his breast, and said he would fire the house if he would not go along with him. That there were no horses about the town but two, and one was not fit for travelling. He was obliged to come with the other. He was left in the hollow at the burn of Cullen, and three Highland men to guard him. Soon after, he heard great dunting and noise, but where he happened to be did not see. After being kept a long time there he was at last brought up to Cullen House, and the three Highland men with him. That he went into the stone hall and got a drink there out of a green horn, out of the butler's own hand, for he heard the Highland men ask what he was, and he said he was the butler. The deponent followed the three Highland men up the broad stair, and went into a very large hall, and through that to the door of another room, and that the Highland men spoke Irish, and one of them held out his gun to him. That the deponent saw them knocking with their guns upon a wall press, but the deponent, being frightened for the Highland men, and not used to such company, ran away, and almost broke his bones coming down stairs, and that the deponent being in great consternation could observe little more. Then he ran away and had the good luck to find his horse, and rode home as fast as he could.

JAMES WALKER, BLACKSMITH, CULLEN, AGED 45 YEARS:—

When the first of the rebel parties, or about the first of them, with some gentlemen of the name of Sterling came to Cullen in their going northward after the Battle of Falkirk, they called the deponent to break up a granary where my Lord Findlater's pease and oats and beans lay. That the deponent, after they caught him, made a shift to escape, and that Alexander Baird, in order to keep them from the granary, offered to give them a boll of corn, which he thought would serve them at that time, but that they absolutely refused it, and they searched for the deponent, and caught him again, and threatened him much and struck him with the work of a pistol upon the head, upon which the deponent broke up the granary, and after that, during the time the several rebel parties stayed at Cullen, which was about six weeks, they made use of my Lord's oats and forage, not only in his own stables, which were full of their horses, but in all the stables of the town, which were generally filled, and amongst the rest the deponent's. That on that Tuesday morning a rebel party forced him out of his bed to get his hammers, which he was obliged to give them. That he asked them what they were to do with the hammers. That they said they were to go to a neighbour's house, and two or three days after he found his big sledge or fore hammer buried in rubbish in the Charter Room of Cullen House, which gave him ground to believe they had made use of it to

break open the iron door thereof. When they went away about daybreak he saw Baggot's man carry away a great turse of baggage on his horse's neck, but that the body of them did not pass by his house, but by the Big Bridge, through my Lord's enclosures. That on the second day, on the Wednesday, he saw many of the rebels carrying away baggage in great quantities, but what struck his eyes most at that time was the jack of the kitchen, and a large looking-glass. That they had gone so low that they had carded flax, salt beef, and hard fish, and they offered to sell wax candles to the deponent, but he refused to buy them. That he did buy two books, which he restored. That he would have bought things, because he would have got them cheap, in order to restore them, but he was afraid another rebel party would have taken them from him. That a fish-kettle and some pans also struck his eye, but he was obliged to keep for the most part within doors for fear. A clock he saw on one of their horses' necks also struck his eye.

ALEXANDER DUNBAR, PORTER TO THE EARL OF FINDLATER, AGED 59 YEARS:—

He has been a servant in Cullen House about forty years, and porter greatest part of that time. He was constantly in Cullen during all the time of the late wicked rebellion. In the beginning of it a party of Glenbucket's men came and took away almost all the arms and such horse and saddle furniture as they could find, but otherwise were civil enough, and did no other harm. About the beginning of February, 1746, a rebel party came to Cullen about eleven o'clock at night, the gates being shut, and one of them, by help of a plank that he found at the gate, came over the wall; then more came in and broke in at a door where deponent was, and that night they only stayed and drank themselves drunk with wine, and went out to the town again. Next day they came in by the same method, the gates being shut, and the servants hoping they would march out of the town, but that they first, after coming in as above to the inner gate, broke the second table room window, and then went to the Woman House and found the key of the garden door, and got a ladder in the garden, which they used to go to a window of the big dining-room, and the doors of that room being shut they broke the door to the big drawing-room, and likewise the other door of the big dining room, and then broke the door of the private dining-room. Then they stayed in the house, and lived at free quarters. Their first pretence, as they said, was for the cess, but after they had sent out parties and forced that from the tenants, they continued to stay notwithstanding. That parties frequently changed, but that Colonel Baggot with his hussars settled for a long time. That the rebel parties were in the house about six weeks constantly, save a very few days—a day or two only. For the most part they lived very riotously, and there were many squabbles among them about parting the wine. That the house was constantly full of them, but they lived in different clubs or apartments. That they used the deponent very ill, beating him several times, and threatened to take away his life, unless he would tell where the silver plate was; and they likewise offered him some guineas, but neither threatening nor reward could induce the deponent to do a base thing. That deponent was in the house on the Tuesday morning. That he was above stairs when he heard the great noise of beating at the gate, upon which he went down and found they had broken in at the kitchen window. He hid himself behind a door till he saw great numbers of them pass, and then he slunk out through the crowd, and went to the stables, and found the stable causeway, and the stables, full of them and their horses, as also all the carts about the house. Soon after he ventured to return and pressed up to the gallery, where he saw the cabinets turned over on the floor, and he saw Major Glasgow set his foot to one of them and break it with his foot; then the other presses, &c., were broke. That when the papers were in bunches they commonly took them and put them in their belted plaids, and where they were single ones they often attempted to read them, and then threw them down. That from thence he pressed in to the big Blue Room where he observed the big

Charter Chest broken and the papers scattered. That he could not get in to the biggest closet within that room, but it was full of the rebel mob. That in that closet were many valuable things such as a little curious cabinet of the old Earl's, tipped and finished with carved silver, and the densaxes and halberts which used to be carried before the said Earl as Constable of the town, which were finished, and great parts of them covered, with silver, and silver gilded, and there were curious canes of various sorts there, with silver heads, and curious workmanship, all which were taken away. From that storey the deponent went downstairs to the first floor, and went into the big dining-room and drawing-room, and saw them breaking the large sconces in these rooms, and pulling down the hangings of the big drawing room, and saw them break open the closet within the drawing room where there was a vast quantity of china, which they threw down and trampled with their guns and their feet. That he went into the private apartment and saw them breaking my Lady's big cabinet, and he saw them in the dressing room and closet where they broke the presses and cabinets. That they took my Lady's clothes and linens. They were so intent on their plunder they did not mind him much. That one time he went into the big dining-room, and the greatest part of them, who were in that corner, being then in the big drawing room and closets within it, he saw one man standing on the big marble table, and going to cut or take down the pictures hanging on the wall, and the deponent's anger kindling he took the fellow by the feet and pulled him down, whereupon the rebel took up a long iron rod that was on the table and striking the deponent twice or thrice on the back, broke the rod. Then the deponent went downstairs and saw them carry off silver spoons, and silver-hafted knives, and a silver saucer, and silver bottle tickets, and salts, and servers, which had been left in the pantry, but there was a good deal of silver plate they did not find. That the deponent passed among the throng and peeped in at the Charter Room, but durst not go in, and saw papers scattered, and the men drinking at some wine which had been concealed there in casks. He saw one heap of papers burning at the milk house door. That deponent was in the house when Lord Ogilvie's men came next day. That that party broke more of the panels of the wainscotting of the rooms than the first party did, and also the fixed chimney glasses. Only some pictures were left. Many of the pictures were destroyed and taken away. There was also in the house many things not in use, as robes and vestments, and old fine things, that had lien in the family for many generations, and medals and curiosities of gold and silver, which the rebels got. That the rebels did not, to his remembrance, leave a whole window in the house, nor a brass lock in a door, or a pair of tongs, or poker, or shovel. That they took away even to the lowest things, as spinning wheels, utensils in the Woman House, and offices, and kitchen, where they left only an old pot, or pan or two or the like, and broke and took away the clocks and bells. Some of them said the reason they did all this was that my Lord was a Whig, and a rebel, and had joined the Duke of Cumberland, and that if they had him they would and then with an angry face, weitched their swords, and gave dashes on the table therewith.

KATHARINE ROSS, IN BADENSPINK, AGED 68 YEARS:—

A short time after the Battle of Culloden she got from a boy on the road some parchment writings, which she afterwards understood to belong to the Earl of Findlater. The boy desired money. She said she knew no use of them. He said they would be broads to books. She gave him 1d or 2d for them, and the first thanksgiving day after the battle of Culloden a son of hers carried them to the Earl's chamberlain of the Boyne.

GEORGE GUTHRY, SERVANT TO THE EARL OF FINDLATER, AGED 24 YEARS:—

He was in Cullen House on that Tuesday morning. He was not then a servant to the Earl of Findlater, but was attending on George Lawtie, the minister's second son, who had come there with a message from Lord Findlater, and was afraid of being surprised by the rebels, and so desired the deponent to walk about in the night time and tell him if any rebels came, and to take a comrade with him to observe. That about one o'clock he came to George Lawtie and said he saw no rebels, therefore George Lawtie despatched an express to Lord Findlater and told deponent to go to bed as he believed there would be no harm that night. Deponent went out and heard some horses and thought them the Duke of Cumberland's forerunners, and said to his comrade, "God be blessed! They are Duke William's Hussars!" but he soon found his mistake, for he heard them say that the dogs would give them trouble with standing at the gate; so he returned, and his comrade shut the gate, and he told George Lawtie of the danger, and George Lawtie luckily escaped. Then deponent went to advertise the women, and in the interim the rebels came in at the kitchen window, and soon opened the gate, and he saw the house and courts filled first with their horses and horsemen, and after with vast multitudes of their foot, and one of them went to one of the servants, and, holding a cocked pistol to one of their breasts, swore if they would not declare where the key of the Charter Room was, or where any furniture or effects were concealed, he would send them to hell directly, and as the deponent's oath was to be taken, one came up to the Woman House, where deponent was, and told that the Charter Room was broken up. They rushed in at the milkhouse door, when it was opened, and one had a corn sack on his back, full of papers and parchments, who, seeing things more fit for his purpose, said he would not longer be troubled with these old papers, and poured them out on the floor of the milkhouse; but one of his comrades asked him how he could be answerable to his officers for so doing, and he said he could for these papers should be destroyed, and then he lighted them with a candle, and the smoke forced the rest out of the room, and the deponent believes it would have burnt the house had the milkhouse not been a vault. Then deponent went to the Woman House, and the housekeeper, being in terror, sent deponent for the minister, and while the deponent was going he was taken prisoner and detained sometime. Then getting free he went to the minister, who came into the house, and prayed and entreated them to desist, but could not prevail. The second day he saw that party exposing things for sale in the town, but scarce anybody would buy anything. Deponent asked leave of the housekeeper and minister and bought some parchments and books, and a silver salver, which he bought for sixpence, the rebels taking it for pewter, it being much tarnished, and these things he restored to Alexander Grant, the chamberlain, for the money he paid. After the rebels left he helped the servants, and remembers in the Charter Room he took up Lady Margaret Grant's contract of marriage, and dried it in the Woman House. He judged about 500 rebels were there on the Tuesday morning.

JANET GUTHRIE, Servant To The Earl Of Findlater, Aged 26 Years:—

Deponent was servant in Cullen House at the time deponed. When the rebels lived for weeks in the house they lived very riotously, and their very servants would have strong ale and sugar to their breakfasts. She was often obliged on Sundays to bake bread for them. That once a fellow came up to the Woman House in the night time demanding the keys of the wine cellar from the housekeeper, which she had not, for the rebels had them, and being angry that he could not get them, he roared most terribly, and frightened one of the servant women so much that she jumped out of the window, and injured herself so terribly that the deponent believes she never will recover her strength, so as to walk or work. Deponent was in bed when the rebels came on the Tuesday morning, and when they knocked at the gate the

servant maid, who was lying with her, thought it was friends, but from the rudeness of the knocks the deponent soon perceived it was enemies, and when they got up they saw the court filled with their horses and horsemen, and heard them say they would burn the house. Major Glasgow came to the Woman House, and obliged the housekeeper to go to the wardrobe and give him candles, and said it would be a dismal house by and bye. Then one Mr Graham came up, and set sentinels on the Woman House door, to hinder the rabble coming in, and deponent had not courage to go to look out, but a man who called himself the Colonel of the Macgregors came up, and another party broke into the wardrobe at another door behind the said Colonel of the Macgregors, and they took everything therein:—beds, table linen, servants' clothes, &c., but Mr Graham saved much of the necessary things in the Woman House at that time. Next day a party came and took away everything Mr Graham had caused leave.

JEAN DALRYMPLE, SPOUSE TO JOHN FORBES, FACTOR TO THE LAIRD OF MELDRUM, AGED 36 YEARS:—

Deponent was then housekeeper to the Earl of Findlater in Cullen House. In the main Glenbucket's men, who came first of the rebels, were civil. After the battle of Falkirk a party came and only broke into the house and drank wine. Next day a party again came and broke through the window of the second table room, and part got in at the window of the big diningroom. They quarrelled her for having the gates shut. She said that as my Lord and Lady were from home, and only a few servants in the house, she thought it was safest in such times to keep the gates shut, and that she did not expect that they would desire to come in, that being the case, and then she said that as they appeared to be gentlemen she hoped they would behave like gentlemen in the house of a nobleman who was from home, to which they answered they were come to quarter for the cess, and desired she would give them the keys of the wine cellar. That her reply was that those keys were given her in trust by my Lord Findlater. That she could not part with them, but would take upon her to give them a glass of any wine that was in the house, and then they allowed her to keep the keys at that time, and she brought wine to them. Then they asked provisions, to which she replied the servants were on board wages, and had not provisions to entertain them in a proper manner, and that that party went to the town, and got provisions, for which they drew bills upon my Lord, and only drank wine in the house. Thereafter a quartermaster, as she believes he was called, the Quartermaster of the Irish Brigade, came and ordered beds for forty gentlemen, and she, the deponent, caused make all the beds in the house, and several of these people came soon after, who were not indeed very discreet, drinking drunk, and rioting excessively. That parties thereafter succeeded one another, viz., Strathallan and his men, Balmerino and his men, Lord Ogilvie and his men, Lord Elcho and the person called the French Ambassador, Lord Pitsligo, but he brought no man with him, and stayed only one night, and after these had passed Strathallan's men returned, and Colonel Baggot with his hussars came and settled close for three weeks together, till the King's army came to Strathbogie. The time of the stay of all these parties was five to six weeks. They lived close at free quarters in all respects, save that Lord Balmerino was so tender that he bought some things for himself from the town. That they took the keys from her and ordered and disposed of everything as they pleased, and that they quarrelled often with each other, especially about the division of the wine, keeping separate dining-rooms. That on Tuesday, 8th April 1746, about one o'clock in the morning, there happened a prodigious knocking at the big gate, which the deponent was at first glad of, hoping that it was a party of the Duke of Cumberland's army, and that their deliverance was come, but she soon found her mistake. Major Glasgow caused her give him candles and open all her chests, trunks, and presses, where was a vast deal of my Lord's effects under her

custody, and viewing them all he said it should be a sad night to this house. Then Glasgow went down stairs and soon after a Highland Colonel and his men came, and packed up, and carried off the above things before the deponent's face. One of the first things deponent observed was their pulling down my Lady's bed curtains, which she saw through the window. The deponent could only go to the stair head and see them carrying out their loads of plunder. After they were gone she saw the hideous destruction they had made, and had carried off a vast deal of new linen and dornock webs, and a great deal of fine Scots cloth with table and bed linen, and a vast deal of good and fine body clothes of my Lord's, and Lord Deskford's, and my Lady Findlater's, and her laces and cambrics. Only most of the pictures remained, and some chairs, and tables, and some trifles of small value. The deponent avers that though in some houses she has seen some particular finer things, yet she never saw a house so completely and plentifully furnished with all sort of genteel, useful, and substantial good things, and she had seen some of the best furnished houses in Scotland, and had served in them, being a south country woman. A great party came next morning pretty early, and took what they found among the broken rubbish. And another party came, as she understood, returning from Portsoy from pillaging meal from my Lord's granary, went through the house likewise the same day, and, as they had little to take, carried off several books from the remains of the library. That the house was extremely well provided in sugar and tea, coffee beans, and spiceries in great quantities, and that all was carried off. The rebels said the reason was not only my Lord had not paid the levy money, but because he had joined the Duke of Cumberland, and was over zealous in the service of the present Government. She saw some of the papers scattered through the court and on the big bridge, and some were brought to her from the street of the town of Cullen. She had been housekeeper to the Earl of Findlater for ten years.

WILLIAM REID, COOK TO MY LORD FINDLATER, AGED 36 YEARS:—

Deponent was in Cullen House when the first party of rebels came. He was there all the six weeks. They lived very plenteously and riotously, save that some of the parties were more mild than others. Some of them used deponent very ill, holding cocked pistols at him, and others threatening to cut off his ears, and holding him by the ear with a drawn sword seemingly for that purpose in the other hand, which he particularly remembers of one of their gentry doing. On the Tuesday morning he had gone out to the gate with George Guthrie who thought it was Duke William's hussars, but deponent returned with him on perceiving their error, and deponent shut the gate. The deponent, being very ill-liked by the rebel party, thought fit to fly as fast as he could by a back passage, and that he absconded on the sea coast, and among the sea rocks all that day and part of next, but in the afternoon, upon the 9th April, perceiving a flame, his curiosity led him to an eminence, called the Castle Hill, for he was afraid the house was on fire, and perceived it was only a fire the last party had kindled amongst the whins or turses in one of the enclosures, which my Lord had planted full of young trees, and perceiving that party going quite off he returned to Cullen House. The two casks of wine had been put into the Charter Room for concealment. The rebels these five weeks never asked into the Charter Room. They said the reason of their conduct was that my Lord Findlater had not only not paid the levy money, but had joined the Duke of Cumberland and was constantly obstreperous to them and zealous in opposing them.

GEORGE NICOLSON, GARDENER TO THE EARL OF FINDLATER, AGED 40 YEARS:—

On that Tuesday morning he was shut up with Baillie Dunbar in one of the rooms of Cullen House. He heard the rebels say to one another, "Part fair." They discovered deponent

and Baillie Dunbar, and stripped deponent of his clothes, and carried off the shirts which were on him, and picked his pockets, and carried off what gold and silver they found about him. He had locked the Charter Room, two or three days before, with his own hand, and had the key buried, so as nobody knew of it but himself and Baillie John Dunbar. In the Charter Room were a vast many things of great value such as bed and table linen, and linen of all sorts, in such quantities, as the deponent thought, were not to be found in any one house in Scotland. Many other things were put there for security against fire, which the house was threatened with at that time. From the library were carried off mathematical instruments, small statues, curious magnifying and burning glasses, &c. Deponent went to meet the King's army at Turriff where he saw my Lord, and gave him a short account of what happened.

BAILLIE JOHN DUNBAR, IN PATTENBRINGAN, LATELY MERCHANT, CULLEN, AGED 56 YEARS:—

When the Duke left Cullen deponent went to Fochabers as guide with the line of the army commanded by Lord Albemarle. He had seen an order from Lord John Drummond that if the Earl of Findlater's doers did not comply with the demand for levy money Cullen House would be plundered and burned. Thereupon Mr Lawtie, Alexander Grant, George Nicolson, and deponent met privately at Mr Nicolson's house to consider, and they agreed that George Nicolson should go to Aberdeen to the Earl of Findlater. They received as answer that the Earl of Findlater would give no money to the rebels, be the consequences what they would. After Cullen House was threatened to be burnt, deponent and George Nicolson carried two sackfuls of papers to the beehouse in the garden, and the day before the plunder he helped to carry several things into the Charter Room. The rebels found these papers and several were lost.

PATRICK SMITH, SERVANT TO THE EARL OF FINDLATER IN THE GARDEN OF CULLEN, AGED 40 YEARS:—

Deponent saw the rebels take out the two sackfuls of papers. They turned them out to see if anything else was in the sack, and, it being a windy day, the wind blew them off. He went to the minister, who got a rebel officer, and they came, and many of the papers were collected.

JOHN TAYLOR, SERVANT TO THE EARL OF FINDLATER, IN THE GARDEN, AGED 28 YEARS:—

[Evidence similar to the foregoing.]

WILLIAM BEEKIE, SERVANT IN UPSTRATH, AGED 22 YEARS:—

The rebels broke open the stables, took out four horses and loaded them •with baggage.

ALEXANDER STRACHAN, UPSTRATH, AGED 25 YEARS:—

[Gives confirmatory evidence]

PATKICK COULL, MERCHANT, CULLEN, AGED 25 YEARS:—

That Tuesday morning hearing that the rebels threatened to kill everybody they met in the street, deponent kept close at home. He observed among them on their way home a thick folio

written book, which he saw concerned the estate of Boyne, and he has since understood it to be the decret of ranking the creditors of that estate; so deponent saying it was only of use for snuff papers the fellow gave it rather than be troubled carrying it. He also got the catalogue of the books in the library.

JOHN FRASER, GRIEVE, AGED 40 YEARS:—

The Chamberlain absconded when he heard that the rebels were coming, and had told deponent to keep the doors of the barns, &c., shut, but the rebels broke open the doors. The deponent asked almost every different company why they put all the burden of the country upon my Lord Findlater, and that their answer was he had joined the Duke of Cumberland, and was particularly zealous against them, and they would take nothing from anybody else while they could be served with his effects, and it was highly reasonable their Prince's army should by him (*sic*) and some of them. added that my Lord deserved to be hanged, drawn, and quartered. That however they did once take some corn from Colonel Abercromby, and Sir Robert Aberdeen. He was in bed that Tuesday morning and went into the house, but Major Glasgow knew him and turned him out. The devastation made, first and last, was most horrible and inexpressible.

JAMES FORSYTH, GROUND OFFICER TO EARL OP FINDLATER, AGED 43 YEARS:—

Some of Lord Findlater's hay was carried off to Portsoy, where Colonel Boyd was quartered, whom the rebels called Lord Boyd, because his eldest brother was in the King's army. He gathered up several papers in going west.

JAMES GUTHRIE, TAILOR, CULLEN, AGED 28 YEARS:—

At the time of the plundering he lived in Portknockie, and saw the light in Cullen House from an eminence. He took from a boy and gave to the minister a paper, "Contract between my Lord Findlater and the Trades of Dundee."

MARGARET PETRIE, A GENTLEWOMAN AND SERVANT TO THE COUNTESS OF FINDLATER, AGED 22 YEARS:—

Deponent was left in Cullen House when the Countess went to Castle Grant. She and the housekeeper kept very close together when the rebels were living in the house.

The Lords of Session find that "a most clear and distinct proof of these facts has been led." Their Lordships, considering the foregoing and the petition of James, Earl of Findlater and Seafield, of date 27th June 1747, and their interlocutor, signed 26th January, 1748, find proved the executions of intimation and registration of said petition and executions aforesaid orderly proceeded, and find it proven that the petitioner, James, Earl of Findlater and Seafield, continued dutiful and loyal to His Majesty during the late rebellion, that the petitioner's house of Cullen House was invaded and rifled, and a great part of his writs destroyed or carried off by a party or parties of the rebels in April 1746, and therefore find petitioner is entitled to the benefit of the Act, and the Court found and declared that all claims and grounds of action competent to His Majesty, or to any other person, or persons, bodies politic or corporate, upon whatever ground, cause, or occasion, preceding the first of August, which was in the year of our Lord 1745, against the person or estate, real or personal, of said petitioner, upon which no action or process has been already commenced, and insisted in,

before any of the courts of law in Scotland, or shall not be brought on or before fifteenth November next, shall be, and they are in virtue of said Act of Parliament, discharged and made void, unless the said claims, and that the same are still resting owing, shall be proved by the oath of the said petitioner or his heirs and successors, defendants in such action, and decerned accordingly.

The formal “Decreet and judgment in favours of the Eight Hon. James Earl of Findlater and Seafield, Edinburgh, 26th January 1748,” occupies 200 pages of the folio register.

This decret includes the evidence taken before the Commissioner—Sir Robert Abercromby of Birkenbog—as to the lands held by the Earl of Findlater prior to the rebellion. The witnesses examined were Alexander Grant in Tochieneal, factor to the Earl of Findlater, and a number of ministers and farmers, the Baillies and Town Clerk of Cullen, &c., &c. Not a few interesting particulars are given regarding the boundaries and designations of the various lands.



APPENDIX

In the Official Register all the lands declared by the Court of Session to be in possession of the Earl of Findlater in 1745 are enumerated in detail, but with the exception of the lands in the parish of Cullen, which are given as fully as they appear in the original Register, only such lands are here noted as there seemed to the present compiler to be some special reason for noting:—The Lands and Barony of Ogilvie, comprehending the Lands of Findlater with the fishing boats thereof, with the Bog Park, the lands of Dyttach and Logie, which are part of the dominical lands of Findlater, with the Castlefield, Castleyard, the Constable lands called Pettinbringands, with the advocation, donation, and right of patronage, as well parsonage as vicarage, of the Kirk of Fordyce, as also of the Kirks of Deskford and Ordiquhill, the town and lands of Garronhead, with the fisher boats in Sandend, towns and lands of Broom, Brankenentum, Thomaswell, Barnyards, Kilnhillock, Whitehouse, Meikle and Little Hillocks, Killbrae and Goatbog, with haill teinds, as well parsonage as vicarage, of said lands and barony, with the manor places, towers, and fortalices of Cullen and Findlater, as also comprehending the lands and barony of Deskford and others after specified. The town and Kirklands of Deskford, with manor place, tower, fortalice, and yard, town and lands of Overblerock, Fachyhill, Swallowhillock, Knows, Milton of Deskford, with mill, mill-lands, multures, thirlage, Knaveship, sucken and sequels thereof, and that part of the lands of Clune called John Thom's land, the lauds of Clochmacreich, the town and lands of Over and Nether Tillibridlies, called Our Lady's Lands, the town and lands of Middle Skeith, town of Wairds, commonly called my Lord's Wairds, town and lands of Craibston, Croftgloy, lands and acres of Squaredoch, the town and lands of Rawmore, Ordins, Oathillock, Aircows, Neither Blerrock, Ardoch, Meekle Cultain, Comistoun, Inaltry, Meikle and Little Knows, Nether Clune, Clunehill, Smithstown, Leichestown, with haill lauds of Skeith and pertinents of said haill lands and barony with teinds of said lands and barony, the lands of Reidhyth, comprehending, &c., with privilege to the tenants of the haill lands of Findlater and Deskford of casting peats and pasturing their cattle on the hill of Altmore, also the lands of Garrisloat, the kirklands of Fordyce, manor place of Fordyce, and hails fairs and markets of the same, with the free burgh of barony of said town, the lands of Kempcairn, Meikel and Little Drum, the lands of Findochty with manor place and port of Findochty and customs of the said port and fisherlands thereof, the lands called the Barony and Thanedom of Boyne, with the castles, towers, and fortalices, the mill and kirklands of Boyndie, the lands of Portsoy, burgh of barony, port and harbour thereof, with the fishing boats and dues of said port, and with the two corn milns of Portsoy, the land of Meikle and Little Reatty, the lands and tenandry of Ord, the right of patronage of the Parish Churches of Banff and Inverboyndie, the town and lands of Montgrews, Corseburn, Gateside, and Holleyley, and of the ground where the Mill of Myres, which is now demolished, formerly stood, Windyhills, Saucherton, alias Netherseat of Echries, and Newlands or Lurgbrae, Goukstone, Burnside, and Nether Cautully, with right to peats and turf in Altmore hill, the lands of Kirktown of Keith, and the privilege of a weekly market there on Friday, together with a yearly fair for the space of three days, commonly called Sumeries or Saint Ruff's Fair, with two other yearly fairs near to the terms of Whitsunday or Martinmas, and of gathering the tolls, customs, &c., thereof, the teinds, parsonage, and vicarage of the lands of Pittenbringands, Burntowns, Smithstowns, Upstrath, Castlefield and Claypots, all in the parish of Rathven, the lands of Tillynaught, several lands in the Forest of Boyne, also the Davoch of Ordenhoves and Auchip, containing: Summertown, Winterton, Achip, Ordenhoves, Muttonbrae, Slackdale, Windshole, and Hillend Burnside, also the 20s land of old extent of the town and lands of Muldavat, comprehending the town and lands of Craighead, the lands of Shirrels, the Mains of

Muldavat, with glen of Muldavat, with the part where the manor place, called the House of Craighead stood, yards, orchards, dovecotes, belonging thereto, the place where the Mill of Muldavat stood, all in Rathven parish, [the following list of lands in the parish of Cullen are given as in the Register] also the croft lands, tenandries, milns and others aftermentioned, within the liberties and territory of the Burgh of Cullen, now known by the following names:—the town and lands of Tocheneil, the four parts of Hillocks the lands of Burdsbank and Bromleys, the Old Miln of Cullen, Gardner's Croft, New Miln of Cullen, the town and lands of Seafield, the lands of Smithstown and Malthousecroft, Claypoits, Rottenshillock, and Upstrath, Burn Town, Cruats, Green Castle, and Portknockys, and Hill of Bauds, Millrigbrae, Maitland bank, Arboryards, Haugh of same, Bidysmyre, Butts and Haugh thereof, Taylor rood, Placegreen, Orchard Croft, Kitchen's Croft, Broadcroft, Finny's Croft, Watson's Rood, Bobo's rig, Stevenson's rig, Ten Mark rig, Henry John's land, Butts of Burnmouth, Taplinshaugh, Searoods, Grangegrein, Fisherhaugh, Collysrig, Fisherbrae, Boatsland, Maggie Clerk's Land, Fisherland, Warybutts, Malison's Rig, Kirkenspott, Mount Cowie, Deepslack, Drums, Blackhillock, Squatecroft, and butts of the same, Chalmer's Croft, Claycroft, Easter Croft, Katy's Croft, Killrood, Philp's lands, Harper's Croft, St John's Croft, and Downie's Croft, another Chalmer's Croft, Pallyards Croft, Cross Croft, Heatherhouse Croft, House Croft, Crackiescroft, Brown's Croft, House rig, Sellrig, Brebner's Croft, Castlehill, Butts, Longlands, Upper Gallowhill, Gray's Stoneyfield, Baillie Butts, Corselettis, Parkside, Paraleel's land, Field Crofts, Shortgatherings, Nether Gallowhill, Crooked Stock, Eviot's Hillock, Over Longroods, Nether Longroods, Drowser's bushes, Mealriggs, Short Floors, Floors, Cullenlee, Cullen Lands, and Cullen Butts, Short blind walls, Blindwalls, Claylots, Broad Croft, Killhill, lands of Burdsbank, Ardbeikie's Croft, Housecroft, Barncroft, Sinclair's Croft and tenement thereof, which is held feu by James Strachan of the petitioner, and the tenements and lands purchased by the petitioner's father from the heirs of Thomas Murray, late Town Clerk of Cullen, but are liferented by Elizabeth Ker, relict of said Thomas Murray—the above whole lands in the territory of Cullen, belonging to the petitioner, and holden by him of the Burgh of Cullen, being bounded by the sea on the north, and by the petitioner's lands of Findlater on the east, by the lands of Pittenbringands and Deskford on the south, by the lands of Darbreich belonging to Hay of Rannes, the lands of Woodside, belonging to Gordon of Buckie, and the lands of Findochtie, belonging to the petitioner on the west, and having no lands interjected but the lands of Farskane, Castlefield, Muldavit, and Shirraulds, Cullen House, and the bounds belonging thereto all belonging to the petitioner, and the haughs and grass and houses belonging in property to the common good of the said burgh, and some houses holding thereof and the minister's house and gleib, and the mortification to the schoolmaster of Cullen, and the tenement and croft of Dovecroft, mortified by umquhill John Lorimer for maintaining a boy at school, and the houses and lands mortified to the poor, whereof Mr James Lawtie, minister of Cullen, and his heirs are patrons, also the rigs called Watson's Croft and Duffus land, with the butts thereof, belonging to George Gerry, Alexander Syme. – Duffus, and William Addison or others, and lying together and near to Katie's road, with the mosses, muirs, and shares of Commonties belonging thereto, as also of the privilege of the petitioner and his tenants of the town and parish of Cullen of casting peats and turf and pasturing their cattle on the Hill of Aultmore, [Here end the Lands in the parish of Cullen] also several lands in Banff, including a tenement of land next to Craig Gilbert, the houses and lands of Rosecraig and haugh thereof, the Castle of Banff holden by the Petitioner of the Crown; also the town and lands of Farskane, with manor place, with privilege of white fishing within the port of Cullen, and the fishboats and pertinents of the same, &c., &c.