

The lands of Kincaid in relation to the Highlands of Scotland.

The physical boundary between the Lowlands and the Highlands of Scotland is the Highland boundary fault. The Highland boundary fault creates a visible change in the geology of the land. The fault comes ashore from the river Clyde near Helensburgh and continues in a north east direction towards Aberfoyle. It continues north east all the way to near Stonehaven on the coast of the North Sea.¹ The islands of Inchmurrin, Creinch, Torrinch, and Inchcailloch in Loch Lomond all form visible parts of the Highland boundary Fault.²

The lands of Kincaid are at best about 15.3 English miles or about 24.6 kilometres from this fault (if one takes a direct line from the intersection of Campsie Road and Milton Road to summits north east of Conic Hill). Without doubt the lands of Kincaid are physically in Lowland Scotland.

Some may argue that people may have considered a different boundary with regards to what one considered a Highlander. The evidence does not support this. It is not until the 1716 penal laws established against the Highlanders that this author could locate any official boundary. In what we refer to as the Disarming Act of 1716, the western bounds were established as "within the Shires of Dumbarton on the North-side of the Water of Leven, Stirling on the North-side of the River of Forth."³ At that time, Scots must have understood the Highlands to be north of the River Forth and north of the river Leven. If you run a line due west from where the river Leven joins Loch Lomond (its most northerly limits) this line hits the Clyde close to where the Highland boundary fault line meets that river. This seems to suggest the fault line was considered.

In what we call the 1746 Act of Proscription, the Loch Lomond bounds are stated as "That such parts of the said shire of Dunbartain, as lie upon the east, west and north sides of Lochlomond, to the northward of that point where the water of Leven runs from Lochlomond".⁴ This created confusion because a good part of the lands east of Loch Lomond are below the other stated boundary; namely the river Forth. This

¹ "The fault runs southwest-northeast from Lochranza on Arran, across the Firth of Clyde, via Helensburgh, Loch Lomond, Aberfoyle, the Menteith Hills to Callander, Comrie and Crieff. It then forms the northern boundary of the Vale of Strathmore before reaching the east coast at Garron Point, 2 miles (3 km) northeast of Stonehaven ["Highland Boundary Fault". Gazetteer for Scotland. University of Edinburgh and Royal Scottish Geographical Society. <http://www.scottish-places.info/features/featurefirst7728.html>. Retrieved 2011-12-11].

² "The Highland Boundary Fault (HBF) which traverses Scotland from Stonehaven to Arran, is in most places only identifiable by the change in topography - from highlands to the northwest and lowlands to the southeast. However, Loch Lomond is one of the sites where the fault can be distinguished more readily, in particular at Conic Hill and on the islands of Inchcailloch, Torrinch, Creinch and Inchmurrin ["Loch Lomond - Highland Boundary Fault". Scottish Geology. Hunterian Museum and others. http://www.scottishgeology.com/outandabout/classic_sites/locations/loch_lomond_fault.html. Retrieved 2011-12-11].

³ 1 George 1, c. 54. An act for the more effectual securing the peace of the highlands in Scotland.

⁴ 19 George 2, c. 39. An act for the more effectual disarming the highlands in Scotland; and for the more effectual securing the peace of the said highlands; and for restraining the use of the highland dress; and for further indemnifying such persons as have acted in the defence of His Majesty's person and government, during the unnatural rebellion; and for indemnifying the judges and other officers of the court of judiciary in Scotland, for not performing the northern circuit in May, one thousand seven hundred and forty six; and for obliging the masters and teachers of private schools in Scotland, and chaplains, tutors and governors of children or youth, to take the oaths to his Majesty, his heirs and successors, and to register the same.

was clarified by a further Act in 1753.⁵ It set the bound as: "lying or being on the North or North-west Side of an imaginary straight line from the Place called Ballamachall upon the Lock Loman, in the Parish of Buchanan, to the Kirk or Bridge of Aberfoyl upon the River of Forth." This line (Balmaha to Aberfoyle) is following the Highland Boundary fault to the River Forth. Thus, the evidence supports the notion that the Highlands were considered, from a legislative point of view, to be north of the river Forth and northwest of the Highland Boundary Fault line from Aberfoyle to near Helensburgh. There were further refinements made to the legislation years later, but these three Acts give one the sense of where Scots originally thought the Highlands to commence.

The lands of Kincaid are a bit closer to the river Forth than to the Highland boundary fault. Since the river Forth was considered the southern boundary line for the Highlands in the Disarming Act of 1716, the lands of Kincaid could have been considered at best about 11.7 English miles or about 18.8 kilometres from the Highlands (if one takes a direct line from the intersection of Campsie Road and Milton Road to river Foyle north of Kippen). Thus, the lands of Kincaid were clearly in Lowland Scotland both from a physical and a legislative sense.

©Peter A. Kincaid. All rights reserved.
70 Royal Road
Fredericton, NB
Canada
E3A 4V2
7kincaid@nb.sympatico.ca

11 December 2011.

⁵ 26 George 2, c. 29. An Act to explain, amend, and continue the provisions made by two Acts of Parliament of the nineteenth and twenty first years of His Majesty's reign, for the more effectual disarming the Highlands in Scotland, and to make provision for the more speedy ascertaining the lawful debts or claims upon the lands and hereditaments, that some time belonged to Alexander Robertson of Strowan, which, with other forfeited estates, are by an Act of the twenty fifth year of His Majesty's reign annexed to the Crown unalienable.