

RECORDS OF THE CARRUTHERS FAMILY

who wanted them for his stables. Similarly, no objection was taken to the acquisition by the same family of the old burying-place in the churchyard, where, over the entrance, can still be traced the arms of Douglas, with I. D. (James Douglas) and A. R. (Agnes Rome) on either side and the date 1655 below.¹²¹ There is also still to be seen a stone, built into the oldest portion of the modern mansion house, bearing a device no longer decipherable, but which is known once to have had its place over the arch of the drawbridge gate.

The Tower of Mouswald was oblong in plan and measured approximately 24 feet by 17 $\frac{3}{4}$ feet, the walls being 6 feet thick. There were three storeys below the wall head, the ground floor being provided with gun-loops, but it does not appear to have had a vaulted roof. The Tower is now in a ruinous condition, little of the north wall remaining, but the south, east and west walls are still about 30 feet high and have been buttressed where necessary.¹²²

As regards the Church of Mouswald, this was dedicated to St. Peter. In 1815 the old church was taken down and very little is now known of this building. It is stated by one who remembered it to have looked very old and was like a barn on entering; it was two steps below the level of the ground. It had very small windows and the original seats had all been carved, but some new ones had been put in. At the north end there was a gallery, whilst at the south end there was a small gallery where they kept the benches and the tent which they used on the occasion of the observance of the Lord's Supper, the church being too small to hold all the people. The font is stated to have borne the armorial bearings of the ancient family of Torthorwald of that ilk. If such be the case, it must be considered to be of considerable antiquity, for the main line of the Torthorwald family became extinct on the death, in 1296, of Sir David de Torthorwald, whose only daughter, Isabel, married Humphrey Kirkpatrick. It has been conjectured that Mouswald in the Thirteenth Century formed a portion of the Torthorwald estate, which was forfeited on account of the family taking the side of the Edwards of England against Scottish independence, and that on the overthrow of the English by Bruce, who, whilst giving to Isabel's husband, as one of his own supporters, Torthorwald itself, assigned Mouswald to the Carruthers family who had steadily supported him.¹²³

According to Sir David Lindsay of the Mount (1542) the Arms of Carruthers of Mouswald were—Gules, a chevron between three fleurs-de-lys argent.¹²³

¹²¹ "Barony of Mouswald and its Barons". ¹²² Hist. Mon. of Scot. Comm., No. 515.

¹²³ "Barony of Mouswald and its Barons".

CHAPTER III

WOODFOOT AND MILNE

WOODFOOT and Milne is probably the senior traceable branch of the Carruthers family at the present day, as descendants of the earlier heirs of the entail to the Mouswald Charter of 1544 cannot now be traced.¹

The relationship of the first four heirs to the Mouswald estates is stated in the entail, namely three brothers and an uncle: the relationship of the last five was possibly too complicated to be set forth in detail. The link must be looked for, therefore, at least one generation earlier. Sir Simon Carruthers, who died about 1504, had a brother William, mentioned in that same year;² he would be born c. 1465-70 and his children would probably be born from about 1495 onward, and would be around 50 years of age at the time of the death, in 1548, of Simon, the last baron. The fifth to eighth heirs of entail, Archibald of Roberthill, George, David and John in Woodfoot, were apparently four brothers. The first three are so designated in the document, and it is known that John in Woodfoot had brothers called George and David, who along with him witnessed a memorandum on November 16, 1535.³ If his brothers George and David were not the same George and David as the brothers of Archibald, then their names also should be among the heirs of the entail in 1544, unless the supposition is adopted that both of them had died between 1535 and 1544. The likely reason why John was not described in the entail as a brother of the three former was probably owing to the ancient Scottish custom of describing landed men by a territorial title. Sir Simon's brothers and uncle do not seem to have been landed men and are, therefore, described by their relationship to him. The next heir, Archibald, was a landed man; two of his brothers were landless and are described by their relationship,

¹ The precise connection of the Woodfoot family is not a matter of actual certainty, though it can be deduced with a very high degree of probability.

² Justiciary Records MSS., Vol. i, per "Barony of Mouswald and its Barons".

³ MS. Protocol Book of Mark Carruthers (Drumlanrig Charter Chest).

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but the third brother had acquired property and he, like the ninth and last-named heir, is territorially designated.

John Carruthers in Woodfoot appears to have been succeeded by his grandson John, presumably son of John Carruthers.⁴ At any rate, on May 17, 1607, a retour was expedited by John Carruthers in Woodfute, as heir of John Carruthers in Logan Woodfute, his grandfather, in the lands of Howthat in the parish of Mouswald, a part of the old barony.⁵ This John also had a brother James who witnessed an Instrument of Sasine on February 21, 1620.⁶ John was in turn succeeded by another John who on January 9, 1636, married Rachell, daughter of Ambrose Johnstone of Powdene.⁷ He would appear to have had a brother George, mentioned in 1657.⁸ John Carruthers seems to have had four children, viz. John and Thomas, both mentioned as in Woodfoot in 1684,⁹ Simeoun of Milne,¹⁰ who married Margaret Johnstone of Girthhead, and Janet, also mentioned in 1684.¹¹ Of John nothing further is known: he appears to have had no descendants. In 1698 Thomas Carruthers, sometime in Woodfute, is described as a merchant traveller in England and has been identified with Thomas Carruthers of Twickenham, gentleman, who on his death in 1708 left £20 to erect a stone memorial and directed that he be buried "in the parish of Christ Church, London". It is not known whether he left issue. The Milne family is now extinct in the direct male line, but is represented by the descendants of William Carruthers of Stenriesshill (b. 1777); of James Carruthers in Woodhead (b. 1725); and of David Carruthers in Kinningwell, Breconside and Leithenhall.

⁴ This John Carruthers died in 1585. William Carruthers in Woodfoot, who was murdered in September 1597, was probably an elder brother who died without male issue (Reg. Sec. Sig., lxix, p. 197).

⁵ Dumfries Retours, per "Barony of Mouswald and its Barons".

⁶ Dumfries Reg. Sas., Vol. i, fo. 300.

⁷ Register of Deeds, 499 and 562.

⁸ Dumfries Tests., Vol. ii.

⁹ Reg. Priv. Conc., 3rd Ser., Vol. ix, p. 403.

¹⁰ Milne (or Mill), Leverhay and Girthhead were all one property and were brought to Simon Carruthers of Milne by his marriage with Margaret Johnstone of Girthhead.

¹¹ Reg. Priv. Conc., 3rd Ser., Vol. ix, p. 403.

CHAPTER IV

BRECONSYDE

THE lands of Breconsyde and Cocketts lie in the parish of Moffat and were occupied at least as early as 1550 by a branch of the Johnstone family as feuars of the Douglasses of Drumlanrig. That family came to an end in 1693 when John Johnstone disposed the lands to his nephew Andrew Chalmers of Dam.¹ Andrew Chalmers of Dam was dead by 1695 when his sister, Margaret Chalmers, was retoured heir to him. That lady married a William Carruthers who was sometime known as "of Dam", but more often as "of Breconsyde", in right of his wife. Unfortunately, it is only possible to speculate as to his parentage. Some members of the Carruthers clan had been tenants of Know (of Daltonheuk, parish of Dryfesdale) for a few generations, and it seems likely that William Carruthers came of this stock,² for he is known to have had two brothers, one of whom was certainly tenant there. They were:

James Carruthers in Know, merchant traveller in England, who died shortly after April, 1736. In his Testament he directed that he be buried at Meikle Dalton.³

John Carruthers, also merchant traveller in England, was dead by

¹ Register of Deeds, Dalrymple, Vol. 77, Pt. 2 (April 30, 1693). Andrew was son of James Chalmers of Dam by Janet, sister of John Johnstone. He was a stationer in Edinburgh (Dumfries Reg. Sas., 2nd Ser., Vol. ix, fo. 106) and had become burghess there as apprentice to Gideon Schaw, stationer there, on February 22, 1689. Margaret Chalmers was infeft in 1714 in the 40/- lands of Dam, Ludovickland and Pantonacre in parish of Dryfesdale as heir to her uncle, John Chalmers. (Dumfries Reg. Sas., 2nd Ser., Vol. viii, fo. 225.)

² On May 21, 1606, John Carruthers of Holmains gave a seven-years' tack at a rent of £48 to William Carruthers in Know of Daltonheuk of that part of Know then possessed by him (Cal. of Holmains Charters, No. 114). He may well have been the father of William of Breconsyde. In 1684 there is mention of Martha Johnstone, wife of William Carruthers called Know, and John and Jane, their children (Reg. Priv. Conc., 3rd Ser., Vol. ix, p. 594).

³ Dumfries Testaments, Vol. 12 (Feb. 14, 1743).