

Transactions  
OF THE  
BANFFSHIRE FIELD CLUB.



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## WEDNESDAY, MARCH 15, 1933.

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A meeting of the Club was held at Banff this evening, the president, Sheriff More, in the chair. The lecturer was Mr Alistair N. Tayler of Glenbarry. He has been for quite a number of years past one of the most warmly welcomed of annual visitors to meetings of the Club, and on the present occasion he enhanced the obligations which members feel that they owe him by bringing with him Miss Henrietta Tayler, who has been so brilliantly associated with him in his valued literary projects. Both received a welcome of the heartiest kind. Mr Tayler's paper was devoted to the Ogilvies of Boyne. In talk that followed it there was recalled the marriage of Alexander Ogilvie, 4th of Boyne, in 1566 to Mary Beaton, one of the Queen's Four Maries, and the circumstance that it is mentioned in certain works of local history that Mary Beaton was buried in the churchyard of Deskford. Nothing in the nature of authoritative evidence has appeared that such was the case, and Mr Tayler said he was strongly inclined to believe that her dust rests in the burying ground of the Boyne family in the churchyard of Boyndie. High appreciation was expressed of a contribution that gave much interesting and authoritative information of men and events in Lower Banffshire throughout several centuries, and the vote of thanks to Mr Tayler, proposed by the Sheriff, was awarded with acclamation. Mr Tayler said—

### THE OGILVIES OF BOYNE.

In 1368 the thanedom of Boyne was granted by David I. of Scotland to Sir John Edmonstone in Midlothian and the accounts of the Bailies of Banff show that in 1426 £4 was paid out of "the fermes" of the town "to the heirs of the deceased David Edmonstone, Lord of Boyne." It was from the family of Edmonstone that the Ogilvies first acquired the property of Boyne which they held from 1485 to 1709. Sir James Edmonstone of Boyne and Tulliallan, Perthshire, had two daughters, co-heiresses, and the younger, Margaret, became,

about 1484, the wife of Walter Ogilvie, the first of the line of Boyne.

### **Walter Ogilvie, First of Boyne.**

Sir Walter Ogilvie, 1st of Boyne (born circa 1460, died circa 1508) was the second son of Sir Walter Ogilvie of Auchleven, Sheriff of Banff. Sir Walter of Auchleven married Margaret, daughter of Sir John Sinclair of Deskford and Findlater, by whom he had (with other issue) Sir James Ogilvie of Deskford, ancestor of the Earls of Findlater and Sir Walter Ogilvie of Boyne, who was the progenitor of the Lords Banff.

Walter Ogilvie of Boyne had a distinguished career and was honoured by the sovereigns of Scotland. In 1486 James III. appointed him body squire and after the battle of Sauchieburn (11th June 1488) Ogilvie filled a similar post in the household of James IV. and became one of that monarch's most trusted friends and advisers, being elected one of the lords auditors as well as a member of the King's Council in 1489, and one of the five lords of causes on behalf of the Barons.

Sir Walter was alive in 1507 but he died prior to 7th August 1508.

By his wife he had five sons and two daughters:

- (1) George, 2nd of Boyne.
- (2) Sir William of Strathern, Lord High Treasurer of Scotland.
- (3) James, Rector of Kinkell, Commendator of Dryburgh, and first Professor of Civil Law in the University of Aberdeen.
- (4) Sir Walter of Dunlugas, ancestor of the Ogilvies of Banff and Carnousie.
- (5) John of Cloanmore.

The daughters were Janet and Elizabeth.

When the Collegiate Church of Cullen was founded in 1543, amongst the people named in the foundations are: "James Ogilvie of Deskford, Knight," "Walter Ogilvie of Boyne, Knight, Master James Ogilvie, Rector of Kinkell, his son, and Master Patrick Blackader of Tulliallan" (his brother-in-law). The prebendary was to pay the priests in the Chapel of St Anne in the Church of Fordyce (for celebrating on St Talercan's day the obsequies



of those whose bodys are buried in the said Church) seven shillings and six pence—also six shillings in equal portions to twelve poor persons who were to remain during the said service!

### **George Ogilvie, Second of Boyne.**

George Ogilvie, 2nd of Boyne (born circa 1480, died circa 1512.)

On the death of his father, George Ogilvie succeeded, but little is known about him. In March 1491, when he was only a child, the King granted to "George Ogilvie, son and apparent heir of Sir Walter Ogilvie of Boyne and his heirs whatsoever the lands, barony and thanedom of Boyne." On the 10th December 1499 a contract was made between Alexander Irvine of Drum and his son Alexander, and Sir Walter Ogilvie of Boyne and his son George that the latter should marry Elspet Irvine and for this purpose a special dispensation was to be obtained from the Pope as they were within the prohibited degrees of relationship.

The marriage of George Ogilvie took place in his father's lifetime but the latter was dead in 1508. George Ogilvie obtained a charter of the lands of Fergustown, in the barony of Aberchirder, and died in 1512 when his brother, Sir William Ogilvie of Strathern, was appointed tutor to his son and heir Walter.

### **Walter Ogilvie, Third of Boyne.**

Sir Walter Ogilvie, Knight, 3rd of Boyne (born circa 1504, died circa 1561.)

The third owner of Boyne was very young at his father's death as he appears to have been under the direction of guardians for a good many years. His uncle, James Ogilvie, succeeded Sir William Ogilvie of Strathern as tutor and held that position till his death in 1518, while he was followed by another uncle, Sir Walter Ogilvie of Dunlugas, who remained in control till 1525 when, it is presumed, Walter of Boyne attained his legal majority.

He married early, as in 1525 King James V. confirmed to him and Christian Keith, his wife, some lands in the thanedom of Boyne, which Walter had resigned. Amongst the papers at Cullen House there is a charter by



Alexander Ogilvie of that Ilk to Walter Ogilvie of Boyne, his cousin, of the office of Constabulary of Findlater.

Walter Ogilvie of Boyne was knighted and chosen Provost of Banff in 1549. In 1550, for his good services the Queen made Portsoy a burgh of Barony, while two years subsequently Sir Walter was made a commissioner for the Sheriffdom of Banff in connection with raising foot soldiers to go to France for the support of the "Maist Christian King." (Henry II.)

By his wife, Christian Keith, he left at least two sons:

- (1) Alexander, who succeeded to Boyne.
- (2) Walter of Baldavy;  
and four daughters:
- (1) Margaret, married John, Master of Buchan, killed at Pinkie.
- (2) Christian, married Patrick Mowat of Balquhollie.
- (3) Marjorie, married James Dunbar of Tarbat.
- (4) Barbara, married Alexander Ogilvie of Cardell. Their son was Walter, 1st Lord Deskford, and his son James, was the 1st Lord Findlater.

#### **Alexander Ogilvie, Fourth of Boyne.**

Alexander Ogilvie, 4th of Boyne (born circa 1530, died circa 1601).

The first mention of the next Laird of Boyne is in 1562, when Queen Mary granted to Lord Mar the gift of marriage of Alexander Ogilvie. This takes the form of a letter dated "At Sanct Androis the secund day of Aprile the year of God 1562." Queen Mary, as is well known, visited the north of Scotland in 1562. A manuscript, being the book of Sir James Ogilvie, Master of the Household of Queen Mary, written in French, contains the following: "On 19th September she departed from Spynie, dined at Cullen and supped and slept at Craig of Boyne. On 20th after dining at Craig of Boyne, she proceeded to Banff, where she supped and slept." This most likely refers to the older building near the sea, the site of which can still be traced, about a mile from the present ruin. The name of the early castle on the rock was transferred to its successor, which was probably built by Alexander

Ogilvie shortly after his marriage in 1566, to Mary Beaton, one of the Queen's ladies.

The original contract of marriage is in the Register House, Edinburgh, dated "the third day of May the year of God 1566, and is signed by Marie R. Henry R. Huntly, Bothwell, Atholl, James Stewart, Angus. Boyne. M. Bethune."

Mary was the eldest daughter of Robert Beton of Creich and his wife Jeanne Gresoner, from whom she inherited much of her personal attractiveness, her dark eyes and golden hair. She was not only a beauty but the possessor of a lively wit and a personal charm which fascinated all who met her. There is a picture of her in the National Portrait Gallery, Edinburgh (and another reputed to represent her at Cullen House, Banffshire; in this latter she is depicted with dark brown hair and it in no way resembles the other portrait.) Mary Beton went to France with her Royal Mistress in 1548 when about five years old, and she remained in attendance on the Queen—as one of her "four Maries"—until she married.

In the "Calendar of State Papers—Scottish Series," there are several references to her. The first is in a letter from Thomas Randolph, English Ambassador, to Cecil, of date 1st April 1563. "At this time the Queen knew nothing of the Grand Prior's death, nor was any man so 'hardie' as to let her know it—some thinking best to defer it, others to let her know all her sorrows at once. Mademoiselle Beton, both hardieste and wyseste, geve the first adventure, as a thynge harde by my report, in good wordes humblye praying her majestie to tayke the workes of God with a meeke hart, and as myche as she myght, caste awaye her sorrowes." Within eighteen months of the Queen's own wedding (29th July 1565) three of her maidens entered the bonds of matrimony—firstly, Mary Livingstone, who married a younger son of Lord Sempill, then Mary Beton became the wife of Alexander Ogilvie in 1566, and early in the following year Mary Fleming married Secretary William Maitland of Lethington who was twenty years her senior. Mary Seton remained unmarried.

On 5th February 1565, Randolph wrote to Queen Elizabeth from St Andrews, where he



had been to see Queen Mary: "Next day I was placed at my ordinary table the nexte person (saving worthie Beton) to the Queen's selfe, verie merrilie she passeth her tyme."

Two months later Randolph wrote to Bedford describing a game of bowls played at Edinburgh. "I had the honour to play a partie at a playe theie call the biles, my mestres Beton and I aganyste the Queen and my lord Daryle—the women to have the gayne of the wyynnings. Beton and I having the better, my lord Daryle payde the losse and gave her a ringe and a bruch with two agathes worthe fyftie crowns."

To return to Alexander Ogilvie. It would seem probable that after his marriage he and Mary Beton retired to Boyne. He was certainly in the North in 1567 as he was a witness to a disposition by the town of Banff of the salmon fishings of the King's water. But later in the same year he was back in Edinburgh, for he formed one of the jury appointed to try the Earl of Bothwell for the murder of Lord Darnley.

In the following year Queen Mary having escaped from Lochleven, her adherents drew up a bond at Hamilton, 8th May 1568, by which they agreed to support her in these terms:—"God having been pleased to free the Queen from her disobedient and unnatural subjects who presumed to hold her in prison, the undersigned bind themselves to serve and obey her." Amongst the signatories were George, Earl of Huntly, Lords Findlater and Banff and Alexander Ogilvie of Boyne. The battle of Langside took place five days later and Alexander Ogilvie was one of those taken prisoner. There is nothing to show where or for how long he was detained, but in July 1573 he became surety for the good behaviour of James Irvine, brother of Alexander Irvine of Drum, that the former would appear before the Regent and Council on 31st August and meanwhile should do nothing against the Christian religion established in the kingdom, nor against the King. Alexander Ogilvie himself was not served heir to his father, Walter, until 1575. This year seems to have been an eventful one for the family of Boyne, but here it will be well to correct an error which has hitherto



-crept into every account of this family. It has been stated, frequently, that in 1575 Sir George Ogilvie of Dunlugas acquired the estate of Boyne from the elder branch of the family and that it continued in the Dunlugas family until it was ultimately bought by Lord Findlater and Seafield. This is not correct. The estate remained in the hands of the original Ogilvie family and descended in a direct line until its purchase, which took place in 1709 and not in 1731 as is usually stated. There is no doubt, however, that Alexander Ogilvie was in financial difficulties in 1575, probably owing to the outlay in building the new Castle, and he certainly borrowed large sums from his relatives and others, in consequence of which his estates were "occasionally appraised" for the payment of these debts. He was especially indebted to Sir George Ogilvie of Dunlugas, who seems to have exercised considerable control over the estate with extensive powers. But that he ever became full proprietor of the property is not true, since Alexander's son, James, duly succeeded as heir, on the death of his father, whereas if Sir George Ogilvie of Dunlugas had really become the owner, the property would have descended in *his* family.

By his wife, Mary Beton, Alexander Ogilvie had three sons:—

- (1) James, who succeeded to Boyne.
- (2) Andrew of Raggall.
- (3) Robert.

It has been impossible to find the date of Mary Beton's death, but several books are wrong in stating that Alexander Ogilvie and his wife, Mary Beton, were both alive in 1606. Mary Beton certainly died before 1599, as in that year Alexander Ogilvie married, secondly, Lady Jane Gordon, daughter of George, 4th Earl of Huntly, who had, in 1566, married James Hepburn, 4th Earl of Bothwell. Lady Jane Gordon married, secondly, in 1573, Alexander, 12th Earl of Sutherland, by whom she had five sons and two daughters. The Earl died in 1594 and Lady Jane married thirdly (contract dated at Elgin 10th December 1599), Alexander Ogilvie of Boyne, who, according to the Scots Peerage, "did not survive the marriage many years." Lady Jane died at

Dunrobin, 14th May 1629, in her 84th year, and was buried in Dornoch Cathedral.

The death of Alexander Ogilvie occurred in or before the end of 1601, for in the Accounts of the Comptroller for that year is the following entry: "Payit to the aires of umquhile Alexander Ogilvy of Boyne furth of the burrow mailles of Banff of the present yeir £4."

#### **James Ogilvie, Fifth of Boyne.**

James Ogilvie, 5th of Boyne (born circa 1570, died circa 1619).

Eldest of the children of Alexander Ogilvie and Mary Beton, and probably born about 1570. He married when quite young, Elizabeth, third daughter of Alexander Irvine of Drum, and got a Charter under the Great Seal, dated 22nd February 1597, in his father's lifetime, of certain lands near Portsoy.

Elizabeth cannot have long survived this marriage as we find James Ogilvie marrying for the second time, after 28th July 1601, Isobel, daughter of Walter Ogilvie of Dunlugas. By her there were two children:

- (1) Walter, who succeeded as 6th of Boyne.
- (2) Marie, who married Alexander Ogilvie of Knock, 4th son of Sir George Ogilvie of Carnousie.

In June 1606 the King gave to James Ogilvie—"for good services"—a fresh grant of the lands of Boyne and among those appointed to be Justices of the Peace for Banffshire in 1610 we find his name. In 1619 he made over certain lands to his son Walter and his brother, Andrew Ogilvie of Raggail, who died shortly afterwards. In 1623 his widow, Isobel, married John Ogilvie of Glassaugh, with consent of Walter Ogilvie of Boyne (her son).

#### **Walter Ogilvie, Sixth of Boyne.**

Walter Ogilvie, 6th of Boyne (born circa 1601, died circa 1626.)

Walter Ogilvie was served heir to his father, James, also to his great-grandfather, Sir Walter (3rd of Boyne) in 1620. During the same year he married Violet Forbes, second daughter of John Forbes of Pitsligo (father of Alexander, 1st Lord Forbes of Pitsligo).

The Register of the Privy Council records the fact that in February 1623, the King's Ad-



vocate, with Mr Patrick Tulloch, Minister of Forres, and Robert Tulloch, younger of Tan-nachy, brought an action against Sir Thomas Urquhart of Cromarty and others for riot and assault in the Kirk of Forres. Amongst the others were Walter Ogilvie and George Ogilvie, elder and younger of Banff, Walter Ogilvie of Boyne, Walter Ogilvie of Inverichnie, John Ogilvie of Glassaugh, and several Urquharts, who attacked and beat the Minister of Forres during divine service. In spite of the above—in this year—Walter Ogilvie of Boyne was appointed a Justice of the Peace for Banffshire!

In the Register of the Privy Council for 1st August 1625 there is a Licence under the Signet to Walter Ogilvie of Boyne and Walter Ogilvie of Inverichnie (Boyne's uncle on his mother's side) to go abroad for three years. Three days later Walter Ogilvie of Inverichnie enters into a caution of 1000 merks that Walter Ogilvie of Baldavie will not molest Walter Ogilvie of Boyne nor his household, cattle, etc. In view of the above permit to go abroad, Walter Ogilvie of Boyne made a Will at Edinburgh on 1st September 1625, from which a brief extract may be given: "For as meikle as I Walter Ogilvie of Boyne, havin takin resolution to go furth off ye cuntrie to other parts beyond the sea, make yis my Latter Will and Testament in forme (etc., etc.)—I refer ye Inventor of my guidis (etc.) to George Ogilvie Laird of Banff—younger—according to ye direction wch. I hav maid to him—and I constitute him my onlie Exor. He, John Forbes of Petsligo—whom failing Alexander Forbes his son and app. heir—Sir Thomas Urquhart of Cromartie, David Beton Laird of Creich, and George Ogilvie of Carnousie to be Tutors Testamentor to my eldest sone and remanent bairns till they be of perfect age of 14." The disappointing thing is that he does not say where "beyond the sea" he is going.

He must have either died or been killed, in 1626, on some foreign service, but there is no clue as to what this was.

He left two (or three) children by his wife, Violet Forbes. A daughter, Christian, married in 1641, Sir James Baird of Auchmedden. The eldest son, Walter, was the next Laird.



### Walter Ogilvie, Seventh of Boyne.

Walter Ogilvie, 7th of Boyne (born circa 1621, died circa 1666.)

Was only a child at the time he succeeded, and was under tutors and guardians for some years. The first mention we have of him occurs in some papers at Forglen which are marked "anent the Laird of Banff's intromissions with the Estate of Boyne during Walter Ogilvie of Boyne's Minority, 1625 and onwards." The next is a "Discharge by Walter Ogilvie of Reidhythe to the Right Honourable George Ogilvie appearing of Banff, undoubted wardator of the ward and living of Boyne and Walter Ogilvie pupil, appearing of Boyne—anent Reidhythe." This is dated at Banff, 16th April 1627. Then follows a "Registered Discharge by Walter Ogilvie now of Boyne, son of umquhile Walter Ogilvie of Boyne, with consent of Sir Patrick Ogilvie elder of Inchmartin, Knight, his father-in-law, and Sir Patrick for himself and as cautioner and taking burden for the said Walter, to Sir George Ogilvie of Banff, Knight Baronet, of the mails of the thanedom of Boyne and forest lands thereof." This is dated at Edinburgh, 4th March 1637. It should be noted that the 7th Laird of Boyne—subsequently Sir Walter Ogilvie—had married Elizabeth, daughter of Sir Patrick Ogilvie of Inchmartin, and sister of Patrick, 2nd Lord Findlater. In December of this year Walter Ogilvie, 7th of Boyne, was served heir to his father, Walter Ogilvie, 6th of Boyne.

In "the Troubles" of the year 1645, Walter Ogilvie at first took an active part on the Covenanting side. Montrose, after his victory at Auldearn, swept along the north of Banffshire. Spalding relates that "Montrose marches from Findlater to Boyn, plunders the country and burns the bigging . . . The Laird himself kept the Craig of Boyne, wherein he was safe, but his hail lands for the most part were burnt up and destroyed." His whole lands from Portsoy to Banff were harried. After Montrose passed on, Hurry encamped about Over and Nether Buckie and there the Earl of Findlater and Walter Ogilvie of Boyne joined him.

In 1648 a motion was carried in the Estates

of Parliament to send an army to deliver King Charles I. from captivity, and Boyne had so mitigated his enthusiasm for the Covenant as to join the Duke of Hamilton and "the Engagers," and later to take part in the invasion of England, which ended in the defeat of Worcester, an indiscretion for which, on his return home to Boyne, he had to suffer church discipline. (But previous to this he seems to have been in some financial difficulties and some of his lands were appraised for debt in 1649 by James, Earl of Findlater, and a certain John Clark, merchant in Edinburgh. The Earls of Findlater held certain portions of the Boyne estates for a number of years.)

In November 1649, Mr W. Chalmer, minister of Boyndie, reported that "he had spokine with Walter Ogilvie of Boyne anent the last unlawfull Engagement with England, and that he had promised to give all satisfacione, as he suld be enjoyned."

In 1658 the Laird of Boyne is described as "Sir Walter" though the date of his being made Knight is not known and in 1660 he settled on his eldest son (Patrick) the barony and thanedom of Boyne. Under an Act for renewing Justices of the Peace, passed in 1663, besides the Lords of the Privy Council and Senators of the College of Justice, there were appointed, within the shire of Banff (amongst others) "the Laird of Boyne and Sir Patrick Ogilvie, Yor. of Boyne."

Sir Walter died between 30th April 1666 and 26th October 1667, and was succeeded by his eldest son, Patrick.

All previous accounts of the family of Ogilvie of Boyne (even including Nisbet's plates) have made the error of supposing that Walter Ogilvie who was served heir to his father James in 1620 and Walter Ogilvie who died in 1666 and was succeeded by his son Patrick, were one and the same person. The documents now available from the Forglen charter chest, with their frequent references to Walter Ogilvie of Boyne, "son of umquhill Walter," make it clear that there were *two* lairds of this name, father and son, of whom the first married Violet Forbes and the second Elizabeth Ogilvie of Inchmartin.



### Sir Patrick Ogilvie, Eighth of Boyne.

Sir Patrick Ogilvie, 8th of Boyne. In 1660 his father, Walter Ogilvie, settled on Patrick the barony of the thanedom of Boyne. (The law of entail was not then in operation, and before Sir George Mackenzie's Act of 1685, the method was for a father to create a liferent in himself and convey the fee to his heir.) In 1663, he is named Sir Patrick Ogilvie, knight. In May 1664 he married Anna Grant, eldest daughter of the deceased James Grant of Freuchie, Laird of Grant. On 3rd July of that year provision was made for her "as apparent Spouse to Sir Patrick Ogilvie, yor. of Boyne, Knight," of the lands of Buchragie and its Manor Place and of the lands of Dallachy, all in Boyndie. An armorial stone, originally at Boyne, now built into the wall of Cullen House, bears the arms of Ogilvie and Grant impaled, with the date 1668. James Grant died in September 1663 but his will was not confirmed until July 1665. Amongst "debts restand be the defunct" there is "Item, to the defunct's daughter Anna, twelv thousand poundis." Under "Legacie and Letter Will" there is "Item, I leav to my daughter, Anna Grant, the soun of eighteen thousand merks Scotts." This is curious, as 12,000 pounds Scots and 18,000 merks Scots equally amount to £1000 sterling, so James Grant was merely leaving his daughter the exact sum he owed her!

According to the Register of the Privy Council, Sir Patrick Ogilvie of Boyne was, in 1664, granted a commission to apprehend rebels. The year 1667 was an unfortunate one for him as his father, Sir Walter, is stated to have died between April 1666 and October 1667, while there is an entry in the Diary of John Row, under date 28th April 1667, as follows: "Sabbath, died the Lady of Boyne, spouse to Patrick Ogilvie of the Boyne, in a sudden fit of swarving" (fainting).

Sir Patrick married, secondly, about 1679, Anna, daughter of the last Douglas of Whittinghame, widow of Patrick Barclay of Towie.

On the death of his father, Sir Patrick entered into possession of a large estate; his principal seat was, of course, Boyne Castle and the dower house was at Buchragie. Traces of



the latter can still be made out to the west of Boyndie Kirk. The lands stretched from Portsoy to Banff. He had early turned his attention to law; and his ability, coupled with his influence, marked him out for political advancement. The Freeholders of Banffshire sent him, along with Sir James Baird of Auchmedden, the Sheriff Principal (who had married his aunt, Christian Ogilvie), to represent them in the Scots Parliament of 1669, which lasted until 1674. He was re-elected in 1678 and sat again in 1681 and 1685 for the county with Sir George Gordon of Edinglassie. He represented Banffshire in 1689 with Alexander Duff of Braco, and continued to sit until April 29th, 1693, when his seat was declared vacant because he had not signed "the assurance," and Sir James Abercromby of Birkenbog was chosen in his place. Thus Sir Patrick represented his native county for a period of twenty-four years in all.

His knowledge of the law was extensive and in 1681 he was made a Judge of the Court of Session under the title of Lord Boyne. Previous to this, in July of the same year, Sir Patrick Ogilvie, with many others, had signed a declaration that "it is unlawful under all circumstances to take up arms against the King." The Register of the Privy Council, 1684, also records that "Sir Patrick Ogilvie of Boyne, Lord Boyne, purchases a suit of clothes made of English cloth!" This seems to have incensed the masters and others concerned in the manufactory at Newmilnes who lodged a complaint against a certain Robert Cunningham and others, merchants in Edinburgh, for illegally selling English cloth and thus infringing the monopoly of the complainers—a special complaint being made against "Andrew Irvinge" who had sold "a sute of English cloath clothes to the Lord Boyne."

In January 1686 he received a pension from King James II, for what reason is not clear, as he still continued to exercise his functions as a Judge, but as he had, in June 1677, received a royal protection against paying annual rents on his mortgages, he was possibly already falling into financial difficulties and, as a good Jacobite, was considered worthy

of royal support. The Accounts of the Lord High Treasurer for this year show a list of the pensions his Majesty had granted to fifty-two persons, whereof there is above £12,000 sterling paid to Papists, amongst them Ogilvie of Boyne.

#### Assaulted at Edinburgh.

In May 1686 Lord Boyne was insulted in the High Street of Edinburgh, as he was returning from Court, by Campbell, younger of Calder, who after spitting in his face and offering to strike him, called him a rascal and a villain, and said that if his Lordship had had a sword, he would have run him through. The Court of Session committed Campbell to the Tol-booth and laid the matter before the King, who directed that Campbell should ask his Majesty's pardon and theirs, and particularly Lord Boyne's, on his knees. This he did on September 14th. The trouble seems to have arisen in connection with Sir Patrick Ogilvie's third wife, whom he married in December 1682. She was Anne Montgomerie, youngest daughter of Hugh, 7th Earl of Eglinton and widow of Sir Andrew Ramsay, Bart. of Waughton. In the Diary of Lord Fountainhall, the above incident is described; after recounting the attack by young Calder in the High Street, he sums it up tersely by saying: "the cause was, he was said to have lyen with Boyne's lady." On the 27th April Lady Boyne's brother, Francis Montgomerie, in a letter to his sister, writes: "since the sad breach betwixt my Ladie Ann and her Lord is too notour, I only express myself trulie afflicted therewith, and wishes heartilie an reparation."

The relations between Lord Boyne and his wife are referred to at some length in the correspondence of James, Earl of Findlater and Seafield. She was at this time about to have a baby and her husband's considerable doubts as to its paternity, probably accounted for his apparently heartless treatment of her. But that she was still living at Boyne is proved by a letter which she writes to her "deir Sister," Lady Findlater, from that place on 1st October 1686, in which she complains of her husband's behaviour. "I trusted to my Lord Boyne's promise in sending to Abd. to bring a



meidwyfe to bring me to bed, in a chaire; and now when I expect he should doe it, will not condescend, so I send thrie dollers and intraite ye will send a fott man with this inclosed to my Lady Abd., who will send ye meidwyfe, as she wrets in her letter qch I have sent to you. . . . I have seall symptoms that I cannot be long befor I be brought to bed. Ye thrie dollers are to hyre a horse to ye medwyfe, and ane other for ye chair . . . onlie if ye have any love for me ye will obey this desyre, for I am her, who is Your most affectionate sister and humble servant

Ann Ogilvie."

The next day Lord Boyne wrote to Lord Findlater as follows: "My Lord,—I cannot expres the trowble my wyf's deportment hath occasioned me since I saw yow; but I most endeavor to bear all, the best I can. I cannot rationally venture to be in a hows with her, since burning is the least she threttins; and banish myself from my owen hows I cannot; but she most resolve to goe somewher and be brought to bed. I shall not spair monie on her expence, but in my hows she shall never com. I wish som of her friends deall with her, to goe to som convenient pleace, and not expos herself mor then she hath done, to be the talk of all who hear of her. Sinc yowr Lop. wes pleased to call for me this day I judged it my dewtie to let yow know my thoughts in this affair.

I am, My Lop., Yowr most humble servant,

Patrick Ogilvie."

The next letter on the subject, to Lord Findlater and Seafeld from George Leslie of Birdsbank, Sheriff-Clerk of Banffshire, shows that Anna Ogilvie was then living in the latter's house in Banff, as doubtless Sir Patrick, wishing to return to Boyne, had compelled her to leave that place. George Leslie's letter furnishes so many details of the trouble between husband and wife that it may be quoted in full. It is dated Banff, October 26th, 1686. "My Lord,—I have presumed to give your Lop. this trouble, tho perhaps it come unseasonable to your hands, and thought fit to tell that my Lady Ann, Boynd's Lady is now heir att my hous. I am sory I have not accomodatione for hir, that is suitable to one off hir



qualitie; but as it is, she is very wellcome to it. It wer tedious to give your Lop. account of all the passadges off this day and I sall only modestly say shee meets with a little severitie and hardship. She is heir on hir road ffor Abd; and this same night I have taken the ffredome to wreit to my Lord Boynd, to qch letter I caused Achmedden (who is att this place as yet) subjoyne ane post script. And both off us are pressing with Boynd to come in heir to morrow, and speak wt hir, and bot consent that ane midwyff ffrom Abd. be sent for, by some discreet person to be brought hither. Its lyk maters may be composed, and off all evils the lest is to be chosen; and on their terms probablie shee may be perswaded to stay in this toun, and rather in the minister's hous heir than in any place els. Wher ffor since shee cannott be att the Boynd, she will stay in no place qrin he is interested; so iff my Lord Boynd come in and consent to her propositione, its lyk maters may be settled. And iff not I find hir positive shee will goe forward to Abd. tho shee travell bot ane myle in the day, on ffoott. So since your Lop. is to be att the Boynd to morrow morning, my weak opinion is, that ye wold be a little the mor tymelie, and truly, tho Boynd wold dissent to come in, I wold advyse your Lop. to perswad him to come in, and to come alongst wt him, and I doubt not bot Achmedden being heir this effeir may be taken up by advyse and the mediatione off ffrinds. I sall leave thes to your Lops. consideratione; bot I think it necessarie ye come in, and bring my Lord Boynd alongst wt your Lop. for both prudence, and I may even say charitie, is to be abserved in such caices. I think it not ffitt my Lord Boynd see this letter, or know that your Lop. hes hard from me, but let all flow simply as from yourself.—And I am in all duty, My Lord, Your Los. very affeconat and oblidged servant,

Geo. Leslye."

In a letter from James Ogilvie, to his mother, Lady Seafield, written from Edinburgh on 27th November 1686, he says "your Sister (Lady Boyne) is come to the toune, bot her child is not yet christened, neither is there

any appearance of ane reconciliation betwixt her Lord and her."

It is not known if the child was a boy or a girl nor what became of it; there is no further allusion to it in the family correspondence. Nor is it known whether Lord Boyne and his wife ever became reconciled, nor even the date of her death.

Besides Lord Boyne's activities as a Member of Parliament and a Judge of the Court of Session, he also undertook some military duties—both as a volunteer and in the regular forces, which seems curious for so busy a man.

In 1688 his eldest son by his first wife, Anna Grant, married Anna Arnot of Grange, and amongst the papers in Cullen House there is an Instrument of Resignation of the Lands, Barony and Estate of Boyne and others in favour of James Ogilvie, younger of Boyne, and Mrs Anna Arnot, his wife, and heirs male, dated 20th July of the same year. This was for the Marriage Contract.

#### **Works in Portsoy.**

Portsoy owes a great deal to Lord Boyne. In the Register of the Privy Council there is to be found a Supplication by Sir Patrick Ogilvie of Boyne, dated Edinburgh, 25th February 1679, which states that within his lands and barony of Boyne "there is ane convenient place for a harbour called Portsoy, which already does safely harbour small vessels and boates, and if built and erected might prove a safe harbour for all sorts of shipes within the kingdome, and ane shelter to strangers in the time of stormes; and being situat in that part of the countrey where there is no safe harbour for the space of four-score myles along the coast, the petitioner intends to cause erect and build ane harbour at that place, which will prove so advantagious to the leidges that all incouragment ought to be given thereto; and this being a work which will cost great charges, and expenses, and wherein the whole people in the kingdome will be concerned, and that without assistance and supply it will be impossible for the petitioner to perfite the same," he craves warrant for a voluntary contribution. The Lords recommend the clergy to intimate throughout the



kingdom a general contribution. Work on the harbour must have proceeded slowly, for in 1692 Lord Boyne asked the Town Council of Cullen for men "to dight out the harbour of Portsoy." Twenty men were sent and more afterwards.

Besides developing the harbour of Portsoy, Lord Boyne also worked the marble quarries of that town, the produce of which was for long so popular, not only in Britain but elsewhere, that considerable quantities of it were exported. In the "Acts of Parliament of Scotland," under date 20th November 1700, there is a Petition of Sir Patrick and James Ogilvie, elder and younger of Boyne, "craveing the discharge of the exacting of custome or tunnege for marble found in their own ground, which they shall export." They also requested that "the importing of all forraign marble be discharged" (an early instance of Protection!). It is recorded that this Petition was read and remitted to the Committee for Trade and six days later a draught of an Act in favour of the Ogilvies, relating to the marble, was read for the first time. It shows the rapidity with which the old Scottish Parliament dealt with business, that on 23rd December 1700 the "Draught of the Act in favours of Sir Patrick and James Ogilvies elder and younger of Boyne for certain immunities to the marble found in their own ground" was again read and, being put to the vote, was approved; whilst on 31st January 1701 several Acts were "touched with the scepter," amongst them being the Act in favour of Sir Patrick and James Ogilvies anent their marble. (Perhaps it should be mentioned that James Ogilvie, younger of Boyne, was at this date Member of Parliament for Banffshire!)

During most of King William's reign, Sir Patrick Ogilvie took little part in Banffshire affairs and it was only when Queen Anne came to the throne that his interest revived; he attended many county meetings, presided over several of these and in general took an active part in county administration. He was Con- vener of the county from 1703-1706 and made his last appearance as a Commissioner of Supply in July 1706. At a meeting of Commis- sioners of Supply of Banffshire, held on 15th



October 1702, Sir Patrick took the oaths of assurance and allegiance to Queen Anne and, like many other Jacobites, came back to political life, for James II. had died September 16th 1701, and Anne's succession was the more readily accepted.

Burnett in his "History of his Own Times" makes the interesting statement that Sir Patrick Ogilvie had an interview with Queen Anne, shortly after her accession, in the Jacobite interest. He says, "I was well assured that the Jacobites of Scotland had, upon Queen Anne's coming to the crown, sent up one Ogilby of Boyne, who was in great esteem among them, to propose the bargain to her that the Pretender should succeed to the Crown, she to hold it during her life. Ogilby, when he went back, gave the party full assurance that she had accepted of it. This I had from some of the Lords of Scotland, who were in the secret, with the professed Jacobites."

According to the "Correspondence of Nathaniel Hooke", Sir Patrick Ogilvie was mentioned in 1705 in the Duke of Perth's instructions as one of those who had distinguished themselves by their loyalty to the exiled family since the Revolution and as favouring a descent on England. The same authority states that in September 1707 he signed credentials to his son James to treat with the Old Chevalier as to the means of his restoration to the throne. Sir Patrick also, in the same year, signed the Jacobite memorial to Louis XIV. He was strongly opposed to the passing of the Act of Union.

By 1705 Sir Patrick was falling into financial difficulties and both he and his son James were contemplating the sale of the Boyne Estates to Lord Findlater in order to settle with their creditors. The matter dragged on for some time but was finally concluded by a Decree of Sale on 3rd November 1709. In the Cullen House Charter Room there is a document which shows the completion of the whole affair. "James Earl of Findlater and Seafield having acquired and completed his titles to the regality of Ogilvie, as also having purchased at a public roup before the Lords of Session in 1709 the Barony and Thanedom

of Boyne holden of the Crown, and Lands in the Forest of Boyne holden of the Duke of Gordon, being all the Estate of Sir Patrick and James Ogilvies, Elder and Younger of Boyne, the Earl did make up his Titles to the said estate, by Charter and Sasine under the Great Seal in 1710." He conveyed the estates to his son James, Lord Deskford.

It is not stated where Sir Patrick lived after parting with the estate of Boyne—he must have been an old man by then and he may have been allowed to remain in his family home—but he died between the Pasch and Michaelmas Head Courts of 1714, about the critical period of Queen Anne's death (1st August in that year), and was thus saved the strife and strain of the Rising of the Fifteen, in which he would no doubt have joined. He was an elder of the Church of Boyndie. The low arched building on the north side of the Church of Boyndie is said to have been the burying place of the Ogilvies of Boyne and Sir Patrick was probably the last of the family to be buried there.

By his first wife, Anna Grant of Grant, he left James 9th of Boyne.

By his second wife, Anna Douglas of Whittingham, he had a son, Archibald of Rothiemay, born circa 1680, and a daughter Mary, who married Patrick Ogilvie of Balfour.

By his third wife, Anne Montgomerie, a child—(sex unknown)—born in 1686.

Sir Patrick was altogether one of the most remarkable and many-sided men Banffshire has ever produced.

#### James Ogilvie, Ninth of Boyne.

Though no longer the Laird of Boyne, James Ogilvie, eldest son of Sir Patrick, was nevertheless 9th in descent from Sir Walter Ogilvie, 1st of Boyne, and his wife, Margaret Edmonstone. He was born in 1667, and in February 1688, married Anna, daughter of Major George Arnot of Grange, in Fife. Lord Findlater's son, James, writes to his father from Edinburgh, 20th February 1688, referring to the wedding, "I beg pardon for detaining your footman so long: bot the true reason of it was that I was att Boyn's Marriage, for five dayes altogether." For the purposes of the marriage



contract, Sir Patrick Ogilvie resigned the Estate of Boyne and made it over to James Ogilvie and his wife, and in January 1689 there was a Sasine of Buchragie, the dower-house of Boyne, to Anna Arnot.

In 1702 James Ogilvie was returned as one of the two members for the county and remained in the Scottish Parliament till it was finally abolished and continued his opposition to the Union up to the very last.

By 1705 the Boyne family had got into financial difficulties and projects were already on foot for giving them some relief, as is shown by a letter written by James Ogilvie, from Boyne in 1705, to Lord Findlater, which hints at the ultimate disposal of the family estates. In October 1706 a Warrant was granted (on petition) to Sir Patrick and James Ogilvie, elder and younger of Boyne, to cite their creditors, in order to obtain protection, whilst in May 1707 this protection was granted.

From 1707 James Ogilvie entered keenly into Jacobite intrigue and as time went on became more and more involved, and was in consequence outlawed and escaped to France, where he worked energetically and took part in the French descent on Scotland. Early in 1708 the fleet, under Comte Claude de Forbin, having the Old Chevalier on board, was ready to set out from France. James Ogilvie preceded it and landed at Gamrie in Banffshire. On 9th March, Lady Findlater and Seafield wrote from Cullen House to her husband in London: "We are mightily alarmed hier with the invasion from France. I send you a leter to Castilfield. . . . It is sead the leard of Boyne is a colnell. I wish you wold yet midell no mor in his affairs." The letter to which Lady Seafield alluded was one addressed to Nicholas Dunbar of Castlefield, Sheriff Depute of Banffshire, by Alexander Garden of Troup. "This present commossion which is suddenly in all appearance to fall in by a Frence descent maks peopl they know not how to order ther busenes. No doubt ye hav heard of the gentleman hes set a shor heer from France and who is gon to Boynd and thence to the Highlands and thorow ye kingdom. If ye hav not heard it, then I can assur you the truth of it. He



was all night the 29 Feby. in William Hard's at Nethermiln, and went away the first of March before the sun two hours; he landed about 6 hours at even. He passed for a Edr. merchant. The ship was about 16 or 20 guns, 70 to 90 men. Giv not me for your author." The French naval descent on the Firth of Forth was frustrated by Admiral Sir George Byng on 13th March, and the expedition (one of the strongest ever fitted out from France in the Jacobite interest), did not even attempt a landing, but after suffering some casualties, returned to Dunkirk. In a French account of the expedition, it is stated that the French Admiral, after retreating before Byng's squadron from the Firth of Forth, attempted to run northward, and the Chevalier begged earnestly to be landed near Slains where he knew Lord Erroll to be friendly. The weather was very rough and the Laird of Boyne, who (by *this* account) was on board the French flagship, was sent out in a small frigate to obtain a pilot from Peterhead, but was unsuccessful, and the expedition sailed away, foiled in its purpose.

A proclamation for the arrest of James Ogilvie was issued by the Government 22nd March 1708. But he escaped safely to France.

As mentioned under Sir Patrick, the family estates were sold in 1709, so from this time the Ogilvies of Boyne ceased to hold any lands in Banffshire. There is in the Cullen House Charter Room a Disposition, Nov. 1709, by James Ogilvie younger of Boyne, in favour of Lord Findlater and Seafield narrating his title to the estate of Boyne, which was his Contract of Marriage with Anna Arnot in the year 1688, and submitting that, "out of Goodwill and Pleasure," the Earl had advanced the said James Ogilvie, a certain sum of money, with which he was content. Therefore he approved the said Decreet of Sale, and ratified the same in all points, and in corroboration thereof sold and disposed to the Earl, the whole Estate contained in the decret of sale.

In 1710 James Ogilvie was living at Versailles, as is shown by a letter he wrote from that place to Lord Middleton, concerning the situation of affairs in Scotland. Ogilvie says,

"I thought it my duty to give your Lordship this account, which if your Lordship thinks fit, may be made known to the Queen, and if her Majesty has any commands for me, I hope your Lordship will do me the honour to acquaint me." There is also a letter from the Old Chevalier, dated at Arras, 4th July 1710, to Lord Middleton—"I have just seen Ogilvie, who sent me word yesterday he had more to say to me than was in his paper which you have. This more was no great matter though much more than I believe: he pretends to have seen Lord Athol, Bredalbin, etc., and they say that if the King of France cannot be brought to help them, they will do my business themselves, provided I come to them. But then he brings no other security of what he says, but his own word, and an ample credential from Lord Drummond, whom he affirms to be sent by the rest. How improbable all this is, you may easily see. However not to seem to suspect the man, I was very civil to him."

#### In the '15.

Nothing more is heard of James Ogilvie till 1715 when he took a prominent part in the Jacobite Rising of that year. In the early autumn he landed at Aberdeen in disguise from France, bringing the Earl of Mar's commission as Commander-in-Chief with him. The Marquis of Huntly was in Aberdeen when he landed and Boyne was heard to say he was surprised "to find such an appearance for his Master." Shortly after his landing in Aberdeen Ogilvie proceeded to Banffshire and visited his late property, as from Boyne on 24th September 1715 he addressed the following letter to William Lorimer, Chamberlain to Lord Findlater:

"Sir, I wrote to you this day but mist you, so I leave this to let you know that I have orders from the Marquise of Huntly to randevouse all the men of the Forrest of Boyn, and chuse such as are fitt to goe to serve the King. Therefore I desire you may intimat tomorrow to all the men, gentlemen and others, that belonge to the Earl of Findlater in the forrest lands, to attend me at New Milnes of Boyn on Munday next by twelve acloak with ther best



cloaths and arms and horses, there to be randevoused by me conform to order, where I expect you will be present, that I may doe by yr. advice what is most convenient for the Earle of Findlater's intrest, so far as consists with my orders. This I expect you will be punctuall in, or the people most be at their perrol, as my order leads me."

What reply, if any, was made to the above letter is not known, but it is certain that Lord Findlater strongly opposed the Rising, though many men from Banffshire went "out" on the Jacobite side.

After the assembling of Mar's army, James Ogilvie proceeded south with it and was present at the battle of Sheriffmuir, where he is described as "Brigadier Ogilvie." He led the attack on the right of the line. After the battle, he, with others, proposed a capitulation. For some time there was a period of hesitancy and inaction, and after the Old Chevalier and the Earl of Mar left the Army and departed for France, there seemed no reason to prolong the struggle, and the disheartened Jacobites began their weary retreat northwards, ably led by General Gordon. Aberdeen was reached and early in February 1716 the army, marching from Strathbogie, had got as far as Keith. Thence the clans retreated by Mortlach, Glenrinnies, and Glenlivet to Badenoch, where they remained for three or four days and then dispersed.

James Ogilvie endeavoured to rouse Banffshire afresh and in February 1716 issued a formal proclamation to this effect. "All noblemen barons heretors fewers wadsetters tenants burgeses and all others the fencible men within the said town and parish of Bamff to meet and convene att the Gallowhill of Bamff upon Thursday next the ninth day of February current, bringing with them their best horses, arms, and accutraments against the hour of eleaven a cloack the sd day, and that all noblemen barrons heretors fewers and wadsetters doe make up effectuell lists of all their tennants and fencible men within the said town and parish of Bamff to be given to us the sd day before the rendewozes, to the effect punctuall obedience may be given to his



Majesties commands. In the terms of and conforme to our said commission.

This grandiloquent proclamation is signed by James Ogilvie and James Gordon, and concludes: "Given at Whythills the fourth day of February 1716, and of his Majesties reign the fifteenth year."

After this outburst of patriotic zeal on behalf of the Old Chevalier, to which there seems to have been no response, James Ogilvie disappears from the scene. It may be gathered that his wife, Anna Arnot, had been in residence at Boyne Castle, since on 12th June there was "a Decreet of Removing before the Lords of Session at the instance of James, Earl of Findlater and Seafield, against James Ogilvie of Boyne, Anna Arnot his wife, James Ogilvie, yor. of Boyne their son, and others decerning them to remove, their servants and Cottars forth and from the Mansion House of Boyne, office houses and yards." This was followed by Letters of Ejection, dated 24th July 1716.

#### **An Escape Abroad.**

After the suppression of the Rising, James Ogilvie remained in hiding in the north until he found an opportunity of escaping abroad. The safe arrival of the party at Roscoff caused Lord Mar to write from Avignon on 21st, to Ogilvie, this letter of congratulation. "As soon as we heard of your arrival in France I was ordered to write to Gen. Gordon to let you all know, who were come over, his Majesty's satisfaction at your being safe. I was very glad to know from your own hands by Glenderule that you were well, and by what I heard lately from Mr Arbuthnot, I hope your pension from the French Court will be continued. I have by the King's orders written the enclosed to Gen. Dillon to do all he possibly can to assist you in it. The King leaves you how to dispose of yourself as you find most convenient."

By September 1716 James Ogilvie had reached Paris, as on the 9th of that month he wrote to Mar explaining his circumstances. "I have been so very ill ever since I came here that I could not till now return my grateful acknowledgments for your letter and that to

Gen. Dillon, which was delivered by General Gordon at St Germain, where Dillon has been till last Sunday. By the account I gave him of my pension, he judges it in a fair way, but does not think fit to press it, till there be funds made for the pensions. General Gordon parted from this last Saturday for Avignon where he will give you a full and true account of all that passed in the Highlands and of the fair prospects we had of a second campaign and the particular reasons that hindered it. I have got about £20 sterling left, which subsists for the present my son and me, which when done, I have no other source but your protection, which I beg you will continue. If you judge me in any way capable of being useful for the King's service, either at Avignon or in these parts, I shall do whatever you order me." To this piteous appeal, Lord Mar replied from Avignon on 27th September, in a not very encouraging manner, "I acquainted the King with yours of the 9th and Gen. Gordon has done you justice as to your service in Scotland. Your coming here would be a great charge to you, and there are too many of us idle here already, of which many are so sensible that some are gone and others going to Bordeaux and elsewhere in that country to reside, where they will be more in the way when the time comes of doing something, and here they would be necessity be left behind, besides many other inconveniences so many of us being here occasions. Therefore I cannot advise you or your son to come, but to live at Rouen or thereabouts, when you have no more occasion at Paris."

Ogilvie took the advice offered and went to Rouen, for his next letter to Lord Mar is dated from there on 17th December 1716. "I saw Lord Southesk here for a few days, he assured me of the King's perfect recovery. I judge his indisposition has been the reason I had not your commands in reply to what I wrote before I left Paris. My pension from the Court of France not being ordered as yet, nor like to be paid for a few months, I hope you will be mindful of me and my son, having no other way now left to subsist but his Majesty's



bounty and your protection. The Queen ordered me some money, which brought us here." On the back of this letter is the following note: "he (James Ogilvie) had money from the Queen. His son is put on the list for 50 livres a month."

So at last James Ogilvie and his son were granted an allowance to support them, but the latter, also called James, did not live long to enjoy it, for General Alexander Gordon writing from Rouen on 20th October 1717 to John Paterson, says, "I doubt not you have heard that Boyn the younger is dead at Rouen." In the Accounts of William Dieconson, there appears this item: "The King's Account. Debtor. 19th Sept. 1717. For young Boyn's funeral—300 livres," which shows that young James Ogilvie died in September of that year. He seems to have fallen into the same financial straits as his father and had granted Bonds for considerable sums of money to various people in the north of Scotland in the years 1713-1715.

Troubles fell fast upon James Ogilvie about this time, for in February 1718 his wife, Anna Arnot, died. William Gordon wrote from Paris to John Paterson on 18th February that "Boyn desired me to inquire if a letter he wrote some time ago was come to the Duke's hands. Last post brought him an account of his lady's death, which is heavy on him, for, though she was endeavouring to sell her jointure, I fancy nothing was done and now all hopes are cut off." It would appear from this that Anna Arnot was still in Scotland and had not joined her husband in France.

The next letter from James Ogilvie to the Duke of Mar is from Paris on 7th October 1718. In it he says: "I hope I shall not want your recommendation to his Majesty, if you judge me capable of serving him either in his family or elsewhere." After this date we do not know how James Ogilvie spent his life.

There is an interesting letter in the "Chiefs of Grant" which goes to show that he was in London in 1721. It is from Captain, afterwards Colonel Lewis Grant, to his brother, Sir James Grant, dated "London, Apryll 29th, 1721," and contains the following: "Your cousin

Boyn is come here about some business with the Earl of Finlater. I saw him yesterday and he ask'd very kindly about you." Whether James Ogilvie took great risks in visiting England or whether he was protected by the Act of Indemnity is not clear, but he probably came to settle up finally with Lord Findlater and Seafield all outstanding points in connection with the estate of Boyne and—possibly—to collect any money which the Earl was prepared to give him. After this nothing more is heard of James Ogilvie—even the exact date and place of his death are uncertain, though he must have been dead by 1728, as in that year James Hay wrote from Edinburgh to William Duff of Braco, afterwards 1st Lord Fife: "you are decerned executor, quâ creditor to Boyne."

By his first wife, Anna Arnot, he had the son James; he married, secondly, a Frenchwoman of the name of Busilie, by whom he had one son, John Lewis, who lived until 1762, also married a Frenchwoman, and left two daughters.

Thus ended, at the age of sixty-one, the life of James Ogilvie, the last twenty-five years of whose existence were entirely—and perhaps one might add, fruitlessly—spent in the Jacobite cause, and with him ended the connection of the Ogilvie family with the estate of Boyne, which had begun in 1485.