

Anthony Macmillan, W.S.,

Lawyer and Antiquary.

IN that portion of the parish of Dalry where the counties of Ayr, Dumfries, and Kirkcudbright approximate, and where the gloomy glens and melancholy mountains of that upland region are traversed and separated by the head streams of the river Ken, a hill farm named Carlae may be seen stretching along what is called by geologists a series of moraines and terraces of the glacial era. Some green and abundance of yellow grass (the blended colours of melancholy), flocks of sheep, a fair amount of heather, numerous grouse, blackcocks, curlews, and lapwings are its chief products; nor is the monotonous character of the scene perceptibly relieved by the presence in the season of numerous primroses and wild orchids, or by the savage grandeur of the immense mountains, which present themselves to the eye in every direction around. When the Ken has gathered up its turbulent waters from this wild district, it hurries to the south with constantly increasing volume, tumbling over waterfalls such as the picturesque College Linn, or scooping out gullies, as in the policies of Glenhoul, until immediately below that demesne, and soon after receiving the stream called the Black Water, famous for its series of successive lofty waterfalls, it blends its waters with a more considerable river called the Deugh, which, approaching from Ayrshire after traversing numerous wild moorlands, has brought its mossy waters past the village and glebe of Carsphairn, and in a bold semi-circle swept round the fine estate of Knockgray and Carminnow, its great cascade, called Deugh Linn, or the "Tinker's Loup," occurring near the termination of the latter property. A short

distance from the junction of the two rivers, near where the "Tinker's Loup" presents an insuperable barrier to the upward progress of the salmon species, the Deugh separates a steep conical hill (886 feet high) called Dundough, not unlike Screeel, from the overhanging woods of Dalshangan, the many gabled mansion-house of that name, with its numerous chimneys and its steepled clock tower, presenting a fine appearance on an eminence a few hundred yards away. In the extreme distance the view is terminated by the striking hill range of Screeel and Bengairn, nearly thirty miles distant.

It was in the farm-house of Carlae, in the parish of Dalry, that Anthony Macmillan, the subject of this sketch, was born 9th January, 1759; and at Dalshangan, in the parish of Carsphairn, of which estate his father, James Macmillan, was laird, he spent his childhood and youth. His mother's name was Elizabeth M'Harg, a native of Ayrshire, an intellectual woman, to whom Anthony, who was the eldest son and heir, owed many of his literary proclivities. The inscription on the family tombstone in Carsphairn records her death in 1806, aged 75; her husband James Macmillan's decease in 1825, aged 93; and that of their son, Anthony, in March, 1821, aged 62 years.

The Macmillans have been located in the Glenkens for upwards of four hundred years. Their original country is said to have been Knapdale, in Argyleshire, where at Kilmory, in that peninsula, may still be seen one of the finest ancient Celtic crosses in the kingdom. It is richly sculptured, and bears a representation of the crucifixion, a long two-handed

sword, a warrior striking with a battle-axe, and a Latin inscription stating "This is the cross of Alexander Macmillan."

The chief of the Glenkens Macmillans, according to Buchanan of Auchmar, and Nisbet, the heraldist, was Macmillan of Brockloch, who possessed ancient seals of his ancestors, which appear to have been lost during the present century. He is styled in some genealogical works "High Chief of Ken," and was the stem of the race which at one time possessed in freehold estates a large portion of the Glenkens. The family arms, which are also given by Nisbet, may be seen on the Brockloch tombstone in Carsphairn kirkyard, and may be emblazoned as a chevron charged with three besants between three stars, having as crest a rampant lion holding a dagger, and as motto, "Prosecute, or perish." The family tradition is that one of the name, having killed a Campbell of Argyle, fled to the south, and settled in the upper portion of Kirkcudbrightshire, where they acquired large possessions, and became connected with most of the important families in that district. The head of the family no longer owns Brockloch, but still retains possession of the considerable property of Holm, although residing in Dumfriesshire.

The only resident proprietor of the name in Carsphairn is William Macmillan of Lamloch, a gentleman, like his relative, Anthony Macmillan, noted for his legal knowledge, which is often taken advantage of in his position as a County Magistrate. The house of Lamloch is situated near the shores of Loch Doon, in a cup-shaped depression, which is traversed by a bridge-crossed rivulet, and studded with a beautiful selection of coniferous trees, such as *Picea Nobilis* and *Nordmanniana*, Lawson's cypresses, *Cedrus Deodara*, Hemlock spruce, and some magnificent Scotch firs; as also by several noble limes, ashes, and beeches, which, growing freely on a beautifully-kept grass-grown lawn, make up a *sout ensemble*, which may fittingly be called in that wild region "an oasis in the desert."

Several of the Macmillans were persecuted and heavily fined in Covenanted times, and they have always been found on the side of those who resisted tyranny either in Church or State, and stood up for civil and religious liberty.

On the lands of Lamloch may be seen the walls of what was formerly a Free Church, the site having been given to that denomination of Christians when high and mighty ones in the land endeavoured to stamp them out by refusing to afford them facilities for worshipping God under their own vine and fig tree.

Anthony Macmillan was educated at the Free Grammar School of Dalry, about six miles from his place of residence, the head master of which at that period (Rev. John Campbell, afterwards minister of Carsphairn) was famous for his teaching powers; consequently, young Macmillan, having good natural abilities, became an excellent scholar. On leaving Dalry he proceeded to Dumfries Academy, where his scholastic education was completed, and afterwards entered the law classes at the University of Edinburgh. It was during his residence at Dalshangan he acquired the taste for antiquarian research for which he was distinguished, and which in the course of time led to his acquisition of a remarkable collection of ancient seals, charters, coins, and other objects of a like nature, at that period little valued in the Stewartry. The district around his home was well calculated to foster this bent of his mind, abounding as it does in relics of bygone ages — a host of ruins and stories of legendary lore. The place-names of the neighbourhood, too, are of an allied nature, consisting of a mixture of Celtic, Norse, and Saxon words, in the interpretation of which he became an adept.

Some reference to these will not be entirely out of place. Thus a deep, dark pool in the Deugh, immediately below, is given in the Ordnance Map as "Linn Fraeg" (the leather pool), an example of the Welsh signification of *linn* — a pool; in contradistinction to the usual Scotch-Celtic signification of *linn* — a waterfall. Polmaddy (the wolf's pod) and Castlemaddy (the wolf's castle) are both a

short distance away, and although their names have in later times been twisted to mean the places where the rangers of the Forest of Buchan kept their hunting dogs, their real meaning points to the former presence of wolves in the vicinity. Polmaddy was formerly noted for a populous village on the old road to Carsphairn, which road was only altered to its present more eastern position during the present century. The site of this village may still be traced in what is now a deserted level holm amid a wilderness, although traversed by a rough, brawling stream, and enlivened by the vicinity of a picturesque waterfall.

A published tradition relating to Polmaddy is to the effect that King Robert Bruce took refuge on one occasion in the miller's house, and sat down in an oak arm chair to talk to the guidwife. He was unceremoniously ejected by two brawny arms, the harsh voice of the miller exclaiming at the same time, "Wha the deil are ye that sits sae crouselly in my muckle chair?" Another tradition is to the effect that one of those tramps, whose representatives are still such a nuisance in the Glenkens, finding the male inhabitants absent, resolved to rob the place. All the doors of the houses were fastened when he was observed approaching, and he endeavoured to make his way through the small window of a public-house to begin with, but was confronted by the landlady, a powerful virago, who aimed a blow at him with a hatchet, which was within an ace of splitting his skull. Not relishing this specimen of the defence to be expected, he abandoned the enterprise.

Polmaddy was one of those places which under a restricted franchise conferred the privilege of a vote for a member of Parliament, and was bought by Sir James Shaw, Bart., on that account about the end of last century. It is now the property of Colonel Kennedy of Knocknalling.

The Deil's Dyke, a rampart of earth and stone about eight feet in thickness, having an accompanying ditch to the north, out of which the materials have been excavated, has been long an object of interest in this locality. It extends from Loch Ryan, in Wigtownshire, to

the Solway Firth, in Annandale, a distance of more than 50 miles. Only a small portion appears on Dalshangan, although it must have crossed that property, and has been traced by Mr Bruce, a local antiquary, close to the northern march dyke, where he considers it to have ended in what has been formerly a loch. It is next seen near the auld brig of Deugh, two miles distant, where a supposed Roman camp may be observed in proximity. Like many other objects of interest whose origin cannot be accounted for, and on which history and tradition are silent, its erection has been ascribed to the devil, who in this neighbourhood appears to have been considered a potent personage. Thus we have the Deil's Washing Tub, the Deil's Barn Door, and the Deil's Putting Stane—the latter an immense granite boulder, being now, however, a thing of the past, an act of vandalism having converted it into posts for a gentleman's lodge gate. The Deil's Dyke was traced during its entire length by Mr Train, the antiquary, who furnished an account of it for "Chalmers's Caledonia." It was then considered to have been a defensive work thrown up by the Romanised Britons, but later enquirers lean to the opinion that it was made by the Roman legions at a much earlier date. It is known that Agricola spent the winter of A.D. 84 or 85 on the shores of Loch Ryan, in order to make preparations for the invasion of Ireland, and as the Roman soldiers were much employed in forming ramparts of earth, it is probable the Deil's Dyke was made at this time, or if not, possibly in the time of the Emperor Hadrian, A.D. 120, who ordered walls of turf to be erected in various parts of the empire. It is said, too, by Capitolinus that in A.D. 140 Lollius Urbicus removed the barbarians farther off by another wall of turf, extending 30 miles, with its accompanying castles. This, the wall between the Forth and Clyde, he elsewhere asserts, was completed in a single summer. Julius Cæsar with a single legion, we are also told, on one occasion built a wall from Geneva to Mount Jura, a distance of 19 miles, nineteen feet in height, possessing a deep ditch, and fortified with castles at proper distances, in about three

weeks. As a defence by the timid Romanised Britons against the warlike Caledonians, the Deil's Dyke, which assumes a difficulty in getting over it, could have been no defence worth mentioning.

British forts, moats, and cairns are numerous in the district, and arrow heads, stone axes, and urns were frequently discovered by the peasantry, and were purchased by or presented to Anthony Macmillan. The castle of Loch Doon, a Brucian fortress, was not far away, and within sight of his bedroom window might be seen the ruins of what is called Dundeach Castle, standing on the tongue of land between the Deugh and Ken, opposite the entrance to the former river of the burn of Polmaddy. This castle, which, according to M'Kerlie, is the "Kars Castle" of Timothy Ponts' map, is believed to have been coeval in antiquity with the fortalices of Loch Doon and Turnberry, and it is possible, judging from the name, that it was erected on the site of a Celtic fortification, and the name Dalshangan (vale of the fort, but according to some vale of the ants) may be derived from its proximity to this stronghold. A salmon pool on the Deugh, beside the castle, is known as the Kars pool, which lends strength to M'Kerlie's opinion, who also thinks that from this fortification the name of the parish of Carsphairn was derived, and that the real Dundeach Castle was at the farm-house of that name. The ruins consist of some fragments of stone walls about six feet in height, showing receding angles and vaults, and a series of extensive mounds overlooking the lower portions of the Deugh, and rising abruptly from its eastern bank. This position, flanked by two rivers, with a steep hill to the north on the accessible side, is a remarkably strong one. It was at this place that, after the battle of Bothwell, the fugitive Covenanters who had escaped from that fatal day found refuge; and many of their hairbreadth escapes, recorded in traditional story, occurred in the glens excavated by the Ken and Deugh and their tributaries in this neighbourhood.

After passing through the law classes, Anthony Macmillan was articled to a writer in Kirkcubright, where he acquired a good

knowledge of conveyancing. He next entered the office of a Writer to the Signet in Edinburgh, and was, after a time, admitted a W.S. himself. It was in 1784, when he was in this office, that he published his first work entitled "Forms of writing used in Scotland in the most common cases," with the principles of the law connected therewith—a very useful publication. In 1786 a supplement appeared, and the same year a second edition, greatly improved and enlarged. In 1787 he published a "System of conveyancing of land and securities thereon and of heritable rights." A second edition of this was issued in 1808, previous to which he had added a supplement on personal rights. These were small octavo volumes, the largest of which numbered nearly 600 pages. They are well written, the information being conveyed in a lucid and pleasing manner, and show him to have been capable of higher efforts. His "Justice of Peace"—a most useful and judicious publication—is a duodecimo volume, numbering about 250 pages. It is said he contemplated a large general work, giving a full account of the institutes of the law of Scotland, an undertaking which he was fitted to undertake, according to Murray's "Literary History of Galloway," in which a short account of his life appears. He also published a "Treatise on Pasturage," and an essay appended, in the second part of which work he fully described the methods practised in managing sheep and black cattle in the Glenkens. In 1787 he was appointed surveyor of taxes for the county of Wigton and Stewartry of Kirkcubright, which situation he held until 1792, when he retired, his brother being appointed his successor so far as the Stewartry was concerned.

Possessing a small annuity, he abandoned himself to literary and antiquarian pursuits, residing among his relatives in Galloway. Eventually he took up his abode with his sister, Mrs Kennedy of Knocknalling, with whom he resided for several years. At Knocknalling he composed a long poem about Sir William Wallace, similar in design to Blind Harry's life of that patriot, only a portion of which was published. It is a pretentious

production, and contains many good lines. He wrote numerous shorter pieces, also various prose articles, his MSS. being voluminous. He also several times attempted dramatic composition, but with no great success. He was fond of literary society and a great admirer of the poetical writers of his time, and was excellent company, being a great and instructive talker, able to converse on almost any subject. His manners and speech were mild, and his affections warm and benevolent. According to Dr Murray, irresolution was his greatest failing. The same writer says:—"He was about 5 feet 7 inches in height, of a slender figure, with his nose slightly bent up, his eyes large and blue, and his hair auburn." His end was a sad one. It is recorded in my father's

unpublished autobiography much in the following words:—"In 1821 I was appointed tutor in the family of David Kennedy, Esq. of Knocknalling, a very pleasant home. Here I became acquainted with Anthony Macmillan, W.S., a capable lawyer and learned antiquarian, who showed me his collection of antiquities, among which was the seal of the Sinclairs of Earlston, with their arms engraved thereon. He also showed me a MS. "Life of Sir William Wallace" he had written in verse, very well executed. He was unfortunately drowned in the Ken, near Earlston, when returning to Knocknalling from Mr Barbour's of Bogue, where he had been spending the evening. In his pockets were found some books, one of which I had given him a few days previously."



DUNDEUGH CASTLE, CARSPHAIN, IN 1865.
(From a sketch by Dr Robt. Trotter, Perth.)