

**HISTORICAL MANUSCRIPTS
COMMISSION. TWELFTH REPORT,
APPENDIX, PART VIII. THE MANUSCRIPTS
OF THE DUKE OF ATHOLE, K. T., AND OF
THE EARL OF HOME**

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TWELFTH REPORT, APPENDIX, PART VIII.

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THE
M A N U S C R I P T S
OF
THE DUKE OF ATHOLE, KT.,
AND OF
THE EARL OF HOME.

Presented to both Houses of Parliament by Command of Her Majesty.



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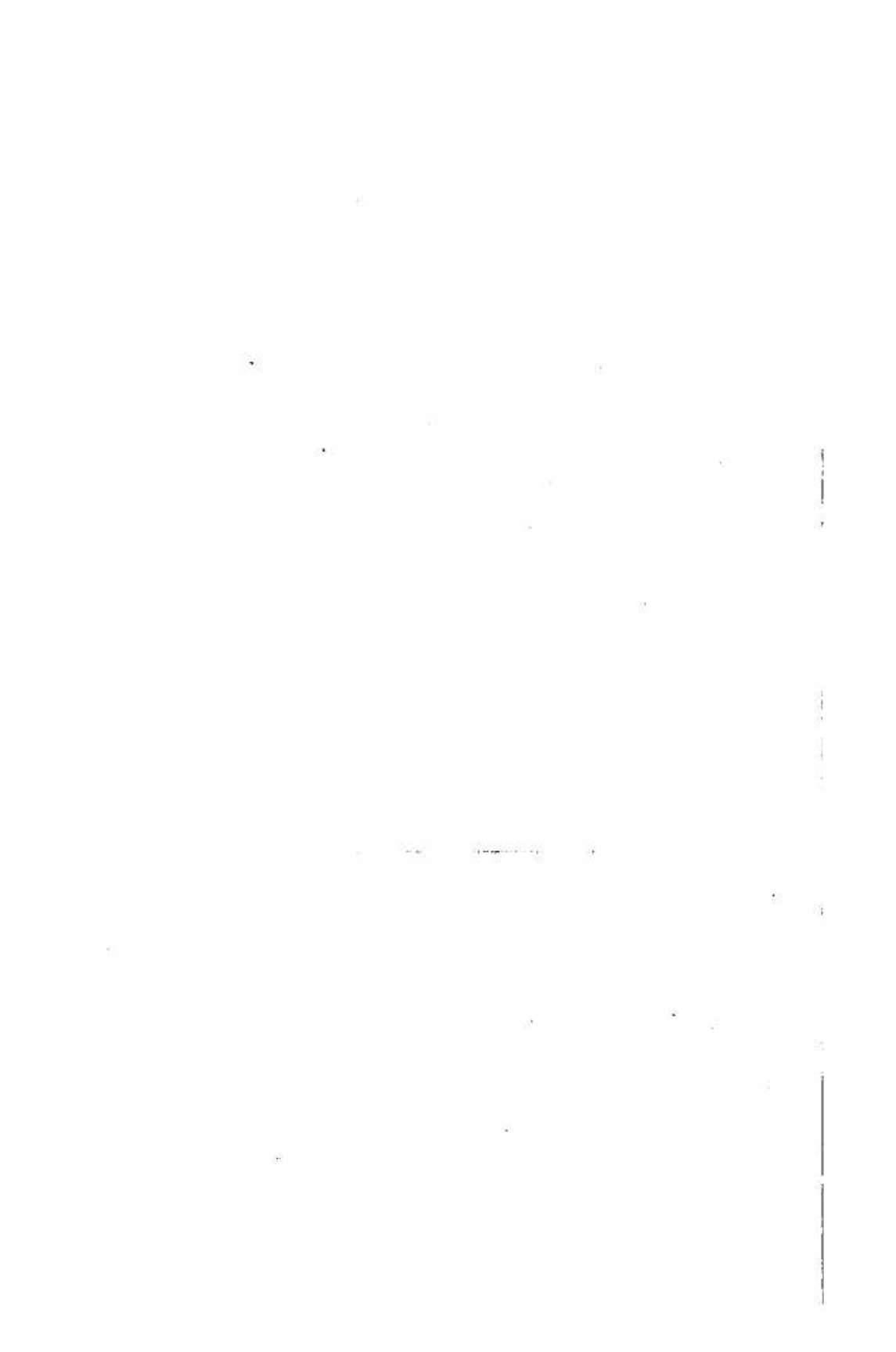
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SECOND REPORT ON THE MUNIMENTS OF HIS GRACE
THE DUKE OF ATHOLE, K.T., AT BLAIR CASTLE,
BLAIR ATHOLE.

MSS. OF
THE DUKE OF
ATHOLE.

The first report on the valuable collection of ancient Charters relating to the Earldom of Athole is printed in the sixth report of the Commissioners [Appendix, pp. 708-716]. The present report refers to the correspondence, which is very extensive, and of historical importance.

The first section of this Report includes the letters addressed by several Sovereigns of Scotland to various members of the family of Athole. The first of these bears the signature of King James the Third, and, though not a letter in the modern sense of that word, is so styled in the body of it. It is dated in August 1473, and appoints Sir William Murray of Tullibardine to be Stewart of Strathern during the King's will, with full power to hold Courts and punish offenders within the stewartry. This appointment was renewed for his life to Sir William Murray or to his son of the same name on 18th January 1482-3 [No. 2 *infra*]. By this writ the office of Stewart or Seneschal of the Earldom of Strathern, and the lordship of Balquhiddier, was conjoined with those of Keeper of the Royal Forests, and "Coronator" within the bounds. This grant of 1483 has been stated to be the first bestowal of the office of Stewart of Strathern, but, as shown in the previous grant, the office was conferred ten years earlier. The office of Stewart of Strathern thus granted to Sir William Murray was the temporary revival in his person of the position held by the possessors of the barony of Tullibardine under the ancient Earls of Strathern. The ancient descent of the family of Murray of Tullibardine, now represented by His Grace the Duke of Athole, was, in the former report, only casually referred to; and, in connexion with this revival of an ancient office, a few words on this subject may be added.

There is no need to dwell on the origin of the ancient and powerful family which took their name from the province of Moray, where, so early as the time of King David the First, in the twelfth century, they had extensive possessions. Between 1203 and 1214 Hugh Freskyn, ancestor of the Earls of Sutherland, conferred on Gilbert de Moravia, Archdeacon of Moray, certain lands in Caithness. Gilbert became Bishop of Caithness, and was canonised after his death in 1245. He had two brothers, John and Richard de Moravia, the first of whom is claimed as the ancestor of the family of Tullibardine. He is named as Sheriff of Perth before 1219. His son Malcolm was also Sheriff of Perth, and his son, William de Moravia, became, in 1284, the first lord of Tullibardine. He acquired these lands with his wife Ada, daughter of Malise, Seneschal, or Stewart of Strathern, whose ancestors had been Stewarts of Strathern before 1200, or as far back as there are extant charters of the earldom. From William de Moravia, first of Tullibardine, and Ada, his wife, have descended, from father to son, the Murrays, Earls of Tullibardine, Marquises and Dukes of Athole. In 1473, therefore, the Stewartry of Strathern was revived in the descendant of the ancient possessor of the office, though it did not remain with the family of Tullibardine, but was afterwards

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THE DUKES OF
ATHOLE,

bestowed heritably upon Sir John Drummond of Cargill, ancestor of the Earls of Perth.

The letter by Queen Mary [No. 5 *infra*] was addressed to Margaret, Countess of Athole, widow of John Stewart, fourth Earl of Athole, who had died, not without suspicion of poisoning, on 20th April 1579 [cf. No. 58 *infra*]. The Earl of Athole was interred, it is said, with great magnificence in the Church of St. Giles, Edinburgh. King James the Sixth, then a boy of thirteen, gave permission, under his own hand, that the Earl's remains should be laid "ewest [near] our dearest uncle and regent, of gude memorie the Erl of Murray." [No. 4 *infra*.] There was a formal inquest held upon the deceased Earl's body, in presence of the King and the Privy Council, at Stirling on 16th June 1579, but the evidence seems to have been conflicting and more curious than scientific, though Alexander Preston, "Doctor in Medicine," was a witness. The young Earl of Mar, son of the lately deceased Regent Mar, and his mother, Annabella Murray, of the Tullibardine family, were accused of the crime, but, probably, without reason, and it would appear that the deceased Earl of Athole had been an invalid for at least a year before his death, as there is, at Blair Castle, a royal permit to him to go abroad for preserving his health. It is, however, to the suspicions against the Earl of Mar and others accused of causing the Earl of Athole's death that Queen Mary refers in the first part of her letter to the Countess. In the Queen's allusions to her son, the young King, she retains a maternal remembrance of the infant she had left behind her when she fled to England. In the letter now reported on, Mary appears in a favourable light, showing a motherly regard for her son's welfare, and anxiety about the state of his health. She refers to certain of his youthful ailments as having been endured by herself when she was of the same age as her son.

The Earl of Athole, son of the Countess, Queen Mary's correspondent, died in 1595, leaving no male issue. The eldest of his four daughters, Lady Dorothea Stewart, married William Murray, second Earl of Tullibardine. In 1626 he petitioned King Charles the First that in right of his wife the title of Earl of Athole might be bestowed on him, as all heirs male were extinct, to which the King consented; but the Earl died before the arrangements were completed, and his son John became Earl of Athole. It is to this second Earl of Tullibardine that the letter [No. 7 *infra*] was addressed by King James the Sixth in view of a visit to his "native Kingdome" in the year 1617. The King's letter is characteristic in its phraseology; and, in his desire to have, at an early point of his journey, a foretaste of the dainties of his northern realm, the requisition to the Earl is that he may send forward "capercaillies and termigantis" (ptarmigan) to meet the King at Durham, adding, "The rarietie of these foules will both mak their estimation the more pretious, and confirme the opinion conceived of the good cheare to be had there." The reference to the rarity of capercaillie is of some interest in these days, when great efforts are being made to naturalise the bird again in Scotland after having been long extinct there. The second Marquis of Breadalbane claimed that he succeeded in again restoring the capercaillie to Perthshire. We get also a glimpse of another wild animal, now unknown in Scotland, but which long infested the country, in a letter by an unknown writer, addressed, in 1604, to the "lord of Atholl," and *inter alia*, requesting the loan of a "leische of houndis" with which to hunt the wolf. The writer promises faithfully to restore the hounds and to lend his own when his correspondent hunts [No. 59 *infra*].

John Murray, first Earl of Athole of that name, was the recipient of the letter [No. 61 *infra*] from Archibald, Earl (afterwards Marquis) of Argyll, requesting a meeting at Perth to take measures against the "lymmeris and brokin men" who then kept the Highlands in a state of turmoil. It has been stated by some that the Earl of Argyll used his commissions against such outlaws as a means of concussing those in the north opposed to his party, and a contemporary writer states that the Earl of Athole himself, and eight other gentlemen, were surprised and made prisoners. This took place apparently in 1640, and the Earl was brought to Edinburgh and detained there, as we learn from his remonstrance and appeal, addressed to the Committee of Estates and the Earl of Montrose. Of these letters the drafts, dated 7th September 1640, are reported on [No. 63 *infra*]. Argyll's view of the matter, which led to Athole's arrest, may be found in letter of date 30 May 1640 [No. 62 *infra*] in which the former states that the latter had been "averse from giving satisfaction" to the Committee of Estates. Argyll is afraid the Committee may be "forced to some hard course to distinguish their friends from their enemyes." The Earl of Athole attached himself to the Royalist party, and probably gave but a tardy response to the letter of the Committee of Estates which they addressed to him about March 1640 [No. 64 *infra*], advocating a hearty union for the preservation of religion, life and liberty against the royal encroachments on these. Hence the dissatisfaction of Argyll.

The Earl of Athole's conservative opinions led him to join in the famous Bond by Montrose, known as the "Cumbernauld Band." It is said to have been written at Cumbernauld in August 1640; but this may be doubted, as Montrose, who was still a Covenanter, was then with the Scottish army on the Borders, and the fact of the Earl of Athole's detention in Edinburgh shows that his signature, at least, must have been appended at a later date. On 2nd March 1641, however, the Earl of Athole received a summons from the Committee of Estates to explain his reasons for subscribing the Bond referred to [No. 65 *infra*]. Three other missives of the same date [Nos. 66-68] were also sent to the Earl, whose activity, in the cause of the Committee, did not correspond to their expectations. Indeed, all the letters addressed to the Earl about this period, and especially the two undated ones [Nos. 69, 70], signed by General Alexander Leslie, show that the Earl of Athole, and his district generally, were in no wise very responsive to the demands of the Covenanters, either for men, money, or the subscription of the Covenant.

The first Earl of Athole was succeeded, in 1642, by his son the second Earl. He is said to have taken an active part with the Royalists under Glencairn in 1653, but no papers remain to attest the fact. It was to his kinsman and brother-in-law, the Earl of Tullibardine, that the letter [No. 74 *infra*], of date 30th August 1651, was written by the Earl of Loudoun. The letter is an urgent appeal for help against Cromwell and his "sectaries," who had, two days before, taken prisoners the Earl of Leven and other noblemen. A letter from Oliver Cromwell himself, addressed to General David Leslie, is given in No. 73 *infra*. It bears no date, but must have been written a month or two before the battle of Dunbar in 1650, while yet the two armies were watching each other's movements. It is simple and plain spoken in its tone. To the Countess of Tullibardine was written the letter [No. 75 *infra*] giving a glimpse of the situation between the Royalist army and that of Cromwell's, before the King's sudden march into England in 1651.