CHAPTER XIII

THE FAMILIES OF BUTTERQUHAT

The lands of Butterquhat lying quite close to Holmains Tower were once a separate holding that gave its designation to several younger sons of Carruthers of Holmains. It is now part of the large farm of Kirkhill, and its name only survives in a piece of high heathery ground known as Butterquhat Moor.

The first mention of a cadet of Holmains in possession of Butterquhat occurs in 1558 when John Carruthers of Butterquhat is named as bailie in a precept. The lands were only a 30/- land. It has not been possible to establish the identity of this John, but he was probably a son of John Carruthers of Holmains and Janet Jardine. He was succeeded by his son George Carruthers of Butterquhat who was dead by 1654, though survived by his wife Gelis Wilson. On March 11th of that year their son George Carruthers of Butterquhat disposed his 30/- land to William Carruthers, second son of John Carruthers of Holmains, subject to the livery to his mother. Janet Carruthers, wife of George, was a consenting party.

To complete the new owner's title George was infeft in 1655 heir to his grandfather. This was not the first transaction between the parties, for in 1545 George of Butterquhat had infeft William Carruthers in those 30/- lands under reversion. It was a wadsett or mortgage and may have been paid back before the disposition by George to William. If not, the equity of Butterquhat was infefted in 1554 as a complement to the 1545 wadset.

William Carruthers of Butterquhat (1654) married Sarah Maxwell, daughter of Agnes Maxwell and James Maxwell of Tinwald, spouses. Agnes was heiress of the 40-merk land of Dunwoodie, which she entailed upon her son Robert Maxwell of Tinwald and his heirs, whom failing on George Maxwell, apparent of Munsches and his heirs, whom failing on John Carruthers, eldest son of William Carruthers of Butterquhat and therefore grandson of the entailor.

(i) John Carruthers of Butterquhat, of whom hereafter.
(ii) James Carruthers of Over Halleths, named as second son, was Chamberlain to the Duke of Queensberry and married on March 3, 1593, Katherine, second daughter of Rev. Andrew Hamilton, minister at Middlebie. In 1606 he had issue in George of Butterquhat in an annual-rent of £280 from the lands of Woolcoats and Ecclefechan. In 1699 as James Carruthers of Butterquhat and estate of Smethwick he secured his first hold on the lands of Over Halleths, being infeft in an annual-rent of £12 Scots therefrom. This was followed by the same year by infeftment under decree of adjudication in some lands in Colvend that belonged in wadsett to James Talbot of Harelclach. In 1709 he acquired from John Kennedy of Over Halleaths and Mary Johnstone, spouses, the 5-merk land of Over Halleths.

He could not pay for it all in cash so he infefted Alexander Thomson

7. Ibid., Vol. xviii, fo. 18 and 77.
9. Ibid., No. 132.
10. Dumfries Reg. Sas., and Ser., Vol. v, fo. 465. On change of ownership it was confirmed by John Maxwell of Middlebie in 1711 (Ibid., Vol. vii, fo. 10).
11. Ibid., Vol. vi, fo. 86.
12. Ibid., fo. 150.
13. Ibid., Vol. vi, fo. 226. There were two families of Kennedy, near kinsmen, of Halleaths and of Over Halleaths.
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in Brigmuir in an annual rent of £100 Scots therefrom in 1701, and granted the vendors a wadsett for 1,200 merks—the remainder of the price—upon Over Halleaths.

James Carruthers never cleared Over Halleaths of debt. In 1703 he had to sell John Forsyth and William Johnstone, both in Carneth in the lands of Over Halleaths, receiving renunciation of Thomson's wadset in the following year. In 1708 he was the recipient of a Crown Charter of the lands of Roberthill and in 1711 acquired an annual rent of about 20 shillings. This seems to have been his last deal in landed estate. He was certainly dead by 1726 when his widow and only son are mentioned.

His widow, Katherine Hamilton, survived him for over twenty years, dying in October 1747 with the following issue:

(a) William Carruthers, an only son and still a minor in 1726. As a youth he was apprenticed on December 2, 1724, to George Cunyngham, chirurgeon apothecary and burgess of Edinburgh. His father had disposed his annual-rent from Scotsbridge before his death to John Carruthers of Butterquhat who by some family arrangement transferred it to his only son and his widowed mother. The qualifying period of a medical practitioner in those days was not very prolonged, so on January 10, 1729, William entered into a curious contract to take up a practice in Annandale. It was a contract between the practitioner and his principal patients who guaranteed him a minimum income if he lived.

(b) Henrietta Carruthers, wife of Mungo Johnstone, vintner (or merchant) in Lockerbie. In 1723 she was serving her portion to her uncle John Carruthers of Butterquhat.

(c) Another, or other heir portioners, also daughters, must have been alive in 1753. Margaret and Anna, daughters to late James Carruthers, Stewart Depute, are mentioned with Hendretta in a bond of relief dated 1702. One of these two daughters must have married a man named Halliday, for in 1793 David Halliday in Righead was served heir to his grandniece John Carruthers of Butterquhat.

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in their district and physicked their families. The prospective patients were James Douglas of Dornock, Francis Maxwell of Tinwald, Gavin Johnstone of Elshields, Robert Johnstone of Wampray, George Kennedy of Halleaths and George Maxwell of Munschies, who "having sufficient experience and assurance of the knowledge, skill and abilities of the said William Carruthers chirurgeon and burgess of Edinburgh," agreed to pay him a yearly pension as expressed in promissory notes lodged with them by the Stewart Clerk of Annandale (Mr. John Henderson). Drugs and medicines were to be charged by William at current prices of Edinburgh druggists. He was to live within 20 miles of Lochmaben, and was only to be absent when buying drugs at Edinburgh or Carlisle, in no circumstances longer than 3 weeks away. He was to take no other patients save the subscribers or those elected by a majority of the original subscribers, not by poll, but by the value of their annual subscriptions. Unfortunately the amount of the subscriptions is not recorded. He died in March 1735, being then in Lockerbie and described as son of deceased James Carruthers at Roberthill. There is no mention of a wife or family.

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(iii) Robert Carruthers, apprenticed to Robert Liddell, merchant in Edinburgh, on March 5, 1673.

(iv) Janet, the eldest daughter, married (contract dated August 26, 1674)

26 Dumfries Testaments, Vol. x, fo. 217.
27 Retours.
29 Retours. Prior to 1730 Margaret was spouse to Archibald Robson in Roberthill and Anna spouse to William Halliday, merchant traveller in England (Sheriff Court Deeds, Bundle 1735).
30 Reg. of Edinburgh Apprentices,

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CHAPTER XIV

THE FAMILIES OF OVER DENBIE

The modern estate of Denbie is a compact and distinct property. It was not always such. When first met with in records there were two distinct estates, Over and Nether Denbie, whose origins were totally dissimilar. Nether Denbie originally belonged to the Lindseys and was a 4-merk land and must have been derived from the Griersons of Melrose Dalton. From the Lindseys it passed to the Carruthers of Dormont, becoming the appanage of a cadet of that house.

Over Denbie belonged to Holmains. As early as 1570 John Carruthers of Holmains was infeft therein along with Little Dalton, &c., and Ecclesfechan.¹ In the Crown Charter of 1542 it is described as a 3-merk land,² which was the equivalent of a 40/- land. In 1575 these 40/- lands were occupied by John Carruthers, Rolland Lindsay, Robert Carruthers and John Carruthers.³ Three of these were tenants, but one of them, John Carruthers, had been infeft by the Laidr in a 40/- land of Denbie in 1571. The other John was son and heir of the deceased William Carruthers.⁴

At some unknown date John Carruthers of Holmains, eighth Laird, infeft his brother George in this 40/- land. George was thereafter known as of Denbie or of Over Denbie. In addition to that 40/- land George also acquired by charter in 1613 from John Jardine of Applegarth another 40/- land of Over Denbie which had never been divided off from the 40/- land he held of Holmains.⁵ There can be little doubt that he got this Jardine land through the influence of his mother, Nicolas Jardine. In all he owned a £4 land of Over Denbie.⁶

In 1678 he infeft John Carruthers, younger of Rammerskales, in the

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¹ Cal. of Holmains Writs, No. 2. ² Ibid., No. 16. ³ Ibid., No. 34. ⁴ Ibid., No. 64. ⁵ Ibid., No. 49, where is mentioned a decree arbitral between George and his tenants dated November 11, 1613, and other writs. ⁶ Ibid., No. 91, where he gives a tack of a "£3 land of my £4 land of Denbie-Over".