

## John ZUILL or YUILLE (d. 1688) and his brother Nicol

The story of the YUILLE family, as I first knew it, was said to begin with Thomas ZUILL, though the statement in Alexander Henderson *Australian Families* (1941) [p.126], that he was a witness to the Convention between General Monk, commander of the Cromwellian forces in Scotland, and the Earl of Lothian, when the latter capitulated in May 1655, does not seem to be correct; there was a treaty in 1655 but not witnessed by any Zuill. There were several Zuill, Yule, & Yuille families in Scotland (as well as others in England).

But as neither of his supposed sons, John & Nicol, named any of their sons Thomas, one might speculate that their parents were, perhaps, **Nicoll YOOLE & Margaret RICHARDSONE** who had children Nicoll, baptised 12 Jan 1611/12, John, 4 Feb 1615/16, and Elizabeth, 10 Oct 1618, all at Edinburgh [IGI]. Nicoll, merchant, married Margaret RICHARDSONE at Edinburgh on 21 August 1606 [Yule Connection # 41, Winter 2003].

**John ZUILL** or YUILL [as the Roman alphabet, used in Latin, did not have a ‘Y’, ‘Z’ was used instead but still pronounced ‘Y’], was born, say, 1616. In the first record we have of him in 1643 he is mentioned as a servitor to George Campbell, sheriff depute of Argyll. And about a sasine of 4 June 1645, we read " ... The charter was written by John Zuill, servitor of the said George Campbell" [*Argyll Sasines* Vol. II (1st Series), p.93.].

At the Church Synod (otherwise “The Provincial Assembly”) of Argyll held on 16 Oct 1650, John ZUILL was one of three candidates for election as clerk to the assembly, but was unsuccessful [*Synod of Argyll: Minutes 1639-51*, p. 183].

John ZUILL, writer in Inveraray [a writer is a solicitor; Inveraray is in Argyllshire, at the northern end of Loch Fyne], was "clerk to the commissioners for plantation of kirks" [*Synod of Argyll: Minutes 1639-51*, p. 191] and the Synod of 10 Apr 1651 appointed him "to be general collector of all the vacant stipends within the province, And appoints him 100 lib. Scotts for his fial yearly for his service, besides what he lays out for necessary disbursements, and this to hold during the synod's pleasure" [p.206]. Alexander CAMPBELL of Penniemoire succeeded John ZUILL as collector in October 1652. [*Synod of Argyll: Minutes 1652-1661*, p.54].

In 1654, there were some problems with the Committee of Plantation of Kirks, which had been set up to establish new ministries of the Kirk. Recommendations to remedy matters were approved at the Synod in May "and in the meane tyme John Zuill is to be delt with to get the minuts off his hand that they may be given to persons having interest respective." [*Synod of Argyll: Minutes 1652-1661*, p.48]. At the next Synod in October 1654, “it appointed Mr Alex<sup>r</sup> Gordoun and Mr Colin Mc Lachlan to speak to Jo<sup>n</sup> Zuile to extract the sevrall decreets of the churches planted and limited already, or to be planted, builded, or limited, with their sevrall modifications, according to the determinatione of the comitie of plantatione, and to have them at the nixt provinciall assemblie in May nixt” [p. 59]

But matters did not move so fast. At the Synod of 9 May 1655 the synod “Appoynts ane letter to be written to John Zuill for hestining of the decreets of the subcomissione of plantatione, and to deliver them to Mr Allex<sup>r</sup> Gordone, who is desired to give them to my

Lord Marques, that his Lordship may cawse ratifie them. The synod is to looke out for a way for John Zuills satisfacione.” [p. 77]

The statement of the proceedings of the committee of plantations was not put into its final form until shortly before the Synod of 31 Oct 1655, when the minutes show:

"The synod, considering the great prejudice suffered by the none ratification of the decreits of plantatione and now at lenth they are compleited, Have therefore appointed 300 markes to be given to Jo<sup>n</sup> Zuill for his paines in writting and compleating the said decreits out of the vacancies, As also that Mr. Alex<sup>r</sup> Gordoun, Mr. Colin mac Lachlan and George Campbell do receav them from the hands of the said Jo<sup>n</sup>, and concurre in speaking to my Lord on his return, that his Lordship may according to his promise to gett them ratified." [p.103].

At the Synod held at Kilmore (instead, as was usual, at Inveraray) on 27 May 1657, John ZUILL was:

"chosen as ruleing elder to goe in the companie of Mr. Alexander Gordone to agent conjunctlie with him anent the matters of his commissione, and the synod is to the seeing of his charges out of the vaccancies if obtained, or to some other feasible way at the next synod, as also for paying him out of any appoyntments due to him." [p.153]

On 27 Oct 1658, "The synod haveing warrand from the consell to uplift and dispose of former and future vacancies till futher ordour, Does appoynt John Zuill collector with full power to ask, uplift and receive the same and to call and pursue therefore before any judge competent, transact and aggree for what is owing before Martemass 1656 with the speciall advyce and consent of Mr. Alexander Gordon and Mr. Pat: Campbell and George Campbell, shirrefe deput of Argyle, and generally to do all that synod would do themselves, Promising to hold firme and stable, astricting him to advyce foirsaid to disburse the said vacancies according to the synods appoyntment and to be comptable for his intromissions, And for his paines allowes him the tenth pennie of his intromissions and shall allow to him incident and extraordinary charges, bestowed on sub-collectors or otherwise, And the double hereof is given him for his warrand, and it is to be subscribit be the moderator and clerk." [pp. 185-6]

From 1651 to at least 1661, there are minutes at various times about payments to be made to John ZUILL or by him as collector, and about the auditing and approval of his accounts and activities. The second last entry in the minutes of the synod of May 1661 records:

“The synod having heard and considered the account made by Jo<sup>n</sup> Zuill, their collector, of his intromission with the vacand stipends since the last synod held at Innerarary October 1660, at which tyme he made his former account, Together with the report of Mr Alex<sup>r</sup> Gordon, Mr Pat. Campbell and Mr Jo<sup>n</sup> Duncanson, who were appointed to fitt and cleare the foirsaid account, And finding that the said Jo<sup>n</sup> Zuill hath truly and faithfully disbursed and given out all the said vacancies intromitted with by him since his former account according to the warrands of the synod, The synod therefore doth allow and approve the foirsaid account and haill articles thereof, And exoners and discharges the said Jo<sup>n</sup> Zuill , their collector, of all his former intromissions with the said vacancies for ever, And declares that ane extract of this act under the clerks hand shall be a sufficient exoneration to the said Jo<sup>n</sup> Zuill his aires and executors thereanent, And the synod ordaines the foirsaid account with the whole instructions thereof to be kept in record with the synod book.” [pp. 238-9]

By 1659 John ZUILL had moved up in the world. In an abstract of sasine of 1 April that year

[*Argyll Sasines* Vol. II (1st Series), p.142], we find " ... signed at Barbeck, 30 March 1659 before (several others, then) John Zuill in Inveraray and his servitor Donald M`Nowcater".

About this time we also find Nicoll ZUILL as servitor of George Campbell, sheriff depute of Argyll, and later (1673) as a notary public [*Argyll Sasines*]. It seems likely he was a brother of John ZUILL. He was an Elder of the Presbytery of Argyll and was a member of the synod of Argyll in May 1658 & May 1661 at least [*Minutes of the Synod of Argyll 1652-1661*, pp. 191 & 235].

A sasine, dated 1 Aug 1660, records that John ZUILL, "merchant in Inveraray", bought from the Earl of Argyll, with the consent of Lord Lorne, his heir, two houses in the High Street of Inveraray.

"The subjects are the two houses and tenements of land in Inveraray occupied by the said John Zuill, situated on both sides of the High Street, above the Cross, and bounded as follows:- on the west by the tenement belonging to Donald M`Olvorie, sometime provost of Inveraray; on the east by the house belonging to Duncan M`Kencho., cordiner; on the north by the Town Green; and on the south by the half-rood of land occupied by the said John Zuill." [*Argyll Sasines*, Vol. II (1st Series), p. 175].

Among witnesses to the sasine were Donald M`Nicholl and Donald M`Nowcater, servitors of John ZUILL. Nicholl ZUILL was a witness to the associated disposition signed by Argyll in April 1660. John ZUILL renounced this land back to the estate of Argyll in 1666 [Info: from E Y Pryor].

John ZUILL held land in Kilfinan parish, for which he received rents. And a paper giving details of the tacks granted by the Earl of Argyll records "Tack of the Assise herrings" given to John ZUILL in 1668 [A I B Stewart & Andrew McKerral *Kintyre Rentals 1505-1710* (1987)]. [A tack was a lease or contract for hire and an assyse a form of excise. A tax on herring catches was common. The assyse belonged to the King but was 'let out', and sub-let, to others to collect.].

It was in 1670 that John Zuill bought from John Darleith, whose family had held them since 1510, the lands of Darleith, in Bonhill parish, Dumbartonshire. [Joseph Irvine *The Book of Dumbartonshire* (W & A K Johnstone, 1879), Vol. II, pp. 210-211].

"The five pound lands of Darleith and Garmore are situated chiefly in the parish of Bonhill, with a small portion in the parish of Cardross, and County of Dumbarton. The access to the lands is by a long road leading up from the west end of the village of Cardross. . . . A short way from the house stands an old tower, and in its immediate vicinity the family burying place called "the Chapel," built by John Yuille for the burial of Ann Fisher." [George Wilkinson *Old Cartsburn*, p. 253].

The lands were still in the Yuille family two hundred years later.

In a sasine dated 8 May 1674 and registered 2 June 1674 [*Argyll Sasines*, Vol. I (2nd Series), p. 200], John ZUILL of Darleith gave a liferent of 300 merks "to be uplifted from the lands of Darleith and Garmor" to his wife **Agnès FISHER** "with the consent of his eldest lawful son Alexander Zuill". [Garmore is a village a mile to the east of Darleith.].

It is possible that Ann FISHER was the daughter of Duncan FISHER later bailie of Inveraray & Mary ROBERTSON, although John M`URE (sometimes McCUIR) says his own first wife Janet FISHER was the only daughter of this marriage [George Wilkinson *Old Cartsburn*, p.255].

The marriage of John YUILL and Ann FISHER does not seem to be recorded or the records

are lost. They had children, eight baptised at Inveraray, –

- Margrat, born 11 Dec 1651 [parish reg.]; married John COLQUHUON fiar of Camstrodane [Argyll Sasines, 1667].
- Alexander, bp. 16 Jan 1653 (see later).
- Katherine, bp. 5 June 1654; married John McARTHUR of Mylnetown.
- Christiane, baptised 6 June 1656; married William NOBLE at Bonhill on 30 May 1678 [parish reg.].
- Robert, born c.1658 (see later)
- John, bp. 14 March 1661 (died young?).

then a gap until

- John, bp. 5 Sept 1667.
- Mertha, bp. 27 Aug 1671.
- David, bp. 22 March 1673.
- Heline, bp. 27 Nov 1674. [IGI].

In 1674, John ZUILL was Provost of Inveraray [A deeds index].

In a sasine dated 29 April 1674 and registered 9 May 1674 we find:

"the liferent of the lands of Gerhallow in the bailiary of Bolane, and lordship of Dunoon given by John M`Arthur, elder of Mylnetown, and his eldest lawful son John M`A., fiar thereof, to Katherine Zuill, now wife of the said younger John, in implement of their marriage contract (to which her father John Zuill of Darleith, was a party), which was dated at Dunoon, 4 Dec 1673." [Argyll Sasines, Vol. I (2nd Series), p.198.].

A sasine (1, 383) recorded in Dumbartonshire on 29 Nov 1681 mentioned John ZUILL of Darleith, his son Alexander & Alexander's wife Marie CRAWFORD. Another (2, 96) recorded 20 Oct 1684 mentions these three together with John's wife Annette FISHER and Thomas & John, sons of Alexander. [Index to the Register of Sasines for Argyll, Dumbarton, Bute Arran & Tarbert 1617-1780].

John ZUILL was a Covenanter who stood by the dictates of his conscience. The Solemn League and Covenants (1638-1651), designed inter alia to preserve the Church in Scotland on the Presbyterian model, were signed by both England and Scotland. Though he had subscribed in 1651, Charles II declared it unlawful in 1662. Episcopacy was restored in Scotland but resisted by many. In 1685 the Covenants were declared treasonable and cruel persecution of Covenanters began. At his trial in Dumbarton on 19 Feb 1685, John ZUILL admitted he had withdrawn from his parish church and declined to accept the Oath of Supremacy. He was fined one thousand pounds sterling, refused to pay and was imprisoned in Dumbarton Castle. His wife became seriously ill with a fever in March, next month, but he was denied permission to visit her. Only when his son Robert, later Bailie & Dean of the Guild in Glasgow, and a son-in-law went surety with a bond for his return or for the money, was he allowed to attend his wife's funeral, shortly thereafter. He was released from imprisonment after about two years. [History of Dumbarton Castle & George Wilkinson Old Cartsburn, p. 52] Ann FISHER died in March 1685.

John ZUILL died in January 1688 from consumption as the effect of his confinement. This was from the harsh treatment & the conditions in which he was kept [George Wilkinson Old Cartsburn, p. 54. It is thought Wodrow, the author on whom Wilkinson relies, obtained his information from George Crauford, the historian & brother of Mary Crauford. Alexander Yuille speaks of Wodrow as his "very worthy friend" ].

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**Nicoll YUILL** married Janet GORDOUN at Inveraray on 21 Feb 1660 but no children are recorded. On the other hand, the children of Nicoll YUILL and Anna CAMPBELL (b. c.1642), baptised at Inveraray, were - Archibald 5 Sept 1667, died young; Merjorie 5 Nov 1670; Christen 15 Oct 1671; Johne 19 Jan 1673, died young; Katherine 30 Aug 1674; Duncane 11 Feb 1677; Elizabeth 24 March 1678. [IGI]

A tombstone at Inveraray (Row L, No. 17) has inscribed around the edge: "Heir lyes Anna Campbell spouse to Nicol Zuil in Inveraray who dyed the 11 October 1678 in the 32 year of her age and their tuo sons Archibald and Ionne Zuils both dyeing the ? year of their age".

Perhaps in his later years, Nicol settled near Greenock, near CRAWFURD of Cartsburn, whose daughter Mary married Nicol's nephew Alexander in 1678. The testament of Nicoll YUILL, "residenter in Crawfurdsdyk, parish of Greenoch" was registered on 30 Aug 1681 [Francis S Grant *Glasgow Register of Testaments 1547-1800*, Edinburgh 1901].

**Margaret YUILL**, who married John MAKKERICH at Inveraray on 22 Aug 1656 [IGI], might be a sister of John and Nicoll.

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*W S Griffith – November 2005*