The Clan Douglas Association of Australia was held on December 3, 1986 in Brisbane. The current elected committee are:

**PATRON:** Mr Archibald Douglas  
**ACTING PRESIDENT:** Mr Douglas Waller  
**V.PRESIDENT:** Mrs Jan Waller  
**SECRETARY:** Mrs Jan Waller  
**TREASURER:** Mr David Douglas  
**EDITOR:** Mrs Mary Smith  
**GEN. RESEARCH OFF:** Mrs Mary Smith  
**GENERAL COMMITTEE:** Mr Archie Douglas, Mrs Jan Shaw & Ms Jane Waller.

**AIMS AND OBJECTIVES OF THE ASSOCIATION**

- **TO ACT AS A REPRESENTATIVE BODY OF DOUGLASES AND SEPTS.**
- **TO ENCOURAGE GENEALOGICAL RESEARCH AND DOCUMENTATION OF DOUGLAS HISTORY.**
- **TO PROMOTE FELLOWSHIP AMONGST MEMBERS.**
- **TO ESTABLISH AND MAINTAIN CONTACT WITH OTHER DOUGLAS ASSOCIATIONS THROUGHOUT THE WORLD.**

We send Members two Newsletters a year (and invite members to contribute articles of general interest). We hold social gatherings to enable Members to meet.

We invite you and your family to join this Association. We ask you especially to support the Committee and help us bring together people of Douglas Ancestry, Sept families and other connections, from all over Australia, New Zealand and the World.

Any one descended from, connected by marriage, or adopted by a Douglas or Sept of Douglas is eligible to join.

The Sept families of the House of Douglas are:

- BELL, BLACKLOCK, BLACKSTOCK, BLACKWOOD, BROWN, BROWNLEE, CAVERS, Dickey, DOUGLASS, DRYSDALE, FORREST, FORRESTER, FOSTER, GILPATRICK, GLENDINNING, INGLIS, KILGORE, KILPATRICK, KIRKLAND, KIRKPATRICK, LOCKERBY, MACGUFFEY, MACGUFOCK, MCKILRICK, MORTON, SANDLILANDS, SANDLIN, SIMMS, SOULE, STERRITT, SYMINGTON, SYME, YOUNG.

We ask you to please notify anyone else you know to be eligible to join, especially those who may not be on our mailing list. Enclosed is a membership form to be returned with Australian currency cheques made out to CLAN DOUGLAS ASSOCIATION and send to - The Treasurer, Clan Douglas Association of Australia, PO Box 806, Hamilton, 4007.
President’s Report

I am very pleased that the Clan Douglas Association of Australia was able to stage a successful Scotch whisky tasting attracting a sizeable number of members and their friends along to it. It had been some time since the Clan staged its last fundraising event and it reminded all who attended of the value of keeping the organization alive. Sadly, with a tiring executive who have held the reigns for many years, the Clan will struggle to survive unless younger members are willing to get actively involved and do more than just pay their annual subscription.

In the same way that Jan Waller, Jan Shaw and Archie Douglas mobilized their sons and daughters to stage the first Clan Douglas Ceilidh 5 years ago, another concerted effort must be made to bring new blood into the Executive. The old excuse that I am too busy with work or family commitments does not cut it. The annual demands of the Clan on people’s time are negligible. At the very least it involves attending one AGM, writing a President’s report for four newsletters a year and helping to organize an annual event. If this is beginning to sound like a job advertisement then that is because it is. Sadly, I will have to vacate my position on the executive committee as I am departing for a year of study in the United Kingdom in September.

However, the call for help extends beyond finding a replacement President. David Douglas as Treasurer requires assistance in collecting and banking membership subscriptions and Mary Smith is waiting ever patiently for budding journalists to lighten her substantial workload by contributing to the newsletter. If my words are too blunt for your liking it is only because we are facing the prospect of dissolving the Association unless a few energetic members in the 20 to 40 age group step forward, offer to help AND deliver on their offer.

While the reach of the Clan extends beyond Brisbane for many years it has been its headquarters. Therefore, if you live in Brisbane and are proud to be associated with the Douglas name then here is an opportunity. It is an opportunity to do something that won’t make you wealthy or popular but will give you something more interesting to talk about than Brisbane property values and will give your young family an appreciation of tradition, culture and history.

Now that I have stood on my soap box and said my bit, it is time to say thank you. Thank you to the current executive for donating their time and energy, particularly to Mary Smith for her solo efforts in producing the newsletter. Thank you also to David Douglas and his wife for handling the bank accounts. Thank you to Archie and Mary Lou Douglas, Ken and Jan Waller and Jan Shaw for arranging social events and bringing friends along to make them financially successful. Lastly, thank you to all the members of the Association, young and not so young for their continuing interest and support.

Slainte,
Douglas Waller.
Clan Douglas Scotch Whisky Tasting

The inaugural Clan Douglas Scotch Whisky Tasting was held on 28 July 2005 at Gilhooley’s Bar and Restaurant in Brisbane city. It was a very well attended event with seventy guests made up of members and non-members and with a good mix of young and not so young. The tasting was expertly conducted by Mark Rodes who engaged the audience with his considerable knowledge on the art of Scotch whisky appreciation and with his highly infectious enthusiasm. Indeed, Mark’s contribution to the night exceeded expectation as he not only produced colour place mats containing details of each whisky but sourced proper whisky tasting glasses, called snifters, completely of his own volition. The whiskies that were tasted on the night were all single malt Scotch whiskies and were distinguished from one another by their regional origins and classification. These included Lowlands (Glenkinchie), Highlands (Highland Park), Speyside (Glenfiddich) and Islay (Bowmore).

To conclude an enjoyable and informative evening, lucky door prizes were drawn and awarded to a fortunate few guests by longstanding Clan member Jan Shaw. The Scotch whisky used at the event was a gratefully received donation of W.S Grant & Sons, who generously donated 12 bottles of Glenfiddich, 9 bottles of which was then swapped with the co-operation of Ascot Cellars to obtain the other varieties mentioned above. The event was a great financial success for the Association with net proceeds of the night to be used to sustain support for the Ron Douglas Memorial Bursary. The Executive Committee of the Association is very grateful to the Waller family and Penny Shaw, the principal organizers of the event, for donating their time to ensure it was a success. It is also indebted to those members and their guests who supported it by either attending the event or sending their apologies and making a donation.

Doug’s Picks:

1. Glenfiddich – old reliable
2. Glenkinchie – very smooth, very nice
3. Highland Park – not as smooth but with more flavour
4. Bowmore – strong distinctively smokey flavour

Douglas Waller

The following was taken from the Hounam & Linton Monumental Inscriptions, Roxburghshire.

“In memory of MARY DOUGLAS wife of JAMES DOUGLAS farmer in Swinside Townfoot who died there 09.12.1855 aged 28 yrs. Also MARY CRAIG his wife who died at Swinside Townfoot 02.11.1863 aged 55 yrs. And the above JAMES DOUGLAS who died at Swinside Townfoot 16.07.1880 aged 84 yrs. And MARY ROBSON a faithful servant in the family for upwards of 70 yrs. Died 20.01.1868 aged 97 yrs. To the memory of ISABELLA CRAIG who died at Swinside Townfoot 13.02.1889 aged 67 yrs. To the memory of ELIZABETH — spouse of WILLIAM DOUGLAS herd in Halffield? who died 11.03. — aged 3? yrs.”
Scott and Penny Douglas

Mr Mark Rodes — our speaker and facilitator of whisky tasting.

President Douglas Waller with friends Peter Ferros, Jane Prior and Kristan Butler

Dr Mark Ready and his wife Sue
Robert Douglas, Catherine Macmillan, Janet Waller (Vice President and Secretary) William Douglas shows how its done!

Jim Waddington, Heather and Bruce Douglas and Sandra Waddington

Miss Jane Walker and Mrs Heather Douglas

Archie Douglas (Patron) shows how its done!

Diana and Bill Osbaldiston
Sir John Douglas of Kelhead the 4th Baronet, was the eldest son of Sir William and the Lady Helen Douglas nee Irskine of Carnock. John Douglas was elected member of Parliament for Dumfries in 1735 but was unseated on petition. He sat for Dumfries 1741-47, but in 1746 he was taken to the Tower of London August 14, on a charge of complicity in the Jacobite rebellion. He was released on bail in March 1748 and that seems to have been an end to the matter. He died at Drumlanrig November 13, 1778. John Douglas married Christian Cunningham, 6th daughter of Sir William Cunningham of Caprington, Ayrshire, and had issue:

1. William who succeeded
2. Charles James Sholto who was called to the English Bar ultimately becoming Collector of Customs in Jamaica. He married (1) Basilia, daughter of James Dawes of Rockspring, Jamaica, and widow of Richard Quarrell with issue; married (2) Mary, daughter of Rev. Richard Bullock, D.D. and had issue. His granddaughter by the first marriage, Sarah, was married to John, 6th Marquess of Queensberry.
3. Stair entered the navy, became Captain May 29, 1792 and died unmarried at Richmond April 8, 1789.
4. John died unmarried at Madras 1759
5. Helen died unmarried
7. Christian died young.

Sir William Douglas of Kelhead who succeeded his father Sir John Douglas was 5th Baronet and also became a member of Parliament for Dumfries Burghs from 1768 to 1780. He died May 16, 1783 having married at Edinburgh March 21, 1772, Grace, eldest daughter and co-heiress of William Johnstone of Lockerby and had issue:

1. Charles became 5th Marquess of Queensberry
2. Archibald Johnston Douglas was an officer of the 18th Regiment of Foot, lost in the HMS Courageux on the coast of Barbary December 2, 1796. Unmarried.
3. John succeeded as 6th Marquess of Queensberry
4. Henry Alexander was born October 7, 1781 and died March 16, 1837; married August 31, 1812, Elizabeth, daughter of Robert Dalzell of Glenae. She died in 1837 having had issue.
5. William Robert Keith, born 1783 and died December 5, 1859. He was a merchant in London, and was a member of Parliament for Dumfriesshire from 1812-1832; Lord of the Admiralty in February and March 1822 and again from 1822 till the fall of the Liverpool Ministry in 1827. He had a patent of precedence as the younger son of a Marquess May 4, 1837. He married November 24, 1821, Elizabeth, eldest daughter of Walter Irvine of Luddington House, Surrey. She died April 25, 1864 leaving issue.
8. Catherine Heron, died January 26, 1840.

Sir Charles Douglas of Kelhead was born March 1777, the son of Sir William Douglas, 5th Baronet and succeeded as 6th Baronet in 1783 and his cousin the 4th Duke of Queensberry in 1810 in the marquessate and earldom of Queensberry, and as Viscount Drumlanrig and Lord Douglas of Hawick and Tibberis, being collateral heir-male to the marquessate and lineal heir-male to the other honours. His right was acknowledged by the House of Lords July 9, 1812 with precedence as a Marquess next above the Marquess of Tweeddale, as his predecessor at the date of the Union had stood on the roll by the higher title of Duke. He was created a Knight of the Thistle July 17, 1821 and on June 7, 1833, Baron Solway of Kinmount, co. Dumfries with remainder to the heirs-male of his body. He was Lord-Lieutenant of Dumfriesshire and colonel of the Dumfries Militia and a Lord-in-waiting to Queen Victoria in 1837. He died without heirs-male December 3, 1837 aged 60, at St James’s Palace when his peerage of the United Kingdom became extinct. He married August 13, 1803 at Richmond, Caroline Scott, 3rd daughter of Henry, 3rd Duke of Buccleuch and 5th Duke of Queensberry. She died at Bute House, Petersham, April 29, 1854. Their issue

1. Caroline Elizabeth, born July 11, 1804; died April 7, 1811 Dalkeith House.
2. Louisa Anne, born June 24, 1806, died August 31, 1871; married April 11, 1833, Thomas Charlton Whitmore, M.P. of Apley Park, Salop.
5. Jane Margaret Mary born January 15, 1811; died April 15, 1881; married January 27, 1841, her cousin, Robert Johnstone Douglas of Lockerby.
6. Frances Caroline died October 25, 1827.
7. Elizabeth Katinka, died April 26, 1874; married November 7, 1861, Henry St. George Foot.
8. Anne Georgina died November 28, 1899; married December 11, 1845 Charles Stirling Home Drummond Moray of Abercairney.


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BIRTHS

It is with pleasure that we welcome into the Douglas Family, a new member

APRIL ALEXANDRA WILKIN SMITH, born July 4, 2005 a daughter for David & Karen Smith of Bowenville, a sister for Brianna and Hayley and a granddaughter for Clan Douglas Newsletter Editor, Mary & Douglas Smith.
COPYRIGHT:
Where do you stand as a researcher or self-publisher?
Following are points of general interest from the Copyright Act 1968-1980,
Copyright Regulation as found in the Statutory Rules 1969, No. 58 Intent to publish and the Copyright Amendment Act 2000.

Digital Copying

- The basic issue of copyright applies whether photocopying or digital photographing. Please refer to the Copyright Amendment (Digital Agenda) Act 2000.
- The basic issues are:
  Who is the copyright holder of the document, photograph, map or plan?
  Is it published or unpublished?
  Can it be purchased at an ordinary commercial price?
  Does the ‘client’s’ request fit into the fair dealing ruling? (For research or study purposes, this is 10% or one chapter, whichever is the larger.)
- The definition of reproduction confirms that a digital version of non-digitised material is a reproduction and vice-versa.
- Reproduction rights form part of the rights of the copyright holder and protect the copyright holder’s right to make material available, usually in a commercial form such as a book or reprint.
- Digital copying permits the researcher to reproduce or rather create an image to reproduction quality.
- If a researcher seeks to photograph material which an archive, museum or library holds copyright to, consideration is based on the fact that it may jeopardize the commercial viability of the resource for that institution. There are also preservation issues to consider.
- Digital cameras are less damaging to records than standard photography and photocopying.
- US National Archives and Records Administration (NARA) allows researchers to use their own digital equipment without flash or scanners. This is unusual in that most agencies do not permit researchers this license.
- Researchers need to understand copyright and its implications especially if the researcher is going to make reproduction quality copies of material; they need to get a signed agreement covering the use of those images.

Australia and the US Free Trade Agreement

  Copyright provisions are not expected to have a significant impact despite the extension of the term of copyright from 50 to 70 years after the death of the author or from the end of the year the material was first published.
The proportion of works of this age that are copied under the statutory license is less than 0.1%. This data has been collected by the Copyright Agency Ltd. (CAL) for the Statutory Educational License. Most works that are copied for the education sector are less than ten (10) years old.

- If copyright expired before 1/1/2005 it will not be revived even if it is less than 70 years since the creator’s death or the first publication of the material. **The old fifty year rulings still apply.** *(There is no change to government-owned copyright. It is still 50 years from the end of the year of first publication.)*

- **Fair use proposals:** There was a recommendation by the Senate committee of the possible introduction of the US doctrine of *Fair Use* in Australia. CAL opposed the introduction of *Fair Use* as it believes it would disadvantage both users and copyright owners as there is a lot of uncertainty in determining what is permitted use of copyright material. This could lead to many years of litigious activity in the courts!

**Local Studies and Local History Collections**

For Local Studies and Local History Collections there is a **General Rule** for copyright that now applies. Copyright subsists for the life of the creator/author plus 70 years (unless the Collection is owned/maintained by a government agency where the old *fifty year* general rule still applies.) However, there are exceptions for specific collections such as photographs, unpublished materials, oral histories, and maps and charts.

**Photographs**

- It became law, as of 1/1/2003 that all photographs created **before 1/1/1955** were then out of copyright.
- All photos created from 1/1/1955 are still in copyright but this will elapse 70 years from the date of publication or if unpublished the life of the creator plus 70 years.
- Under the FTA, any photographs in which copyright still subsists or are created from 01/01/2005, copyright now lasts for 70 years from the end of the year the creator dies.
- Photographs have now been brought in line with other artistic endeavours. *(Note: Where a Commonwealth, State or Territory Govt holds copyright there is little change — the 50 year rule applies.)*

**Unpublished Material (Manuscripts)**

- For unpublished materials, copyright subsists for 70 years from their creation. When the creator/author dies, copyright goes to the estate/heirs.
- Researchers can make digital copies for administrative use or preservation only.
- Use can take place **only** on the premises of the holder of the copied item, without profit.

**Oral Histories**

- Obtain written agreements with interviewees outlining the following points:
  - Acknowledge the interviewees’ ownership of copyright, how they express themselves.
  - Respect their moral rights in regard to the integrity of the interviews and statements attributed to them.
  - Address their need to review tapes and to clarify/suppress comments or information.
Make clear what will be done with tapes. Clarify who will have access to the tapes, when and where.
Determine if interviewees are to receive anything in return — for example, a one-off payment, a percentage of royalties, fees, or dedications.
Provide interviewees with a tape copy and/or transcript as they request.
Separate agreements may be required of the interviewer(s).

Maps & Charts

- Copyright protects an artistic work which is defined to include drawings. The definition of a drawing includes maps, charts, and plans.
- Maps and charts created before 1 May 1969 are regarded as literary works for copyright purposes.
- Compilations of information on the maps/charts (for example, lists of symbols) are classified as literary works and are dealt with separately under copyright.
- As from 1/1/2005 copyright in published maps and charts lasts for 70 years from the end of the year in which the creator dies. If published anonymously, copyright lasts for 70 years from the end of the year in which the work was first published.
- If copyright is owned by the government, the old 50 year rule applies.
- Ideas, styles and information are not protected.
- Permission always is needed to reproduce a map/chart, communicate the map/chart to the public, or publish the map/chart.
- Digital reproduction comes under an Express License where a website grants permission via a statement that describes how the site content may be used.
  However, the onus is on the user to verify that the person hosting the site either holds copyright for the material on the site or has the authority of the copyright owner to give permission for its use. Otherwise, to copy it or download it will infringe copyright.

References:
Australian Copyright Council Information Sheet G23 Duration of Copyright February 2005
Australian Copyright Council Information Sheet G42 Family Histories and Copyright February 2005
Australian Copyright Council Information Sheet G43 Moral Rights April 2004
Australian Copyright Council Information Sheet G56 Internet Copying & Downloading Material September 2004
Australian Copyright Council Information Sheet G090 Maps and Charts
Queensland State Archives Copyright Declaration/Order Form. QSA-PA-007 version 3: pp.1-2
Rees Kylie. Copyright for Local Studies and Local History Collections. Practical Archivist April 2004; Vol.9 (4): 2-3

For further information on Copyright and Moral Rights please contact:
Australian Copyright Council ph: 02 9318 1788 or visit its website www.copyright.org.au
Copyright Agency Ltd. Is an Australian agency. Its website www.copyright.com.au
Visual Arts Copyright Collecting Agency. Visit its website on www.viscopy.com
**NOTICE BOARD**

**October 15**
City of Wollongong Pipe Band Contest — Dapto, NSW
Canberra Burns Club Spring Ball — Canberra, ACT

**October 29**
Knox Grammar School Tatoo — Wahroonga, NSW

**October 30**
Combined Scottish Soc’s Gathering — Castle Hill, NSW

**November 25-30**
Scottish Week — Sydney & Suburbs, NSW

**Friday 25th**
President’s Welcome by invitation

**Saturday 26th**

**November 26**
Scottish House Anniversary — Guildford, NSW

**Sunday 27th**
9am Kirkin’ o’ the Tartan at Scots Kirk, Belmont Street, Mosman
2pm Scottish Heraldry Lecture, Pitt Street Uniting Church, Sydney by Carrick Pursuivant, Mrs Elizabeth Roads.

**Monday 28th**
12noon Heraldic Display in Martin Place, with Scottish entertainment, Parade of Arms with presentation to Carrick Pursuivant for recognition.
7.30pm Forum: The Present State of Scotland at Edmund Barton Chambers. Speakers: Chief Scottish Week Guests from Scotland $15-00

**Tuesday 29th**
2.15pm A Cultural Seminar at History House, Macquarie St., conducted by Mrs Elizabeth Roads $10-00
7.30pm Calum’s Ceilidh at North Sydney Leagues Club, Cammeray $25

**Wednesday 30th St Andrew’s Day**
11.00am Manly day Out — hosted by the Mayor of Manly, Dr Peter Macdonald
7.00pm Grand Scottish Concert — St Stephen’s Church, Macquarie Street, with organ, Bagpipes, fiddle, Harp & Voices $30-00

**Thursday December 1**
7.30pm History Evening — a lecture for the Sydney Society for Scottish History, by Lyon Clerk and Keeper of the Records, Mrs E Roads. $15-00

**Friday 2nd**
6.00pm Inspection of the Scotland-Australia Cairn, Rawson Park, Mosman

**Saturday 3rd**
9.00am River Excursion to Historic Parramatta including Bus tour and Lunch $30-00

**Sunday 4th**
10.00am Kirkin’ o’ Tartan, St Stephen’s Church, Macquarie Street, Sydney
12.00pm March of the Clans & bands along Macquarie Street to the Domain
10.00am Scottish Week Gathering with Massed Bands display, Scottish Music and Poetry, Clan Tents, Highland dancing and piping workshops for Lads & Lassies, quality Stalls, Games — a free day out for all the family
12.30pm Official Citizenship Ceremony — 3.30pm Close.

Contact for bookings & costings: The Secretary, SAHC PO Box 826, Cronulla, 2230 NSW

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**EDITORIAL**

November 12 has been chosen as the date for the Clan Douglas Association’s AGM for 2005. (see enclosed flyer) I do hope those of you living in or near to Brisbane will make an effort to be present as there are quite a few items on the agenda to be discussed and we need your valuable input. The annual Ron Douglas Memorial Bursary will have to be addressed as well as fielding suggestions for a function next year which will be the 20th anniversary of the Association’s inauguration. Please, help us to keep the Association alive and well and keep those renewals rolling in!

Mary Smith, Editor
CLAN DOUGLAS ASSOCIATION OF AUSTRALIA

Patron: Mr Archibald Douglas

Acting President:
Mr Douglas Waller
1/138 Walker St
North Sydney, 2060
NSW
(02) 9955 0425

Vice President:
Mrs Jan Waller,
"Masterton",
91 Mowbray Tce.,
East Brisbane, 4169
T. (07) 3391 5857

Secretary:
Mrs Jan Waller,
S/A

Treasurer:
Mr David Douglas,
PO Box 806,
Hamilton, 4007
T. (07) 3262 3628 (a/h)

Newsletter Editor:
Mrs Mary Smith,
P.O. Box 29,
Bowenville, 4404
T. (07) 4663 7146

Gen. Co-ordinator
Mrs Mary Smith,
S/A

NAME -------------------------------------------------
ADDRESS---------------------------------------------

-------------------------------------------------------------------POSTCODE----------------

PLACE OF FAMILY ORIGIN OVERSEAS (IF KNOWN)

PLACE OF FAMILY ORIGIN, AUSTRALIA or N.Z.

TELEPHONE------------------------------------------

MEMBERSHIP FEE PER YEAR  $20-00 PER FAMILY AT SAME ADDRESS

COMMENTS/SUGGESTIONS

Septs.
Bell, Kilgore,
Blacklock, Kilpatrick,
Blackstock, Kirkland,
Blackwood, Kirkpatrick
Brown, Lockerby,
Brownlee, MacGuffey,
Cavers, MacGuffock,

Dickey, McKittrick,
Douglass, Morton,
Drysdale, Sandilands

Forest, Sandlin,
Forrest, Simms,
Forrester, Soule,
Foster, Sterritt,
Gilpatrick, Symington,
Glendinning, Syme,
Ingles, Young

Please make cheques payable in Australian currency to CLAN DOUGLAS ASSOCIATION OF AUSTRALIA and post to the treasurer. Thank you.

SIGNATURE OF APPLICANT

The Clan Douglas Association acknowledges that on the list of Sept families there are some who are recognised as belonging to other clans, but some families of these surnames were closely linked with branches of the 'Douglas' in the early years.