

CLAN POLLOCK



CINNEADH POLLAG

POLLAG
A POOL OF INFORMATION
30 June 1985

MOTTO

Audacter et Strenue
Bold and Strong

Volume 1
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POLLOCK, POLLOK, POOK, POLK, POLKE, PAULK, POALK, POALKE, POULK,
POOLKE, POGUE

" A person who takes no pride in the noble achievements of remote ancestors cannot expect to be remembered for his noble deeds by remote descendants."

Editor's Corner

I want to acknowledge the help and assistance my wife Ann and my daughter Kitty provided me in preparing this edition of the Pollag. My thanks and appreciation goes to them both. Without their assistance this edition would not have been delivered to the Post Office when it was.

You should have received a clan roster in the mail this month. There are several corrections to be made. First, change the home state of Hartman Poage from NJ to NY. Please excuse the error, Hart. Second, add "Apt 321" to Lu Daugherty's address. Inadvertently the addresses of three of our newest members were not included. A hearty welcome to the following new members. Please add them to your clan membership roster.

Charles J. Sword
Box 553
Lebanon, VA 24266

Charles E. Nash
101 Lyons Ave.
Tazewell, VA 24651

Susan V. W. Pollock
North Lake St.
Litchfield, CT 06759

Ann and I were planning to attend the games at Grandfather Mountain this year. Unfortunately, our plans have not grown and prospered as we anticipated they would, so we will be unable to attend. We were looking forward to attending the games and visiting with members of the clan at the clan tent. I hope that many of you will attend. There will be a Pollock tent, so be sure and check in there with Rob and Rosemary Pollock. Don't forget the Pollock Trophy will be presented, in the name of the clan, to the winner of one of the Scottish dancing competitions. The Maxwell History (Continued)

Proclamation was made by sound of trumpet at the Cross of Edinburgh, that none, under pain of death, should transport or carry away the Lord Maxwell out of the country, seeing the King and Council were to take order with him for the traitorous murdering of the Laird of Johnstone and his other offenses. He was tried in absence before the Estates on the 24th of June, 1609, for treason, and was found guilty. He was condemned to suffer the pains of law for his crime, and his estates were forfeited and bestowed upon Sir Gideon Murray, Lord Cranstoun, and other favorites of the Court.

Lord Maxwell succeeded in eluding his pursuers and made his escape to France, where he remained for several years. His flight, after his perpetration of the murder of Sir James Johnstone, is commemorated in the pathetic ballad entitled "Lord Maxwell's Good Night," in which he is represented as bidding farewell to his mother, sisters, and wife, and to his hereditary fortresses and estates. The unknown author is, however, mistaken in supposing that the fugitive lord felt regret at parting from his wife, against whom, (it is not clear on what grounds) he had raised a process of divorce, during the dependence of which she died. This lady was the only sister of James, second Marquis of Hamilton, who was deeply offended at his brother-in-law's procedure, and became in consequence his bitter enemy.

Lord Maxwell, weary of exile, and probably hoping the the lapse of time had mollified the resentment of the Johnstones, ventured to return to Scotland in 1612. He soon discovered that his enemies were as eager as ever for vengeance, and made such keen pursuit after him on the Borders, that he resolved to take refuge in Sweden. His relative, George Sinclair, fifth Earl of Caithness, persuaded him to delay taking this step, and offered to give him shelter on his estate in the north. Maxwell accepted this offer, and proceeded to Caithness, in reliance on his kinsman's promise and honor. The Earl, however, in order to obtain the favor of the government, basely betrayed him and caused him to be arrested and carried a prisoner to Castle Sinclair. He was brought to Edinburgh 19th September, 1612, by orders of the Privy Council, and warded in the Tolbooth there.

Sir James Johnstone, the son of the murdered chief, his mother, and even his grandmother who was labouring under some sickness, lost no time in petitioning the King that justice should be

executed on Lord Maxwell. They travelled to Edinburgh for the express purpose of pressing their demand. An earnest effort was made by Maxwell's friends to effect a reconciliation between him and the relatives of the deceased Laird of Johnstone. Maxwell, first of all, humbly confessed and craved mercy for his offense against God, the King, and the surviving relatives of Sir James Johnstone. He testified, by his solemn oath, that the unhappy slaughter was not committed by him with forethought or set purpose, but by mere accident. Secondly, he was willing, not only for himself, but for all his kin and friends, to forgive the slaughter of his father by the Laird of Johnstone and his accomplices. Thirdly, in order to establish friendship between the houses of Maxwell and Johnstone, he was willing to marry the daughter of the deceased Sir James without any "tocher." Fourthly, he proposed that the young Laird of Johnstone should marry his sister's daughter, and offered to provide her a dowry of 20,000 merks Scots, and whatever additional sum thought expedient by the advice of friends. Lastly, he was content to be banished from the kingdom for seven years or longer, at the wish and pleasure of the Laird of Johnstone. These offers were to be augmented at the discretion of common friends to be chosen for that purpose.

It is not known whether these proposals were submitted by the Privy Council to the relations of the deceased Laird of Johnstone. The government, however, was determined, no doubt with the full approval of the King, to carry into effect the sentence which had been pronounced upon Lord Maxwell in his absence. But, as Sir Walter Scott remarks, "in the best actions of that monarch, there seems to have been an unfortunate tincture of that meanness so visible on the present occasion. Lord Maxwell was indicted for the murder of Johnstone, but this was combined with a charge of 'fire-raising,' which, according to the ancient Scottish law, if perpetrated by a landed man, constituted a species of treason and inferred forfeiture. Thus the noble purpose of public justice was sullied by being united with that of enriching some needy favorite."

Lord Maxwell was beheaded at the Cross of Edinburgh on the 21st of May, 1613. He refused to receive any religious instruction or consolation from the ministers, declaring that he was a Catholic man and not of their religion. He acknowledged on the scaffold the justice of his sentence, asking mercy from God and forgiveness from the son, widow, mother, and friends of the deceased Laird of Johnstone.

"The execution of Lord Maxwell," says Sir Walter Scott, "put a final end to the foul debate between the Maxwells and the Johnstones, in the course of which each family lost two chieftains, one dying of a broken heart, one in the field of battle, one by assassination, and one by the sword of the executioner."

On the death of John, ninth Lord Maxwell, on the scaffold, the representation of the house of Maxwell devolved on his younger brother Robert, but the titles and extensive estates of the family in 1609 were forfeited to the Crown. Considerable portions of the land had been granted to influential persons who were not willing to give them up. A number of years, therefore, elapsed before Robert, tenth Lord Maxwell, was fully reinstated in the possession of the lands and dignities of his ancestors. King James, in October 1609, recognizing his pecuniary difficulties, ordered 2,000 pounds sterling be given him out of the Royal Exchequer of Scotland. Maxwell obtained large loans from Sir William Graham of Braco and other friends, to assist him in his efforts to recover the Maxwell estates which an Act of Parliament passed 28th June, 1617, declared him capable of possessing. In December of that year, Lord Cranstoun resigned to him the barony of Cranstoun. Finally, the King, by three letters patent, dated 5th October, 1618, 13th March, 1619, and 29th August, 1620, restored to him the lands, rents, offices and dignities that belonged to his predecessors. This last-mentioned patent set forth that "calling to remembrance the constant hatred between the families of Morton and Maxwell, and also its being unusual for two earls to wear the same title, his Majesty, by his sole authority, changed the title of Earl of Morton, which he had conferred on the deceased Lord Maxwell, into that of Earl of Nithsdale, which he now conferred on Lord Maxwell, his son, whose designation would be Lord Maxwell, Lord Eskdale, and Earl of Nithsdale." But it was expressly declared that this change was without prejudice to the antiquity of the former titles.

The title of Nithsdale was more appropriate as a family title of honor than that of Morton, for which it was exchanged. Morton had not been previously in the family as a territorial possession, and they acquired only a "quasi" right through the marriage of a co-heiress. On the other hand, the rich and beautiful vale of the Nith, in Dumfriesshire, through which the river Nith flows, was historically associated with the Maxwells. From a very early period they owned the castle of Caerlaverock, which was the key to the whole of that district. The family also, through its heads and branches, had long possessed large territories on both banks of the Nith, from its mouth where it falls into the Solway Firth, to nearly the source of that river in the parish of Dalmellington, in Ayrshire.

Unlike his brother and his predecessors, the Earl of Nithsdale was a man of peace and he strove to staunch the feuds which had so long existed between the Maxwells and the Johnstones. On the 17th of June, 1623, the Earl and James Johnstone of Westraw appeared before the Privy Council, and in testimony of their reconciliation "choppit hands." In his pecuniary difficulties, as well as in his disputes with the other nobles respecting precedence and privileges, the Earl of Nithsdale was powerfully aided by the Lord Chancellor, the celebrated "Tam o'the Cowgate." The Lord Chancellor, who held Maxwell in high personal esteem, with characteristic shrewdness also desired to gain influence with the

powerful Duke of Buckingham, whose niece Lord Nithsdale had married. As both the Earl and his cautioners were hard pressed by his creditors, the King was induced to interfere for his protection, and to arrest the proceedings against him. This was an act of gracious interference which had to be repeated more than once.

As might have been expected, Lord Nithsdale was a strenuous supporter of Charles I. In 1625 he was sent as the Royal Commissioner to hold a convention of the Estates for the purpose of obtaining the surrender of all the tithes and other ecclesiastical property which had been forfeited to the Crown at the time of the Reformation. Upon hearing this demand, the nobles, most of whom had shared in the plunder of the Church, were determined to resist to the last extremity. Bishop Burnet states that a number of them conspired, resolving that if the Commissioner persisted in requiring an unconditional surrender of the teinds, "they would fall upon him and all his party in the old Scottish manner, and knock him on the head." Lord Belhaven, one of the conspirators, though old and blind, resolved to make sure of at least one victim. He, being seated beside the Earl of Dumfries, seized upon the Earl of Nithsdale with one hand, and was prepared, should any disturbance arise, to plunge a dagger into his heart. Perceiving this determined opposition, Nithsdale disguised his instructions and returned to London without accomplishing the object of his mission.

The encouragement and support which the Earl afforded to the Roman Catholics in Dumfries and its vicinity gave great offense to the Presbyterians. The ministers of that town complained to the Privy Council, in strong terms, of the insolent behavior of the Papists' in those parts, imputing the blame to the Earl of Nithsdale and Lord Herries. "It is a pity," wrote Archbishop Spottiswood to the Earl, "that your Lordship will not be movit to leave that unhappy course which shall undo your Lordship, and make us all sorry that love you; and how much prejudice the meanwhile this will bring to his Majestie's service, I cannot express." (Editor's Note: In 1977, I had the privilege of visiting Kirkconnel, one of the old Maxwell estates. Kirkconnel is located south of Dumfries, on the west side of the River Nith, near New Abbey. There, my gracious host, Francis Maxwell-Witham, showed me a portion of his home whose foundations were originally constructed in the 14th century. Along a stone stairwell leading to the upper part of a tower above the ancient foundations and constructed centuries later, Francis showed me a concealed room. There, in days past, the Maxwells would shelter priests who were being hunted for preaching the religion of Rome.)

When the civil war broke out between Charles I and the Scots, the Earl of Nithsdale zealously supported the royal cause. He garrisoned his castles of Caerlaverock and Thrieve, furnishing them with a large quantity of arms, ammunition, and provisions, in order that they might sustain a protracted siege. Caerlaverock, which had been greatly injured by the English invaders in 1570,

was restored to more than its original strength. The Estates, hearing of his preparations, sent a strong body of troops under Colonel Home to besiege the stronghold. It held out for thirteen weeks though powerful batteries were brought to bear upon it. But as no relief could be sent, the Earl, with the approval of the King, surrendered on very favorable terms. The inventory of the household furniture of the castle, preserved at Terregles, gives an interesting account of the splendor and elegance of the establishment, and throws much light on the domestic condition of the great baronial families of Scotland at that period. Caerlaverock was shortly after dismantled by order of the Committee of Estates, as was the castle of Thrieve, which was also surrendered to the Covenanters. The Earl complained bitterly that faith had not been kept with him in this matter, and that the losses which he had suffered in violation of the terms of the capitulation amounted to not less than 15,000 pounds sterling.

The ill-fated nobleman's whole rents, amounting to 3,000 pounds sterling, were seized in the year 1643. In the following year he was not only forfeited by the Estates, but also excommunicated by the Church. With the exception of two brief intervals, the Earl remained in exile from the year 1639 until the time of his death. He died and was buried on the Isle of Man in 1646. His wife survived him a quarter of a century.

Robert, second Earl of Nithsdale, the only son of the first Earl, was, like his father, a steadfast supporter of the royal cause during the Great Civil War. He was taken prisoner on the 12th of October, 1644, when the town of Newcastle was stormed by General Leslie, and was imprisoned in the Tolbooth of Edinburgh. He remained there until after the defeat of the Covenanters at Kilsyth by Montrose, on 15th August, 1645. An Act of Parliament was passed in 1647, restoring him against his father's forfeiture. However, the estates of the family were so heavily burdened in consequence of the losses sustained during the Civil War, he was compelled to sell the Barony of Mearns to Sir George Maxwell of Pollock, and Langholm to the curators for the Duke of Buccleuch and Monmouth. (Editor's Note The Barony of Mearns was located in Renfrewshire. I believe it lay to the east of the Barony of Pollock, in the area where the present day town of Newton Mearns is located.) On the restoration of Charles II, the Earl was persuaded by his friends, to go to London and submit to the King a statement of the injuries suffered in the royal cause, and to press on his Majesty his claims for compensation. The amount spent on maintaining the castle of Caerlaverock, the destruction of that stronghold, the College of Lincluden, and the castles of Dumfries and Thrieve, together with the rents uplifted during the disturbances, amounted, he alleged, to more than 40,000 pounds sterling. But with the characteristic ingratitude of the Stewarts, the claims of the Earl were rejected, and no compensation appears ever to have been made to him.

Earl Robert was commonly designated "The Philosopher." Among other pursuits he was said to have been addicted to the study of astrology. He died on the Isle of Caerlaverock, unmarried, 5th October, 1667. He was succeeded by his kinsman, John Maxwell, seventh Lord Herries, the eldest of eight sons of the sixth Lord Herries by his wife, a daughter of John, seventh Lord Maxwell and Earl of Morton.

John, third Earl of Nithsdale, like his predecessors, suffered heavy losses for his adherence to the royal cause during the Great Civil War. Detachments of the Parliamentary troops were quartered with him and his tenants no less than seven times. They destroyed and plundered his effects. Large fines also were imposed upon him, and considerable sums were exacted from him to maintain the forces raised by the Committee of Estates. His life and estates were forfeited by the Parliament, and he was excommunicated by the Church for supporting the King. After the Restoration, he presented a petition to the Parliament in 1661, "humbly praying that they would appoint some of their number to cognosce upon his sufferings for his loyalty and obedience to the King, in his person, means, and estate." The committee nominated for this purpose reported that the Earl's losses were estimated to amount to 77,322 pounds Scots, "besides the insupportable burden of 'cess' and quarterings to which he was liable, with the rest of the kingdom, during the late unhappy troubles." But it does not appear that he obtained any compensation for his sufferings and losses in the royal cause. The Earl, however, continued through life a steady supporter of the government. He was required by the Privy Council to take an active part in the suppression of conventicles and the apprehension and punishment of the Covenanting ministers and their adherents. He died in 1677, having enjoyed the title and estates of Herries for thirty-five years, and afterwards the earldom of Nithsdale and the Maxwell estates for eleven years. He had by his wife, a daughter of Sir Robert Gordon of Lochinvar, three sons, the eldest of whom---

Robert Maxwell, became fourth Earl of Nithsdale. Like his father, he was a staunch supporter of the arbitrary and oppressive government of Charles II and his brother James, and a persecutor of the Covenanters. He received repeated commissions from the Privy Council to apprehend ministers or preachers who kept conventicles as well as substantial persons who had been present at them. Various communications passed between him and the notorious persecutor, John Graham of Claverhouse, regarding the measures which they adopted in carrying out the instructions of the government. Lord Nithsdale was rewarded for his services with a grant from King Charles of 200 pounds a year. This was subsequently exchanged for a grant of as much land out of the forfeited estates of the Covenanters, within the county of Wigton and the Stewartry of Kirkcudbright, as would yield a free yearly rent of 4,000 merks Scots, as well as the payment of a portion of his annual rent as was then in arrears. The forfeited estates of Alexander Hunter of Colquhasben, in the parish of Old Luce, was given to the Countess of Nithsdale, and not less than seventeen

other forfeited estates of Covenanting lairds were gifted to the sons of Lord Nithsdale and retained by them until the Revolution of 1688. The Earl died in 1683. It appears that, notwithstanding the royal pension and the gifts of the lands of the Presbyterians, he went through life in embarrassed circumstances. When called on to visit Edinburgh to settle his accounts as Steward of Kirkcudbright with the Exchequer, he had to obtain protection from his creditors, who had taken out captions against him. After Earl Robert's death, his widow, a daughter of the Marquis of Douglas, obtained a pension of 200 pounds a year, on the ground of "the low condition of the family of Nithsdale and the great burdens that lay on the estate." She skillfully managed not only the household affairs at Terregles, but other pecuniary and property transactions doing all in her power to retrieve the fortunes of the family and to liquidate the debts and incumbrances with which the estate was burdened. (To be Continued)

SCHEDULE OF EVENTS

Glengarry Highland Games Kenyon Agricultural Grounds Maxville, Ontario, Canada	Aug 3
Montreal Highland Games Seaway Park St. Lambert, Quebec, Canada	Aug 4
Edinburgh Military Tattoo Edinburgh Castle Edinburgh, Scotland	Aug 9-31
Central New York Scottish Games Griffin Field, Liverpool, NY	Aug 10
Pacific Northwest Highland Games Everett Memorial Stadium, Everett, WA	Aug 10
Rocky Mountain Highland Games Brooks Field, Golden, CO	Aug 10-11
San Diego Scottish Games Balboa Stadium, San Diego, CA	Aug 17
Campbell Highland Games Campbell Community Center Campbell, CA	Aug 18

Until next time.

Aye,

Bill