

ACTS
OF THE LORDS
OF THE ISLES

1336-1493

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Acts of the
Lords of the Isles

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of the
Lords of the Isles

1336 - 1493

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and R. W. Munro*



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PREFACE

We could not have considered embarking on this task without the initial encouragement and the promise of continued support from Professor G. W. S. Barrow and Dr Grant G. Simpson, who were chairman of council and hon. secretary of the Scottish History Society when a volume on the charters of the lords of the Isles was added to the list of prospective publications. Over the years they have richly fulfilled this promise, and we thank them most warmly for the great help they have given us from their wealth of knowledge and experience.

We have been fortunate to be working at a time when there has been a great upsurge of interest in the history of the later Middle Ages in Scotland. Discussions in the Conference of Scottish Medievalists and the Baronial Research Group have been of great benefit to us, and we are grateful to our fellow members, and especially to Dr Alexander Grant and Dr Jenny Wormald, for many helpful comments. Mr W. D. H. Sellar has shared with us his exact knowledge of manuscript sources on West Highland families, and given sound advice often at short notice. Recent work on the Vatican Archives has produced much new information, and our thanks go to Professor Ian B. Cowan for providing access to the transcripts at Glasgow University, and for guiding us in their use. At the same time the Royal Commission on the Ancient and Historical Monuments of Scotland have been busy in Argyll, and we have had the opportunity to exchange ideas and information with members of their staff. We have benefited from the recent work of Dr J. W. M. Bannerman and the Rev. William Matheson, and from their patience in answering our questions on Gaelic matters.

The staff of the Scottish Record Office have over the years taken a kindly as well as a professional interest in our work, and we are grateful to all of them. From the staff of the National Library of Scotland (including the Map Room), and from the Scottish Library staff in the Central Public Library, Edinburgh, we have always had efficient service. For his forbearance and a

keen eye for detail we would like to thank Dr T. I. Rae, the society's hon. publication secretary.

Finally, it is a pleasant duty to thank the following owners of documents who have readily made them available for the purposes of this book: The Duke of Atholl, the Marquess of Graham, the Earl Cawdor, the Earl of Cromartie, the Earl of Dundee, the Countess of Sutherland, the Lady Saltoun; Sir William Gordon Cumming, Bt.; Ninian Brodie of Brodie, Lieut.-Commander Lachlan Mackintosh of Mackintosh, A. M. H. Matheson (Brahan), Captain Patrick Munro of Foulis, Michael Nightingale of Cromarty, Miss Elizabeth Rose of Kilravock, and Alexander Urquhart of Craigston; the Society of Antiquaries of Scotland; Messrs Anderson, Shaw & Gilbert, solicitors, Inverness; and Messrs Lindsays, W.S., Edinburgh. Crown copyright material in the Scottish Record Office and the Public Record Office is reproduced with permission of the Controller of HM Stationery Office, and transcripts of documents held on deposit in the SRO appear with the approval of the Keeper of the Records of Scotland. Material in libraries, subject where appropriate to the permission of owners, have been published by permission of the Librarian of Aberdeen University Library, the Trustees of the British Library, and the Trustees of the National Library of Scotland.

JEAN MUNRO

R. W. MUNRO

Edinburgh
April, 1986

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by Professor Emeritus Gordon Donaldson
Historiographer Royal for Scotland

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TABLE OF ABBREVIATIONS

<i>Aberdeen-Banff Coll.</i>	<i>Collections for a History of the Shires of Aberdeen and Banff</i> (Spalding Club, 1843).
<i>Aberdeen-Banff Ill.</i>	<i>Illustrations of the Topography and Antiquities of the Shires of Aberdeen and Banff</i> (Spalding Club, 1847-2 1869).
<i>Abdn. Reg.</i>	<i>Registrum Episcopatus Aberdoniensis</i> (Spalding Club, 1845).
<i>Acta Concilii</i>	<i>Acta Dominorum Concilii, 1501-3</i> , ed. J. A. Clyde (Stair Society, 1943).
<i>Acts of the Lords Auditors</i>	<i>The Acts of the Lords Auditors of Causes and Complaints</i> , ed. T. Thomson (Edinburgh, 1839).
ADC	<i>The Acts of the Lords of Council in Civil Causes</i> , edd. T. Thomson and others (Edinburgh, 1839 and 1918-).
ADCP	<i>Acts of the Lords of Council in Public Affairs, 1501-1554</i> , ed. R. K. Hannay (Edinburgh, 1932).
AFM	<i>Annals of the Kingdom of Ireland by the Four Masters</i> , ed. J. O'Donovan (Dublin, 1851).
Alexander, PNA	W. M. Alexander, <i>The Place-Names of Aberdeenshire</i> (Spalding Club, 1952).
Anderson, <i>Early Sources</i>	<i>Early Sources of Scottish History, 500 to 1286</i> , ed. A. O. Anderson (Edinburgh, 1922).
Anderson, <i>Gigha</i>	R. S. G. Anderson, <i>The Antiquities of Gigha</i> , 2nd edn. (Newton Stewart, 1939).
<i>Annals of Loch Cé</i>	<i>The Annals of Loch Cé</i> , ed. W. M. Hennessy (London, 1871).
<i>Ant. Notes</i>	C. Fraser-Mackintosh, <i>Antiquarian Notes</i> (Inverness, 1865).
APS	<i>The Acts of the Parliament of Scotland</i> , edd. T. Thomson and C. Innes (Edinburgh, 1814-75).
<i>Argyll Inv.</i>	<i>Argyll, an Inventory of the Ancient Monuments</i> (RCAHMS, 1971-).
<i>Asloan MS.</i>	<i>The Asloan Manuscript</i> , ed. W. A. Craigie (STS, 1923).
ASPA	Vatican Archives: Acta Sacra Penitentiariae Apostolica.
AT	Argyll Transcripts, made by 10th Duke of Argyll (photostat copies of extracts in the Department of Scottish History, University of Glasgow).
AU	<i>Annals of Ulster</i> , edd. W. M. Hennessy and B. MacCarthy (Dublin, 1887-1901).
AUL	Aberdeen University Library.
Balfour, <i>Annales</i>	Sir James Balfour, <i>The Annales of Scotland</i> (Edinburgh, 1824).
Balfour-Melville, <i>James I</i>	E. W. M. Balfour-Melville, <i>James I</i> (London, 1936).
<i>Bannatyne Misc.</i>	<i>The Bannatyne Miscellany</i> (Bannatyne Club, 1827-55).

- Barrow, *Bruce* G. W. S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (London, 1965).
- Barrow, *Kingdom* G. W. S. Barrow, *The Kingdom of the Scots* (London, 1973).
- Barrow, *Kingship* G. W. S. Barrow, *Kingship and Unity* (London, 1981).
- Benedict XIII Letters* *Calendar of Papal Letters to Scotland of Benedict XIII of Avignon, 1394-1419*, ed. F. McGurk (SHS, 1976).
- Beveridge, *Abers and Invers* E. Beveridge, *The Abers and Invers of Scotland* (Edinburgh, 1923).
- Beveridge, *Coll and Tirie* E. Beveridge, *Coll and Tirie* (Edinburgh, 1903).
- Beveridge, *North Uist* E. Beveridge, *North Uist* (Edinburgh, 1911).
- BL British Library.
- Black, *Surnames* G. F. Black, *The Surnames of Scotland* (New York, 1946).
- Blaeu, *Atlas* J. Blaeu, *Theatrum Orbis Terrarum*, part v (Amsterdam, 1654).
- Book of the Dean of Lismore* *Scottish Verse from the Book of the Dean of Lismore*, ed. W. J. Watson (SGTS, 1937).
- Buchanan, *Historia* G. Buchanan, *Rerum Scotticarum Historia* (Edinburgh, 1582).
- Budge, *Jura* D. Budge, *Jura* (Edinburgh, 1960).
- C (app. D only) see below *Clanranald Book*.
- Calder, *Caithness* J. T. Calder, *Sketch of the Civil and Traditional History of Caithness*, 2nd edn. (Wick, 1887).
- Cal. Close Rolls* *Calendar of Close Rolls*, ed. C. Trice Martin and others (London, 1902-).
- Cal. Docs. Scot.* *Calendar of Documents relating to Scotland*, ed. J. Bain (Edinburgh, 1881-8).
- Cal. Pat. Rolls* *Calendar of Patent Rolls*, ed. J. G. Black and others (London, 1901-).
- Cameron, *Apostolic Camera* *The Apostolic Camera and Scottish Benefices*, ed. A. I. Cameron (Oxford, 1934).
- Cameron, *Celtic Law* J. Cameron, *Celtic Law* (London, 1937).
- Cawdor Book* *The Book of the Thanes of Cawdor* (Spalding Club, 1859).
- CD (app. D only) see below *Clan Donald*.
- Chron. Bower* *Joannis de Fordun Scotochronicon cum Supplementis et Continuatione Walteri Boweri*, ed. W. Goodall (Edinburgh, 1759).
- Chron. Fordun* *Johannis de Fordun, Chronica Gentis Scottorum*, ed. W. F. Skene (Edinburgh, 1871-2).
- Chron. Frasers* *Chronicles of the Frasers: The Wardlaw MS.* (SHS, 1905).
- Chron. Ross* *Ane breve Cronicle of the Earlis of Ross* (Edinburgh, 1850).
- Chron. Wyntoun* (Laing) Andrew of Wyntoun, *The Orygynale Cronykil of Scotland*, ed. D. Laing (Edinburgh, 1872-9).
- Clan Donald* A. and A. Macdonald, *The Clan Donald*, 3 vols. (Inverness, 1896-1904).

<i>Clanranald Book</i>	'The Book of Clanranald' in A. Cameron <i>Reliquiae Celticae</i> , edd. A. Macbain and J. Kennedy (Inverness, 1892-4).
<i>Clement VII Letters</i>	<i>Calendar of Papal Letters to Scotland of Clement VII of Avignon, 1378-1394</i> , ed. C. Burns (SHS, 1976).
<i>Coll. de Rebus Alban.</i>	<i>Collectanea de Rebus Albanicis</i> (Iona Club, 1847).
Cowan, <i>Parishes</i>	I. B. Cowan, <i>The Parishes of Medieval Scotland</i> (SRS, 1967).
Cowan and Easson, <i>Religious Houses</i>	D. E. Easson, <i>Medieval Religious Houses: Scotland</i> , 2nd edn. by I. B. Cowan (London, 1976).
CPL	<i>Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters</i> , edd. W. H. Bliss and others (London, 1893-).
CPP	<i>Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Petitions to the Pope</i> , ed. W. H. Bliss (London, 1896).
CSP (Ireland)	<i>Calendar of State Papers relating to Ireland</i> , edd. H. S. Sweetman and others (London, 1875-).
CSSR	<i>Calendar of Scottish Supplications to Rome</i> , edd. A. I. Dunlop and others (vols. i, ii, and iii (SHS, 1934-70); vol. iv (Glasgow, 1983)).
DNB	<i>Dictionary of National Biography</i> .
Dorret	J. Dorret, <i>General Map of Scotland and Islands thereto belonging</i> (1750).
Douglas, <i>Baronage</i>	Sir R. Douglas, <i>The Baronage of Scotland</i> (Edinburgh, 1798).
Douglas, <i>Peerage</i>	Sir R. Douglas, <i>The Peerage of Scotland</i> (Edinburgh, 1764).
Dowden, <i>Bishops</i>	J. Dowden, <i>The Bishops of Scotland</i> (Glasgow, 1912).
Duncan, <i>Making of the Kingdom</i>	A. A. M. Duncan, <i>Scotland: The Making of the Kingdom</i> (Edinburgh, 1975).
Dunlop, <i>Kennedy</i>	A. I. Dunlop, <i>The Life and Times of James Kennedy</i> (Edinburgh, 1950).
ER	<i>The Exchequer Rolls of Scotland</i> , edd. J. Stuart and others (Edinburgh, 1878-1908).
<i>Familie of Innes</i>	<i>Ane Account of the Familie of Innes</i> (Spalding Club, 1901).
<i>Family of Rose</i>	<i>A Genealogical Deduction of the Family of Rose of Kilravock</i> (Spalding Club, 1848).
<i>Foedera</i>	<i>Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica</i> , ed. T. Rymer (London, 1816-69).
Forbes, <i>Place-Names of Skye</i>	A. R. Forbes, <i>Place-Names of Skye</i> (Paisley, 1923).
Fraser, <i>Cromartie</i>	W. Fraser, <i>The Earls of Cromartie</i> (Edinburgh, 1876).
Fraser, <i>Grant</i>	W. Fraser, <i>The Chiefs of Grant</i> (Edinburgh, 1883).
Fraser, <i>Lennox</i>	W. Fraser, <i>The Lennox</i> (Edinburgh, 1874).
Fraser, <i>Menteith</i>	W. Fraser, <i>The Red Book of Menteith</i> (Edinburgh, 1880).

- Fraser Papers* *Papers from the Collection of Sir William Fraser* (SHS, 1924).
- Fraser, Sutherland* W. Fraser, *The Sutherland Book* (Edinburgh, 1892).
- Frasers of Philorth* *The Frasers of Philorth*, ed. A. Fraser, Lord Saltoun (Edinburgh, 1879).
- Gaelic Companion* *The Companion to Gaelic Scotland*, ed. D. S. Thomson (Oxford, 1983).
- Gaskell, Morvern* P. Gaskell, *Morvern Transformed* (Cambridge, 1968).
- GEC Peerage* *The Complete Peerage*, G. E. C. (okayne) revised V. Gibbs and others (London, 1910-59).
- Gillies, Argyll* H. C. Gillies, *The Places-Names of Argyll* (London, 1906).
- Glasgow Univ. Munimenta* *Munimenta Alme Universitatis Glasguensis* (Maitland Club, 1854).
- Grant, Independence* A. Grant, *Independence and Nationhood* (London, 1984).
- Grant, MacLeods* I. F. Grant, *The MacLeods, the History of a Clan* (London, 1959).
- Gregory, History* D. Gregory, *The History of the Western Highlands and Isles of Scotland* (Edinburgh, 1836).
- Hailes, Annals* Sir David Dalrymple, Lord Hailes, *Annals of Scotland from the Accession of Malcolm III to the Accession of the House of Stewart*, 2nd edn. (Edinburgh, 1797).
- Hamilton Papers* *The Hamilton Papers*, ed. J. Bain (London, 1890, 1892).
- Henry VIII Letters* *Calendar of Letters and Papers, Foreign and Domestic, Henry VIII* (London, 1864-1932).
- Hill, Macdonnells of Antrim* G. Hill, *An historical account of the Macdonnells of Antrim* (Belfast, 1873).
- Hist. MSS. Comm.* *Reports of the Royal Commission on Historical Manuscripts* (London, 1870-).
- HP* *Highland Papers*, ed. J. R. N. Macphail, 4 vols. (SHS, 1914-34).
- Inchaffray Chrs.* *Charters, Bulls and other Documents relating to the Abbey of Inchaffray* (SHS, 1908).
- Inchaffray Liber* *Liber Insule Missarum* (Bannatyne Club, 1847).
- Innes, Legal Antiquities* C. Innes, *Lectures on Scotch Legal Antiquities* (Edinburgh, 1872).
- Invernessiana* C. Fraser-Mackintosh, *Invernessiana* (Inverness, 1875).
- Islay Book* *The Book of Islay: Documents illustrating the history of the Island*, ed. G. G. Smith (n.p., 1895).
- Kelso Liber* *Liber S. Marie de Calchou* (Bannatyne Club, 1846).
- Knox, History* *John Knox's History of the Reformation in Scotland*, ed. W. C. Dickinson (Edinburgh, 1949).
- Laing, Seals, i* H. Laing, *Descriptive Catalogue of Impressions from*

	<i>Ancient Scottish Seals</i> (Bannatyne and Maitland Clubs, 1850).
<i>Lamont Papers</i>	<i>An Inventory of Lamont Papers</i> (SRS, 1914).
Langlands (1793)	G. Langlands and Son, <i>A Map of the District of Kentyre</i> (1793).
Langlands (1801)	G. Langlands and Son, <i>A Map of Argyleshire</i> (1801).
Lawrence, <i>Clan Bain</i>	A. J. Lawrence, <i>The Clan Bain</i> (Inverness, 1963).
Lesley, <i>History</i>	J. Lesley, <i>The History of Scotland from the Death of King James I in the year 1436 to the year 1561</i> (Bannatyne Club, 1830).
<i>Letters of James IV</i>	<i>The Letters of James the Fourth (1503-13)</i> , edd. R. K. Hannay and R. L. Mackie (SHS, 1953).
Loder, <i>Colonsay</i>	J. de V. Loder, <i>Colonsay and Oronsay in the Isles of Argyll</i> (Edinburgh, 1935).
MacBain, <i>PNHI</i>	A. MacBain, <i>Place Names - Highlands and Islands of Scotland</i> (Stirling, 1922).
Macdonald, <i>Argyll</i>	C. M. Macdonald, <i>The History of Argyll</i> (Glasgow, 1950).
Macdougall, <i>James III</i>	N. Macdougall, <i>James III, a Political Study</i> (Edinburgh, 1982).
MacEacharna, <i>Lands of the Lordship</i>	D. MacEacharna, <i>The Lands of the Lordship</i> (Port Charlotte, 1976).
Macfarlane, <i>Gen. Coll.</i>	<i>Genealogical Collections concerning Families in Scotland, made by Walter Macfarlane</i> (SHS, 1900).
Macfarlane, <i>Geog. Coll.</i>	<i>Geographical Collections relating to Scotland, made by Walter Macfarlane</i> (SHS, 1906-8).
MacGibbon & Ross, <i>Castellated and Domestic Architecture</i>	D. MacGibbon and T. Ross, <i>The Castellated and Domestic Architecture of Scotland</i> (Edinburgh, 1887-92).
Macgill, <i>Ross-shire</i>	W. Macgill, <i>Old Ross-shire and Scotland</i> (Inverness, 1909-11).
<i>Mackay Book</i>	A. Mackay, <i>Book of Mackay</i> (Edinburgh, 1906).
Mackenzie, <i>Mackenzies</i>	A. Mackenzie, <i>History of the Mackenzies</i> , 2nd edn. (Inverness, 1894).
Mackenzie, <i>Orain Iain Luim</i>	<i>Orain Iain Luim</i> , ed. A. M. Mackenzie (SGTS, 1964).
Mackintosh, <i>M and CC</i>	A. M. Mackintosh, <i>The Mackintoshes and Clan Chattan</i> (Edinburgh, 1903).
<i>Mackintosh Muniments</i>	<i>The Mackintosh Muniments, 1442-1820</i> , ed. H. Paton (Edinburgh, 1903).
MacLean, <i>History</i>	J. P. MacLean, <i>History of Clan MacLean</i> (Cincinnati, 1889).
MacMillan, <i>Families of Knapdale</i>	S. MacMillan, <i>Families of Knapdale</i> (Paisley, 1960).
MacMillan, <i>MacMillans</i>	S. MacMillan, <i>The MacMillans and their Septs</i> (Glasgow, 1952).
McNeill, <i>Anglo-Norman Ulster</i>	T. E. McNeill, <i>Anglo-Norman Ulster</i> (Edinburgh, 1980).
Major, <i>History</i>	J. Major, <i>A History of Greater Britain</i> (SHS, 1892).

- Martin, *Western Islands* M. Martin, *A Description of the Western Islands of Scotland* (Stirling, 1934).
- Melrose Liber *Liber Sancte Marie de Melros* (Bannatyne Club, 1837).
- Memoirs of Locheill *The Memoirs of Sir Ewen Cameron of Locheill* (Abbotsford Club, 1842).
- Moncreiffe, *Highland Clans* Sir Iain Moncreiffe of that Ilk, *Highland Clans* (London, 1967).
- Monro, *Western Isles* *Monro's Western Isles of Scotland and Genealogies of the Clans*, ed. R. W. Munro (Edinburgh, 1961).
- Moray Reg. *Registrum Episcopatus Moraviensis* (Bannatyne Club, 1837).
- Munro Writs *Calendar of Writs of Munro of Foulis, 1299-1823*, ed. C. T. McInnes (SRS, 1940).
- Nat. MSS. Scot. *Facsimiles of the National Manuscripts of Scotland* (London, 1867-71).
- Nicholson, *Middle Ages* R. G. Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1974).
- Nicolson, *Skye* A. Nicolson, *History of Skye* (Glasgow, 1930).
- NLS National Library of Scotland.
- NSA *The New Statistical Account of Scotland* (Edinburgh, 1845).
- OPS *Origines Parochiales Scotiae* (Bannatyne Club, 1851-5).
- Orkney Records *Records of the Earldom of Orkney* (SHS, 1914).
- OS Ordnance Survey.
- Paisley Reg. *Registrum Monasterii de Passelet* (Maitland Club, 1832).
- Paterson, *County of Ayr* J. Paterson, *History of the County of Ayr* (Ayr, 1847, 1852).
- Pennant, *Tour* T. Pennant, *A Tour in Scotland* (London, 1790).
- Pitscottie, *Historie* R. Lindsay of Pitscottie, *The Historie and Cronicles of Scotland* (STS, 1899-1911).
- PRIA *Proceedings of the Royal Irish Academy*.
- PRO Public Record Office.
- PSAS *Proceedings of the Society of Antiquaries of Scotland* (1851-).
- Ramsay, *Stent Book* *The Stent Book and Acts of the Bailliary of Islay, 1718-1843*, ed. L. Ramsay (n.p., 1890).
- RCAHMS Royal Commission on the Ancient and Historical Monuments of Scotland.
- Reg. Supp. Vatican Archives: Register of Supplications.
- Reid, *Earls of Ross* F. N. Reid, *The Earls of Ross and their descendants* (Edinburgh, 1894).
- Retours *Inquisitionum ad Capellam Domini Regis Retornatarum*, ed. T. Thomson (Edinburgh, 1811-16).
- Riddell, *Vindication* J. Riddell, *Vindication of the 'Clanronald of Glengarry'* (Inverness, 1821).
- RMS *Registrum Magni Sigillii Regum Scotorum*, edd. J. M. Thomson and others (Edinburgh, 1882-1914).

<i>Rot. Scot.</i>	<i>Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati</i> , edd. D. Macpherson and others (London, 1814-19).
RRS	<i>Regesta Regum Scottorum</i> , ed. G. W. S. Barrow and others (Edinburgh, 1960-).
RSCHS	<i>Records of the Scottish Church History Society</i> (1923-).
RSS	<i>Registrum Secreti Sigillii Regum Scottorum</i> , edd. M. Livingstone and others (Edinburgh, 1908-).
S	(app. D only) <i>Sleat seanachie</i> in <i>HP</i> , i, 1-72 (see <i>HP</i> above).
<i>Sadler's State Papers</i>	<i>Sir Ralph Sadler's State Papers</i> , ed. A. Clifford (Edinburgh, 1809).
Scott, <i>Dunbar</i>	T. Scott, <i>Dunbar: A Critical Exposition of the Poems</i> (Edinburgh and London, 1966).
S and B	(app. D only) see below Steer and Bannerman, <i>Sculpture</i> .
<i>Scrymgeour Inventory</i>	<i>Inventory of Documents relating to the Scrymgeour Family Estates</i> (SRS, 1912).
<i>Seneachie, Clan Maclean</i>	<i>Historical and Genealogical account of the Clan of Maclean</i> , by a Seneachie (London and Edinburgh, 1838).
SGTS	Scottish Gaelic Texts Society.
SHR	<i>Scottish Historical Review</i> .
SHS	Scottish History Society.
Sinclair, <i>Clan Gillean</i>	A. M. Sinclair, <i>The Clan Gillean</i> (Charlottetown, 1899).
Skene, <i>Celtic Scotland</i>	W. F. Skene, <i>Celtic Scotland: A History of Ancient Alban</i> (Edinburgh, 1886-90).
SP	<i>The Scots Peerage</i> , ed. J. Balfour Paul (Edinburgh, 1904-14).
<i>Spalding Misc.</i>	<i>Miscellany of the Spalding Club</i> (Spalding Club, 1841-52).
SRO	Scottish Record Office.
SRS	Scottish Record Society.
Steer and Bannerman, <i>Sculpture</i>	K. A. Steer and J. W. M. Bannerman, <i>Late Medieval Monumental Sculpture in the West Highlands</i> (Edinburgh, 1977).
Stevenson, <i>Documents</i>	<i>Documents Illustrative of the History of Scotland, 1286-1306</i> , ed. J. Stevenson (Edinburgh, 1870).
Stewart, <i>Camerons</i>	J. Stewart of Ardvorlich, <i>The Camerons</i> (Stirling, 1974).
Stringer, <i>Nobility</i>	<i>Essays on the Nobility of Medieval Scotland</i> , ed. K. J. Stringer (Edinburgh, 1985).
STS	Scottish Text Society.
<i>Sutherland Earldom</i>	Sir R. Gordon, <i>A Genealogical History of the Earldom of Sutherland</i> (Edinburgh, 1813).
SWHIHR	Society of West Highland and Island Historical Research.
TA	<i>Accounts of the Lord High Treasurer of Scotland</i> , edd.

- T. Dickson and Sir J. Balfour Paul (Edinburgh, 1877-1916).
Transactions of the Gaelic Society of Inverness.
Vetera Monumenta Hibernorum et Scotorum Historiam Illustrantia, ed. A. Theiner (Rome, 1864).
- TGSI
Theiner, *Vet. Mon.*
Thomson, *Atlas*
Tytler, *History*
Warrand, *Fraser*
Watson, *Bardachd*
Watson, *CPNS*
Watson, *PNRC*
Watson, *Rosg Gaidhlig*
Watt, *Med. Fasti*
Wigtown Charter Chest
Wormald, *Lords and Men*
1467 MS.
- J. Thomson and Co, *The Atlas of Scotland* (Edinburgh and London, 1831).
P. F. Tytler, *The History of Scotland* (Edinburgh, 1879).
D. Warrand, *Some Fraser Pedigrees* (Inverness, 1934).
W. J. Watson, *Bardachd Ghaidhlig*, 3rd edn. (Glasgow, 1959).
W. J. Watson, *The History of the Celtic Place-names of Scotland* (Edinburgh, 1926).
W. J. Watson, *Place-Names of Ross and Cromarty* (Inverness, 1904).
W. J. Watson, *Rosg Gaidhlig: Specimens of Gaelic Prose* (Glasgow, 1915 and 1929).
D. E. R. Watt, *Fasti Ecclesiae Scotticanae Medii Aevi*, second draft (SRS, 1969).
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INTRODUCTION

IT IS a fairly widely held belief that the inhabitants of the Highlands and Western Isles of Scotland, chiefs and people alike, despised the use of written charters, and relied on other means to establish and maintain their rights to the lands which they occupied, inherited or controlled.

The charters and other documents, previously scattered but now gathered together and presented as a whole, leave no room for doubt that the usefulness of written evidence was fully realised even in the fourteenth and fifteenth centuries by the lords of the Isles, and by their leading followers throughout a wide region of Scotland. Many of these documents are already well known, and have been used by historians over the past 150 years or so;¹ but they have all been re-examined, and others hitherto unknown have been found, so that as complete a collection as possible of the charters of the lords of the Isles can be made easily accessible, at a time when the importance to Scottish history of all parts of the country and all sections of its people is increasingly realised.

This study is concerned primarily with the lordship of the Isles, for which there was no parallel in Scotland, and only incidentally with the earldom of Ross, which the lords held from about 1436 to 1475. Any comments and emphasis have therefore, generally speaking, an island rather than a mainland viewpoint. That the islanders had a definite role to play in the earldom is shown by the documents themselves. There was, of course, a strong Gaelic cultural and social element in the lordship, as well as its documented and feudal aspect. Fortunately, the other side of the coin has long been the subject of interest and study, and of scholarly writing particularly in recent years.

In a preliminary sketch of the four lords of the Isles who ruled between 1336 and 1493, it is necessary to emphasise that there

¹ Donald Gregory, whose *History* was first published in 1836, was a pioneer in using both documentary and traditional sources to illustrate Highland history

had been a *Ri Innse Gall*, king or ruler of the Isles of the Strangers (as the islanders who had come under Norse influence would be regarded by their neighbours), long before that title came to be reflected in the Latin designation '*dominus Insularum*'. It was not the result of a royal creation, but was adopted at least as early as 1336 (no.3) by John of Islay, son of Angus Og, whose grandfather was Donald, the eponymous founder of the clan Donald. Donald's grandfather Somerled (d. 1164) had forced a division of the Norse kingdom of Man and the Isles, which stretched from the Isle of Man to Lewis. He became 'king' of the Hebrides south of Skye and Lewis, and ruler over what has been aptly described as 'a far-flung lordship of islands and mountainous mainland'. After his death this was divided between his son Dugall, ancestor of the MacDougall lords of Argyll, and his other son Ranald, father of Donald and Ruari who founded the two lines of MacDonald and MacRuari which were united in the family with which we are mainly concerned.²

By the mid thirteenth century the three lines of Somerled's descendants had divided his lordship between them, holding the islands from the king of Norway and the mainland from the king of Scots. The clan Dugall held Lorn, Benderloch and Lismore, the Garvellachs, north Jura, Mull, Tiree, Coll, and the Treshnish islands; the clan Donald held Islay, south Jura, Colonsay, Oronsay, part of Kintyre, and probably Ardnamurchan and Morvern; and the clan Ruari held Garmoran – Moidart, Arisaig, Morar and Knoydart – probably with Eigg, Rum, Barra and Uist. By the treaty of Perth in 1266 the former vassals of the king of Norway were left in possession of their islands – held now from the king of Scots – and the pattern was undisturbed until the period of the wars of independence when the clan Donald, supporting Bruce, had their position strengthened at the expense of the pro-Balliol clan Dugall.

The four lords of the Isles whose charters appear in this book

² John's descent from Somerled is shown in appendix D, table 1. The earlier period can be studied in Macdonald, *Argyll*; Duncan and Brown, 'Argyll and the Isles'; Steer and Bannerman, *Sculpture*, 201; W. D. H. Sellar, 'Lordship of the Isles' in *Gaelic Companion*, 156. The quotation is from Barrow, *Kingship*, 109

were John, Donald, Alexander, and another John, each the son of his predecessor.³ The first of these succeeded near the end of the reign of king Robert I, during which both clan Donald and clan Ruari had supported Bruce and so prospered, while clan Dugall by taking the Balliol side had lost much of its power in the Hebrides. The first John, a benefactor of the church, remembered as the 'good John of Islay',⁴ is also memorable for his two marriages; first to his cousin the MacRuari heiress, Amy, which united her inheritance comprising the mainland territory of Garmoran, the islands lying between Ardnamurchan and Skye, and the southern Outer Hebrides, with the clan Donald lands of Kintyre, Islay and Mull; and secondly to a daughter of Robert the Steward, who became king as Robert II in 1371. John had families by both wives, and, by arrangement, Donald the eldest son by Margaret Stewart succeeded to the lordship, while the MacRuari lands had already gone to Amy's son Ranald, to be held by him and his successors from the lords of the Isles.⁵ Donald is notable for having granted the only Gaelic charter to have survived (no. 16), and for his efforts (to secure the earldom of Ross in right of his wife Mary Leslie, in the face of opposition by the powerful Albany family, which led to the battle of Harlaw.) His son Alexander, 'a man born to much trouble all his lifetime',⁶ was captured by James I at Inverness in 1428, but regained his liberty, and after raising an unsuccessful rebellion in the North, gave himself up and was compelled to undergo a humiliating submission at Edinburgh and imprisonment at Tantallon. In his absence, his supporters defeated a royal army at Inverlochy in 1431. Alexander was released, and lived to become a mainland magnate as well as an island prince, as the acknowledged earl of Ross and royal justiciar north of the Forth.)

Last of the four lords was the second John, described as 'a

³ More detailed notices of the four lords will be found in appendix D, with notes on the descendants of each

⁴ Monro, *Western Isles*, 94; *HP*, i, 26; *Clanranald Book*, 159, 161

⁵ *Clanranald Book*, 161; *HP*, i, 27. According to the former, the arrangement was made 'contrary to the opinion of the men of the Isles', but 'with the consent of his [Donald's] brethren and the nobles of the Isles'

⁶ *HP*, i, 34

meeke, modest man', and 'more fit to be a churchman than to command so many irregular tribes of people';⁷ yet he contrived to quarrel with his wife, his son and his king, to lose first the earldom and then the lordship, and ended his days as a pensioner of the crown. The chief events of his life were first, the 'treaty' with Edward IV of 1462 (no. 75), whereby John and the earl of Douglas proposed to dismember Scotland and transfer their allegiance to the king of England, but which actually led to John forfeiting the earldom of Ross; and, second, the disagreement with the heir, his illegitimate son Angus, over the management of the lordship and the division of his lands, when the chiefs of the Isles supported John, while the heads of the MacDonald kindred supported Angus.⁸ Angus invaded Ross, and at Logiebride, somewhere near the head of the Cromarty Firth, beat a force sent against him by the king;⁹ after some attempts at reconciliation, father and son with their supporting fleets met in a bitter seafight in the Isles, at Bloody Bay on the north-east coast of Mull.¹⁰ It is impossible to date these events exactly, but they seem to have taken place between 1479 and 1485, in which years charters were granted by father and son by mutual consent (nos. 117, 119); and if, as one writer says, John was able to bring 'a great company' to support James III in 1481, the period might be narrowed still further. Angus was murdered at Inverness in 1490, leaving an infant or perhaps posthumous son Donald by a daughter of Colin earl of Argyll, in whose custody he was held at Inchconnell on Loch Awe. The role of trouble-maker was taken up by John's nephew, Alexander of Lochalsh, but his rising in Ross in 1491 ended with defeat at the battle of Park, near Strathpeffer.¹¹ James IV decided that the time had come to exert control from the centre; the lordship was forfeited, John became an innocuous pensioner at court, and he died at Dundee in 1503.

A series of attempts to restore the lordship, under John's grandson and others, will be noticed later.^{11a}

⁷ *Ibid.*, 47 ⁸ *Clanranald Book*, 163 ⁹ *HP*, i, 49; Watson, *PNRC*, 113-14

¹⁰ *HP*, i, 49-51. I. F. Grant, *Angus Og of the Isles*, chap. 21, has based a reconstruction of the battle on the rather unsatisfactory sources

¹¹ *HP*, i, 55; ii, 22 ^{11a} See below, pp. lxxii-lxxiv

LANDS OF THE LORDSHIP

Donald, grandson of Somerled, from whom the lords of the Isles descend, was early associated with Islay, and from the thirteenth century his family took their designation from it. The islands as they were acquired became the basis of the territory of the lords of the Isles, and, along with some mainland areas, the whole was united by the sea, which was then the natural highway and route of communication.

This scattered but homogeneous territory figures less frequently in the lordship charters than some of the lands which its rulers held only temporarily – the earldom of Ross, Kingedward and Kincardine in Buchan and the Mearns, and Greenan in Ayrshire, which for convenience are included in this section. Although these might be seen as peripheral to the main subject, they bulk largely in surviving documents, and to explain this it has been necessary to devote what may appear as a disproportionate amount of space in showing their relevance to the family whose principal holdings began and ended in the Western Isles.

Islay

Islay was central to the clan Donald, and Finlaggan was the 'capital' of the lordship of the Isles. From the evidence now available it is not possible to plot the extent of the lands which the lords kept in their own hands, although the charters granted after the forfeiture and the dues payable on what then became crown lands give some idea of the extensive holdings of the former superior.¹² We are told that part at least of Islay was given by John, lord of the Isles, to his son John Mor, who received (according to the Sleaf seanachie) 60 merk lands in Islay with 120 merk lands in Kintyre.¹³ John's share must have included the strong castle of Dunivaig in the south-east of the island, as he was called lord of Dunivaig by 1400, although his principal possessions were in Kintyre and Antrim, where he had already become lord of the Glens in right of his Irish wife. The

¹² Nos. A45, A58, A64; *ER*, xii, 587-90

¹³ App. D, table 3/2

Gaelic charter of 1408 (no.16) shows that lands in the Oa and Machrie districts were still at the disposal of Donald, lord of the Isles, at that time; and it seems that further lands in eastern Islay were granted by his successor Alexander to John MacIain of Ardnamurchan, who also held lands in Jura from John Mor's son Donald Balloch (no.A64).

We know from Fordun's *Chronicle* that John, the first of the lords with whom we deal, had two places of residence in Islay, as well as the castle of Dunivaig.¹⁴ One of these *mansiones* (as Fordun calls them) is traditionally said to have been at Kilcho-man, on the Atlantic coast of the Rinns of Islay, and the other was on an island in Loch Finlaggan, described when the lordship was still a living memory as being 'well biggit in palace-work according to thair auld fassoun'.¹⁵ At both places they are said to have stayed often, Finlaggan being associated particularly with meetings with their council.^{15a} So unchallengeable was MacDonald's power in Islay that Finlaggan shows 'no visible elements of fortification and no concession to the need for security other than the fact that it occupies an island', and the fragments that remain above ground are of domestic and ecclesiastical buildings only.¹⁶ They include the foundations of a large, rectangular building which appears to have been a ground-floor hall, and about two dozen assorted and loosely-grouped buildings, one of two storeys probably used for service purposes in connection with the hall, and a chapel whose walls now give shelter to some medieval graveslabs probably removed from an adjacent burial ground. On the nearby Council Isle, once joined to the other by a stone causeway of which traces remain, there are masonry remains but they give no clue to the form of the 'council house' which is said to have stood there in the time of the lords of the Isles.¹⁷

Gigha, Jura and Colonsay were also among the islands

¹⁴ *Chron. Fordun*, i, 43

¹⁵ Monro, *Western Isles*, 56-57

^{15a} See below, p. xlix

¹⁶ *Argyll Inv.*, v, 36, 275-81, where the remains are described in detail; J. G. Dunbar, in *The Middle Ages in the Highlands* (Inverness Field Club, 1981), 54-55. For the site, Monro, *Western Isles*, 95-100

¹⁷ *Argyll Inv.*, v, 279; Monro, *Western Isles*, 57

granted to John by David II in 1343 (nos. A1, A2). Gigha was granted to a MacNeill family with the keeping of castle Sween (no. 33); the upper part of Jura went to MacLean of Duart in 1390 (no. 11), and MacLean of Lochbuie had some lands in the island (no. A42); Colonsay was held by the MacDuffies, along with neighbouring Oronsay.¹⁸

Kintyre and Knapdale

From the mainland the long peninsula of Kintyre appears an isolated appendage, but seen from Islay it has a much more central role. The narrow isthmus at Tarbert is in fact all that prevents it being an island, and at one time it was called 'the isle of Kintyre'. Somerled, or more probably his son Ranald, thought it of sufficient importance to establish a monastery at Saddell on the coast facing inwards towards the Firth of Clyde. Kintyre was associated in the plans for new sheriffdoms in the west in Balliol's time with Bute, Arran and the Cumbraes, while its neighbour Knapdale went into Lorn. Until 1262 the MacSweens owned lands in Kintyre as well as in Knapdale, and lost them to the Menteith family. Along with Islay, Kintyre was firmly under MacDonald control during Robert Bruce's early struggle for the crown, and its great castle of Dunaverty gave him temporary shelter.¹⁹ Although Kintyre was included in Edward Balliol's comprehensive charter to John of the Isles in 1336 (no. 1), it alone of the lands then granted does not figure in David II's charter to John in 1343 (no. A2). John owned part of Kintyre in 1367,²⁰ however, and it was confirmed to him and Margaret Stewart by her father Robert II in 1376 (no. A10). It seems probable that responsibility for their lands in Kintyre was passed on by the lords of the Isles to the branch of the family founded by John and Margaret's younger son John Mor; having put down roots in Ireland, they must have found Kintyre a convenient possession lying between Dunivaig and the Glens.²¹

¹⁸ See app. C

¹⁹ Barrow, *Bruce*, 231, 408-9. Although no charter by him of Islay and Kintyre to Angus Og is recorded, Robert I gave lands in 'our lordship of Kintyre' to two families (*RMS*, i, app. 1, no. 99, and app. 2, no. 607)

²⁰ *APS*, i, 528 ²¹ App. D, table 3/2

The MacDonalds of Largie, descended from John Mor's younger son Ranald Ban, were according to tradition granted their Kintyre lands by Alexander, lord of the Isles, in gratitude for Ranald's support at Inverlochy, but Donald MacRanaldbane is said to have held lands by charter from his cousin, Sir John, son of Donald Balloch.²² The lords of the Isles lost Kintyre and Knapdale in 1475, but six years later part of these lands (now in the new sheriffdom of Tarbert) were returned to John for his lifetime (no.A37). The crown rentals, though following the forfeiture of 1493, probably reflect the earlier state of affairs with a pattern of small tenants including the poet and harper who, like the administrative officers, held lands for services rendered to their superior.²³

To the north Kintyre marched with Knapdale, although not exactly at the Tarbert isthmus.²⁴ The ownership of Knapdale was much more complicated than that of Kintyre. Among the smaller families who held land there, the MacSweens were probably the most important until in the early 1260s they were dislodged by the earl of Menteith. In spite of the MacSweens, that family maintained their possession of Knapdale until Sir John Menteith, great-grandson of the earl, died without issue.²⁵ In his later years Sir John had given several grants of land to Gillespie or Archibald Campbell of Lochawe, and had made him keeper of Castle Sween. In 1366 Robert the Steward was in possession of Knapdale and Arran,²⁶ and as Robert II he granted part of Knapdale to John, lord of the Isles, in 1376 (no.A10). Castle Sween is to be found in the hands of the MacNeills as keepers on behalf of the lord of the Isles in 1440, 1455 and 1472, and they held lands in north Knapdale, and also in Gigha, from

²² App. D, table 3/15 and 16

²³ *ER*, xii, 352-66, 698-703; and see app. C, *s.v.* MacEachern, Mackay. Several lordship charters and other documents are dated in Kintyre and vicinity (nos. 93, 94, 105, 106; 63, 64, 58)

²⁴ See no.A35 comment. Tarbert and Skipness castles were in Knapdale

²⁵ *SP*, vi, 130-2

²⁶ *APS*, i, 500. Sir John's lands may have gone through his cousin Margaret, who had married (disp. 1361) the Steward's third son Robert (1st duke of Albany), who called himself earl of Menteith, but did not apparently keep the western property (*SP*, i, 146; vi, 140)

the lord of the Isles (nos. 33, 60 and 102). Although the lordships of Kintyre and Knapdale were forfeited in 1475, John's influence in the latter must have remained strong, as he was accused in 1478 of being art and part with the MacNeills in the 'stuffing' of Castle Sween with men and victuals and arms of war; it was probably owing to this that the keeping of the castle was given to Argyll in 1481 (no. A35). Within a few months lands in the south of Kintyre, with a wider jurisdiction, were granted by James III to Tearlach MacAlexander (no. A36), and John, lord of the Isles, himself received for his lifetime a carefully listed series of lands in south Kintyre and south Knapdale – lands which his charter from the crown cautiously explained were claimed by MacNeill in the former, and by MacLean and MacNeill in the latter.²⁷

The Mull group

The lands of Lorn held by the MacDougalls in the late thirteenth century included the isles of Lismore, Mull, Coll and Tiree, Treshnish, the Garvellachs, and the upper or north part of Jura, with the mainland of Lorn.²⁸ The islands changed hands between the MacDonalds and MacDougalls during the wars of independence, and most, including Mull, remained with the MacDonalds.²⁹ In David II's charter of 1343 (no. A2), special note was taken of the castles of Cairn na Burgh More and Beg in the Treshnish group, and Dun Chonnuill in the Garvellachs, the keeping of which were entrusted to John, lord of the Isles; by this time he must also have held the important chain of castles mainly built by the MacDougalls along the Sound of Mull – Duart, Ardtornish and Aros.³⁰ In 1354 this was confirmed when John of Lorn quitclaimed to John of Islay the isles of Mull, Treshnish, Garvellachs, the upper part of Jura, and Tiree (no. 5); Coll and the part of Tiree nearest to it were retained by the MacDougalls

²⁷ See no. A37 and comment

²⁸ Territorial division of the Isles in the thirteenth and fourteenth centuries is discussed in Duncan and Brown, 'Argyll and the Isles', 204ff.

²⁹ *RMS*, i, app. 2, no. 56

³⁰ Duart and Aros are noticed by John of Fordun in the 1380s (*Chron. Fordun*, i, 43), and John is traditionally said to have died at Ardtornish at that time (see app. D)

under the agreement, but in 1409 the lord of the Isles was granting land in Coll to MacLean of Duart (no.17), who had already been made his bailie in his lands in Tiree (no.13). Most of Mull and Morvern came into the hands of the MacLeans, apart from church lands, but from the ban on any of the 'clan Fynwyne' being allowed to keep the castle of Cairn na Burgh it seems that the MacKinnons held lands in Mull by 1354 (no.5); they appear as charter witnesses from 1409, and the remains of their castle of Dunara stand in Mishnish on the north coast, facing the passage between Coll and Ardnamurchan.³¹ Ulva and an adjacent part of Mull belonged to the MacQuarries, although no charter to them has survived, and the MacGillivrays also had Mull lands 'in factory'.³² Iona, which figures little in lordship charters, appears to have been wholly in the hands of the monastery.³³

Garmoran

Garmoran consisted of the mainland districts of Moidart, Arisaig, Morar and Knoydart, and along with them in the lordship held by the MacRuari descendants of Somerled were the islands of Rum and Eigg, the Uists and Benbecula, Barra, and probably St Kilda.³⁴ The islands descended to Ranald or Reginald MacRuari, whose sister Amy was married to John, lord of the Isles. The lands were in John's hands in March 1371/2 (no.A6), and while the lordship of the Isles went to Donald, his son by Margaret Stewart, Amy's son Ranald had already succeeded to Garmoran, an arrangement confirmed by Robert II in January 1372/3 (nos.7, A7). Most of it was kept by his descendants of the Clanranald and Glengarry lines, but Barra and Boisdale were granted to MacNeill (no.21), while North Uist, Benbecula and the north part of South Uist went to the last lord's brother Hugh of Sleat (no.96), until restored to

³¹ *Argyll Inv.*, iü, no.340. Dunara is not mentioned by Fordun

³² See app. C for MacQuarrie; *HP*, i, 24 for MacGillivray

³³ *Argyll Inv.*, iv, 147; *ER*, xiii, 214

³⁴ See app. D, table 1/12-17. No.A3 lists the islands first, and then as the lands of Garmoran names the mainland areas. Canna and Muck were church lands (*Argyll Inv.*, iv, 147; *Coll. de Rebus Alban.*, 3, 4; *Monro, Western Isles*, 67, 72-73)

Clanranald after resignation by Hugh's son (nos.A53, A54, A55, A62).

The Garmoran lordship had two strong castles, Tioram in Moidart and Borve in Benbecula. Both are mentioned in John's charter to his son Ranald (no.7), and they are said to have been built by John's wife Amy MacRuari.³⁵

Skye and Lewis

Skye and Lewis seem to have remained part of the old Norse kingdom of Man and the Isles even when the Hebridean islands to the south of them were held by the descendants of Somerled.³⁶ Skye was plainly of interest to the owner of the mainland coast off which it lies, and as this fell to the earl of Ross he was made lord of Skye by Alexander III in an attempt to control an area which had no sheriff.³⁷ The earl continued to have the title lord of Skye, and is so styled in the records of parliament.³⁸ Skye therefore probably came to Alexander, lord of the Isles, with the earldom, but was later absorbed into the lordship and was not lost in 1475. Most of Skye was in the hands of the MacLeods, who also held part of Glenelg, and their chief, MacLeod of Dunvegan, appears frequently as councillor of the lords of the Isles. Sleat was granted by John in 1469 to his half-brother Hugh (no.96), who probably occupied – and perhaps built – the castle of Dunscaith.³⁹ Angus, master of the Isles, called himself lord of Trotternish in 1485 (no.119).

The ownership of Lewis is not so straightforward. Apparently it went with Skye to the earl of Ross after 1266, and it was certainly included in Balliol's projected sheriffdom of Skye in 1293.⁴⁰ In 1336, however, it was among the lands granted by Edward Balliol to John, lord of the Isles (no.1), and in 1343 David II also granted it to John (no.A2). Lewis was still in John's hands in 1367, but in 1382 it appears with the earldom of Ross

³⁵ *HP*, i, 26

³⁶ Duncan, *Making of the Kingdom*, 547

³⁷ *Ibid.*, 582

³⁸ *APS*, i, 537 (anno 1370)

³⁹ See app. D, table 6/14; J. Macintyre, *Castle of Skye*, 18

⁴⁰ *APS*, i, 447

when confirmed to the countess Euphemia and her husband Alexander Stewart, earl of Buchan.⁴¹ It was not among the MacRuari island possessions, and probably came to the lordship with Skye and the earldom of Ross, was absorbed into the lordship in the same way, and so also escaped the consequences of the 1475 forfeiture. Like Skye, Lewis was MacLeod territory, and the MacLeods of Lewis also were in frequent attendance on the lords of the Isles.

Both Skye and Lewis were part of the lordship of the Isles at the time of its final forfeiture,⁴² and Torquil MacLeod gave shelter at Stornoway to Donald Dubh in his bid to restore the lordship.

Moray – Badenoch – Lochaber

The province of Moray included both Badenoch and Lochaber when jurisdiction over the whole was granted to Thomas Randolph in 1312, but tradition affirms that the lordship of Badenoch, forfeited by the Comyns, had been bestowed by King Robert on Angus Og 'in return for his good services'.⁴³ Randolph's descendants died out in the male line in 1346, and the earldom of Moray reverted to the crown. When it was regranted to John Dunbar, a grandson of the famous Randolph, early in 1372, Badenoch was not included, but went to Alexander, son of Robert II, later known as the Wolf of Badenoch, whose deeds of violence in Moray are still remembered.⁴⁴ Alexander's marriage to Euphemia, countess of Ross, and his acquisition of the earldom of Buchan, combined to increase his influence and to bring this important region into a dispute in which a brother of the lord of the Isles took an interest (no. 14). It was only after their succession to the earldom of Ross that the lords of the Isles achieved a foothold in Badenoch – the lands of Invermarkie (nos. 91, A22), and of Dalnavert and Kinrara in the old lordship of Glencarnie (no. 50), all on the

⁴¹ *APS*, i, 528, 529; *RMS*, i, 743

⁴² See nos. A51, A69

⁴³ *RMS*, i, app. 1, no. 31; *Moray Reg.*, no. 264. *HP*, i, 16, for Badenoch tradition

⁴⁴ *SP*, vi, 298; ii, 262

Spey, were the only Badenoch lands that appear in their charters. In 1451 the lordship of Badenoch passed to the earl of Huntly.⁴⁵

Lochaber may have been in the same position as Badenoch, for Robert I granted the lands of Lochaber to Angus Og.⁴⁶ In 1336 Edward Balliol gave John, lord of the Isles, the ward of Lochaber (no.1); in 1343 David II confirmed the lands of Lochaber to him (no.A2); and another confirmation followed in 1376 (no.A9). Alexander, one of John's younger sons, appears as lord of Lochaber in 1394 (no.14); he is said to have refused lands in the Isles and preferring the forest land of Lochaber he received 'the lands beyond the river Lochy, Mamore and Glenspean'.⁴⁷ Alexander must have died between 1402 and 1406; there seems to be no certainty that his son occupied the same position in Lochaber, but he is said to have held the lands of Lochaber east of Lochy, apparently at the time of the battle of Inverlochy in 1431, and his descendants, taking the designation of Keppoch, remained on these lands.⁴⁸ Early in 1444 Alexander, lord of the Isles, styling himself also lord of Lochaber, granted many lands in Glenspean and Glenroy to Malcolm Mackintosh, captain of clan Chattan (no.42); three years later he made Mackintosh his bailie or steward of the lands of 'our lordship of Lochaber' (no.47); the office was withdrawn for an unknown reason and period about 1456 (nos. 62-64), but confirmed to Malcolm's son Duncan in 1466 (no. 88). Lochaber was forfeited by John, lord of the Isles, with his other lands in 1475, but regranted to him a year later (no.A24). Seven years after his final forfeiture in 1493, some of his Lochaber lands were given by James IV to Alexander, lord Gordon (no.A61), who succeeded his father as earl of Huntly and also lord of Badenoch.

Earldom of Ross

The extent of the earldom of Ross, which came by inheritance to Alexander, lord of the Isles, is not easy to define.

⁴⁵ RMS, ii, 442

⁴⁶ RMS, i, app. 2, no.57

⁴⁷ HP, i, 32

⁴⁸ See app. D, table 3/24; HP, i, 40

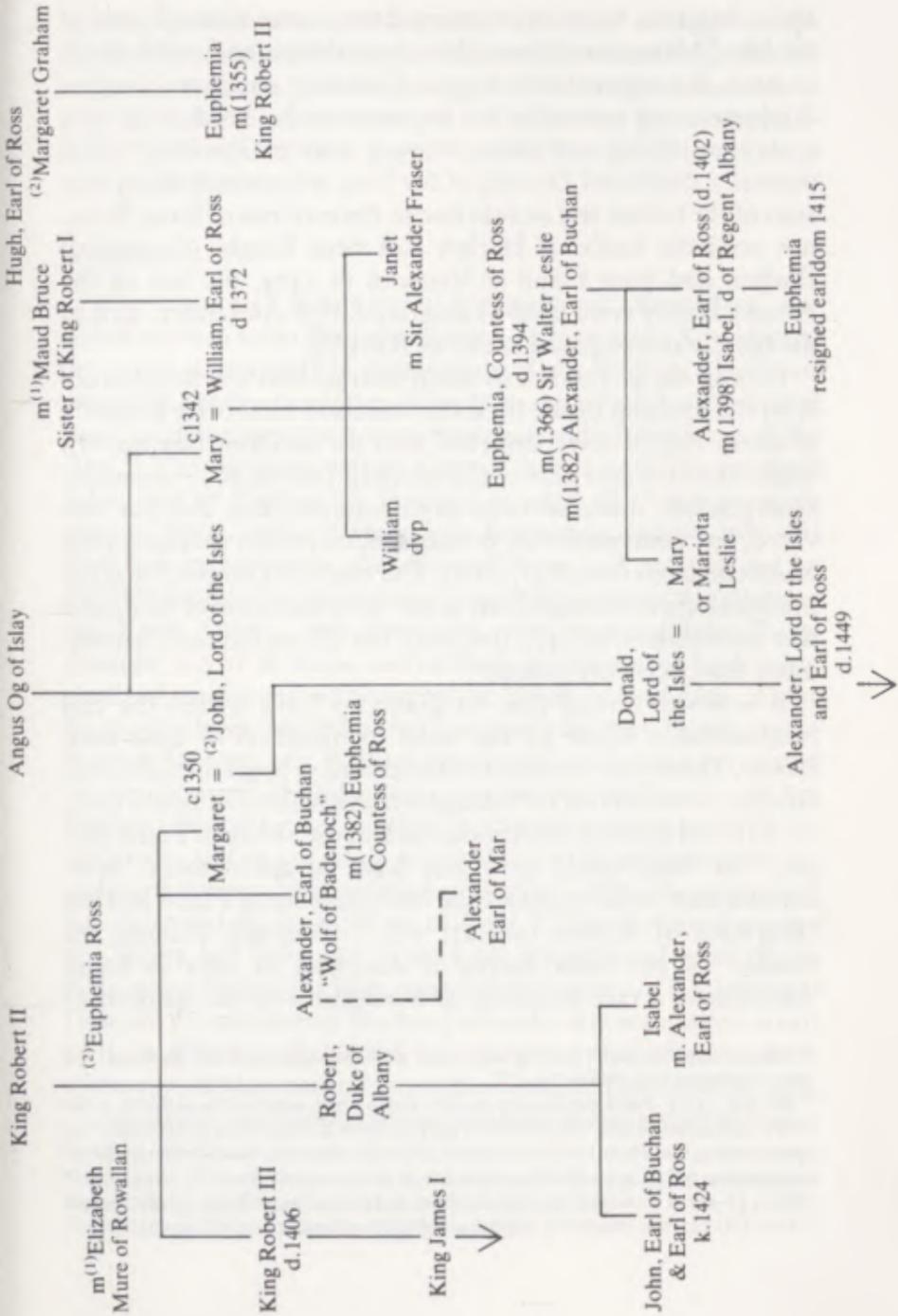
When Farquhar Mac an t-sagairt, believed to be lord of the monastery of Applecross, was made earl of Ross by Alexander II about 1215 for his part in suppressing uprisings in the northern part of what was then the province of Moray, his territory probably comprised the eastern coastal part of modern Ross-shire, between the River Beaully and the Kyle of Sutherland; the western part, then reckoned as North Argyll, was included in Balliol's proposed sheriffdom of Skye in 1293, and definitely belonged to the earls of Ross in 1324.⁴⁹ Farquhar's son William, already justiciar north of Forth in 1239, was given Skye soon after it was recovered from Norway in the treaty of 1266 – the lordship of Skye was held by the earls, but separate from the earldom.⁵⁰ After supporting Balliol up to about 1308, the earl of Ross joined Bruce, and his son Hugh married the king's sister Maud and added considerably to his family's lands, wealth and importance.⁵¹ (Hugh's younger brother John also made a profitable marriage to Margaret, niece and co-heiress of John Comyn earl of Buchan, and her lands later passed to her brother-in-law Hugh. Hugh's son and successor, William, fifth earl of Ross, married in 1342 Mary, sister of John, lord of the Isles (no.B23); in 1350 he nominated his brother Hugh as his heir if he died childless, 'at the instance and request of all the great men and nobility of our whole earldom of Ross and of the freeholders and others both cleric and lay'; but he left two daughters and was forced by David II to entail all his lands on the elder, Euphemia, and her husband Walter Leslie, one of the king's friends.⁵² They had a son Alexander, who married a daughter of Robert, duke of Albany and regent of Scotland,)

⁴⁹ See Randolph's charter of earldom of Moray (note 43). For the build-up of the earldom of Ross under the first five earls, see paper to be published in proceedings of the 1983 conference of the Scottish Society for Northern Studies on 'Firthlands of Ross and Sutherland'

⁵⁰ Duncan, *Making of the Kingdom*, 582

⁵¹ William got back all his lands, with the additions of Ferincoskry (north of the Kyle of Sutherland) and the burgh and castle of Dingwall (*RMS*, i, app. 2, no.370). Hugh had the burghs of Cromarty and Nairn, and lands extending south into Strathglass (*ibid.*, nos.54, 65). Parts of the Black Isle were held by the Morays of Bothwell and later the Douglases; in Nairnshire, Kilravock and Cawdor held of the earldom of Ross

⁵² SRO, GD 297/163, dated 30 April 1350; 'Querimonia' by William earl of Ross to Robert II, 24 June 1371 (*Chron. Ross*, 33-38, translation in *Familie of Innes*, 70-72)



and a daughter Mary, who married her cousin Donald, lord of the Isles (Alexander succeeded to the earldom, and on his death in 1402, the regent took charge of his only daughter, another Euphemia, and persuaded her to renounce the earldom in 1415 in favour of his son John Stewart, earl of Buchan.⁵³ This naturally displeased Donald of the Isles, whose wife Mary was aunt of the heiress and next in line to the earldom of Ross. It was not until the battle of Harlaw had been fought, the earl of Buchan had been killed at Verneuil in 1424, the rest of the Albany family were dead or disgraced, that Alexander, lord of the Isles, was recognised as earl of Ross.⁵⁴)

During the 40 years or so when the earldom was held jointly with the lordship of the Isles, the mainland territories formerly in north Argyll were absorbed into the earldom (see no.76), while Skye became part of the lordship (see no.80) – a sensible arrangement, made without any documentation that has survived, but vouched for by post-forfeiture crown charters of the MacLeod lands (nos.A51, A69). The castle of Dingwall was the headquarters of the earldom; in the west the castle of Strome is first documented in 1472 (no.102), but Eilean Donan is known more than a century earlier.⁵⁵

It is worth noting that no grants of lands within the real earldom were made by the lords to members of their own family. There were various confirmations of lands to established families, such as Ross of Balnagown and Munro of Foulis (nos. 31, 56), and existing institutions such as the abbey of Fearn (no. 90). The MacDonald earls may have advanced some 'new' families also, as for example the MacCullochs of Plaids and the Dingwalls of Kildun (nos.23, 77) – although Thomas the founder of the latter family is described in 1461 as being 'kinsman of a race of barons and magnates of the earldom of

⁵³ Albany called himself 'lord of the ward of Ross' 1405 (*Cawdor Book*, 5). For renunciation see SRO, RH 6/243

⁵⁴ See nos. 23-25, dated 6-9 January 1436/7. James I had annexed the earldom to the crown, and called himself earl of Ross in 1431 (*Cawdor Book*, 11), but as Alexander was openly styling himself earl of Ross and lord of the Isles about six weeks before the king's assassination, and he was officially referred to as '*dominus comiti Rossie*' by August 1437 (*ER*, v, 33-34), it seems that the crown's claim had been relinquished in James I's reign

⁵⁵ SRO, GD 297/194, charter by William, earl of Ross (undated); *OPS*, ii, 394

Ross'.⁵⁶ John's grant to his brother Celestine of lands on the north side of the Kyle of Sutherland and Dornoch Firth (no.82) suggests that he was seeking to guard his northern boundary, just as on the western seaboard Celestine was given responsibility for the old 'North Argyll' lands of Lochalsh, Lochcarron and Lochbroom.

Kingedward

The barony of Kingedward (pronounced 'Kineddert', the oldest written form Kynedor having given way to Kynedward by 1442) comprised the greater part of the lands in Aberdeenshire of the ancient earldom of Buchan; a somewhat complicated story explains how they came into the hands of the lords of the Isles.⁵⁷ The earldom was in Comyn hands until the death of John, earl of Buchan, in England in 1308. His heirs were his nieces: Alicia, wife of Henry de Beaumont, whose half was forfeited to the crown after Bannockburn and was divided by the king among his followers, a large share going to members of the Keith family; and Margaret, who married John Ross, younger son of William, earl of Ross, and inherited lands lying north of the watershed between the Ythan and the Don. These lands were later entailed on her husband's brother, Hugh, earl of Ross, whose son earl William was forced by David II (as related above) to entail all his lands on his daughter Euphemia and her husband Walter Leslie; her sister Janet married Alexander Fraser of Cowie, and in 1375 they received the lands of Philorth in the seaboard section of the earldom of Buchan, when she renounced her claim to half the earldom of Ross.⁵⁸ This division between the sisters left only the barony of Kingedward with Ross. Alexander, lord of the Isles, received the barony of Kingedward (but not the earldom of Buchan) when he was recognised as earl of Ross, which probably did not take place until after the death of the earl of Mar, natural son of the Wolf of Badenoch, in 1435.

Alexander's only recorded act as baron of Kingedward was to

⁵⁶ See app. C

⁵⁷ Alexander, *PNA*, 76; charter no. 39 below. The fate of the earldom has been traced in Barrow, *Bruce*, 384-5, and Grant, 'Earls and Earldoms', 37-38

⁵⁸ *RMS*, i, app. 1, no.11; *Aberdeen-Banff III.*, iv, 86-88

grant a liferent of the barony and lands in 1442 to Sir Alexander Seton of Gordon (no.39), who was to become first earl of Huntly and to live for nearly another 30 years. Following Alexander's death in 1449, Kingedward was in ward of the crown during his successor's minority,⁵⁹ but in 1455 John gave his wife Elizabeth joint ownership with him of the lands (no. 59), which were among those confirmed to her by the crown 20 years later for maintenance after her husband had been forfeited (no.A19). Although John lost the earldom of Ross, the lands of Kingedward were among those restored to him in 1476 (no. A24), and he gave the castle hill and other lands to Alexander Leslie of Wardis in 1478, and appointed him hereditary bailie of the lands of Kingedward with fully defined duties (no.113).

The position of Kingedward now became even more confused, owing to the reappearance of the title of earl of Buchan conferred in 1470 on James Stewart, second son of Sir James the 'black knight of Lorn' and Joan, widow of James I, who had ambitions to recreate the old pre-1424 earldom.⁶⁰ Although the lord of the Isles still appears as baron of Kingedward in a charter of 1486 (no.120), he had already resigned the superiority of part of the barony (no.A38). Then in 1490 a crown charter of the lands of the barony of Kingedward was granted in favour of James, earl of Buchan (no.A39). The confusion continues, however, for sometime before September 1505 James IV was adjudged by the lords of his council to be heir of John Stewart, earl of Buchan, who had died in 1424.⁶¹ This hardly made sense, in view of entries in the Exchequer Rolls concerning the minority of John, earl of Ross, and the recognition by the king of his right to the barony, and of the charters of 1476 and 1490; but the king certainly had his way.⁶²

Kincardine

Kincardine was at one time a royal castle or '*manerium*' placed at a strategic point at the southern end of the passage over the

⁵⁹ *ER*, v, 393 etc.; vi, 158 ⁶⁰ Macdougall, *James III*, 84, 182 n.39

⁶¹ *RMS*, ii, 2898; *Aberdeen-Banff III.*, ii, 361-2; *SP*, ii, 268

⁶² *ER*, v, 462; vi, 158; *RMS*, ii, 2898, 3336

Mounth.⁶³ By 1370 the lands of Kincardine were held by Sir Walter Leslie and his wife Euphemia, countess of Ross, and in spite of their situation they went with the earldom of Ross rather than that of Buchan.⁶⁴ The crown appears to have temporarily lost interest in them. In 1444 Alexander, earl of Ross, lord of the Isles, and baron of Kincardine, granted the castle and parks with several nearby properties, and others as far away as Balmakewan on the North Esk, to Sir John Scrymgeour, constable of Dundee (no.43); a year earlier another piece of land had gone to Walter Ogilvy of Beaufort (no.40). John was probably served heir to his father early in 1456, but he evidently did not hold on to all the Kincardine lands, as by crown charters of 1458 most of those which his father had given to Scrymgeour were granted by the crown to others, without any mention of the barony of Kincardine or any mid-superior;⁶⁵ but George Leslie, first earl of Rothes, whose family bore some relationship to the Leslie earl of Ross, was holding some other lands, including the mills of Kincardine and Fettercairn, from John, earl of Ross, at the time of the forfeiture in 1475 (no.A18). Rothes was one of those who made haste to secure crown confirmation of his lands; but there is no specific mention of any Kincardine lands in the documents connected with the forfeiture, and some doubt seems to have existed as to what lands the earl actually held in the barony.⁶⁶

Greenan

The lands of Greenan, on the Ayrshire coast three miles south of Ayr and therefore in the royal earldom of Carrick, were held by Alexander, lord of the Isles, although no record is known of when or from whom he received them. This is indicated by the fact that they were said in 1456 to have been in the king's hands

⁶³ *Chron. Fordun*, i, 278; *RMS*, i, app. 1, nos.72, 120; J. C. Watt, *The Mearns of Old* (1914), 165ff. Robert II presided at a court there in 1375, and granted charters in 1383 (*RMS*, i, 578, 718-21)

⁶⁴ *RMS*, i, 338, and app. 2, no.1976; *RRS*, vi, 486

⁶⁵ *Scrymgeour Inv.*, no.856; *RMS*, ii, 619, 620

⁶⁶ *Scrymgeour Inv.*, no.858. The barony of Kincardine passed to the family of Keith, earls Marischal (*RMS*, iii, 302, 1113)

and John had only just taken sasine following his minority, and a sum was paid in relief when sasine was given.⁶⁷ John granted the lands to John Davidson in April 1475 (no. 105), and having got them back after his own forfeiture gave them once more to Davidson in March 1478/9 (no. 115). A clue to the way in which they fitted into the pattern of the lordship of the Isles is perhaps found in the guarantee by Donald Balloch of Dunivaig and the Glens to defend Davidson in the lands of Greenan, given at Irvine on 8 October 1475, just a week *after* John was summoned to appear before parliament (no. 107). This apparently isolated possession should in fact be seen in conjunction with the lordship lands in Kintyre; its situation, with natural access by sea, is a further reminder that the Firth of Clyde can be seen as uniting rather than dividing the lands lying on its eastern and western shores. It did not seem incongruous that two Ayrshire magnates, Montgomerie of Ardrissan and Cunningham of Kilmaurs, were given charge of Kintyre and Knapdale, with the castles of Sween and Skipness, in 1430,⁶⁸ and the former appears in an island context with Donald Balloch and other chiefs as witness to a document issued at Cara off Gigha in 1456 (no. 64); later another Ayrshire neighbour, Adam Rede, was given the castle of Ardcardane, or Airds near Carradale, as part of the crown's drive to subdue Kintyre after the fall of the lordship (nos. A56, A60). Greenan, incidentally, remained in the Davidson family after John's final forfeiture.⁶⁹

Services in Lordship charters

It is not easy to obtain a clear picture of the service required for lands held of the lords of the Isles, nor indeed of the proportion of land they granted to followers and how much they kept in their own hands. Some of the surviving charters have no reddendo clause, and others contain formal phrases such as 'services used and wont'.

It is clear that along the western seaboard military service

⁶⁷ *ER*, vi, 236 ⁶⁸ *RMS*, ii, 163

⁶⁹ Paterson, *County of Ayr*, ii, 353; MacGibbon and Ross, *Castellated and Domestic Architecture*, iii, 383

usually consisted of the provision of galleys and crews, rather than men for the king's army, although army service was sometimes specified. In 1262 a grant was made by Dugall MacSween to Walter, earl of Menteith, of the lands of Skipness, to be held in exchange for two-thirds of the service of one soldier for the king's army.⁷⁰ A later charter, granted between 1309 and 1325 by Sir John Menteith to Ewen Fynlay (Lamont), included the service of one archer in the common army of the king of Scots.⁷¹ At about the same time Robert I gave Gilchrist Mackay some lands in Kintyre for the service of two archers,⁷² and in the same area in 1498 an Ayrshire laird, Adam Rede, held lands and a castle near Carradale with instructions to instal six archers well supplied with bows and arrows to serve the king in war if he had to proceed against rebellious islanders (no.A56).

But for the islanders themselves ships were essential, and there is evidence that the lords of the Isles were well supplied. Galleys were prominent in west Highland heraldry and sculpture from the time of Ranald, son of Somerled. When John went to marry the Steward's daughter about 1350, according to the seanachies, he reached the mouth of the river of Glasgow with three score longships.⁷³ Donald Balloch had galleys under his command as he approached the battle of Inverlochy (where his cousin is said to have had 220 archers under him), and also in his attack in the Firth of Clyde in 1452.⁷⁴ The great sea battle of the period was fought between John, lord of the Isles, and his son Angus at Bloody Bay in north-east Mull; but although tactics are described, there is no attempt to indicate the number of galleys engaged. Evidence of galley building at Kishorn comes into the sixteenth-century story of the murder of Donald Gallach of the Sleat family by his violent half-brother Archibald.⁷⁵

In 1430 parliament, raising a force to use against the men of the lordship, ordered all whose lands lay near the sea 'in the west and on the north partis and namely forment the Ylis' to have galleys ready to support the king.⁷⁶ That was a special case, but

⁷⁰ *OPS*, ii, 29

⁷² *RMS*, i, app. 1, no.99

⁷⁴ *HP*, i, 40; *Asloan MS.*, i, 221; Grant, 'Revolt', 173

⁷⁶ *APS*, ii, 19

⁷¹ *Lamont Papers*, 9

⁷³ *Clanranald Book*, 159

⁷⁵ *HP*, i, 49-50, 66

there is also evidence that galley service was required for some seaboard lands. Robert I gave to Colin, son of Neil Campbell, the lands of Lochawe and Ardscotnish for a ship of 40 oars when required, with men and furnishing for 40 days.⁷⁷ This seems to have been the largest vessel needed; more usual were galleys of 26 or 20 oars – Randolph was to provide six of 26 oars each for the Isle of Man.⁷⁸ The Garmoran lands were confirmed to Roderick son of Alan for the service of one ship of 26 oars '*cum hominibus et victualibus pertentibus ad eam in exercitu nostro cum opus habuerimus*'.⁷⁹ Malcolm MacLeod (of Dunvegan) was to hold part of Glenelg for a ship of 26 oars, and Torquil MacLeod (of Lewis) received lands in Assynt at the same time for a ship of 20 oars.⁸⁰ Among the Argyll charters this type of service seems to have been common, but in those of the lords of the Isles that survive only two specify ship service. The grant to Celestine, brother of the last lord of the Isles, in 1463 (no.80) of the lands of Sleat in Skye requires a ship of 18 oars '*tam per mare quam per terram totiens quotiens opus fuerit necessarium contra et adversus quoscumque mortales in guerra et in pace*'. In 1488 Angus, master of the Isles, apparently gave land in Mull to Hector MacLean for service of a ship of 22 oars (no. 121). From a later royal charter it seems likely that ship service was required of MacLeod of Dunvegan by the lord of the Isles for his lands in Skye and Harris, for in 1498 the king required of him one galley of 26 oars and two of 16 oars each, to be ready for service in peace or war wherever required by the king or his lieutenant (no. A51). As early as 1354 the importance of seapower was indicated by a stipulation in his agreement with the lord of the Isles (no. 5), that the lord of Lorn should have the right to build eight vessels of 16 or 12 oars each.

One of the most important features of landholding in the Middle Ages, and long afterwards, was the number of men that the lands could sustain. Besides the clan Donald itself in its numerous branches, the lord of the Isles could expect the

⁷⁷ OPS, ii, 93; RMS, i, app. 1, no. 106

⁷⁸ RMS, i, app. 1, no. 32

⁷⁹ Ibid., no. 9; see app. D, table 1/15

⁸⁰ RRS, vi, nos. 486, 487

support of many other clans, including the MacLeans, MacLeods, MacNeills, MacKinnons, MacQuarries, MacDuffies, MacMillans, Mackintoshes and Camerons.⁸¹ It is impossible to state with any certainty the number of men that the lord of the Isles could call out in an emergency, but some figures are given in traditional sources. (One account of the Harlaw campaign says that Donald 'raised the best of his men, to the number of 10,000, and chose out of them 6,600, turning the rest of them to their homes', and that he lost only 180 in the battle (of whom some are named), compared with Mar's army of 9,700 and 2,550 killed; but an experienced historian has said that 'of the numbers engaged in the struggle we can form no reliable computation'.⁸² More than 1000 men are said to have been killed on the MacDonald side at Inverlochy in 1431.⁸³) When, 50 years after the fall of the lordship, Donald Dubh crossed to Ireland to collaborate with the enemies of the Scottish crown, his 4,000 men were conveyed, according to an English report, in 180 galleys.⁸⁴ Not much later, a description of the Hebrides put the numbers of men who could be raised there at 6,000, of whom one-third should be clad with quilted surcoats, short coats of mail, and metal skull-caps.⁸⁵

There were, of course, other forms of service besides the provision of men, arms and ships. The keeping of castles, which had to be defended, is frequently mentioned in lordship charters, and it goes without saying that galleys or birlinns would be required for normal 'ferrying' service in peace, as well as in war.⁸⁶ There were, in addition, various payments in kind required under Celtic as well as feudal law, such as *cain* from the produce of the land, and *cuddich* or *conveth* for

⁸¹ The list might be extended from *Clanranald Book*, 259, 261 ('The army and arming of the last lord of the Isles'), and from genealogies in 1467 MS (Steer and Bannerman, *Sculpture*, 205)

⁸² *HP*, i, 29, 30; casualties named in *Clanranald Book*, 213; cf. Major, *History*, 348-9, where MacDonald's slain are put at 900, and Mar's at 600; W. D. Simpson, *The Earldom of Mar* (Aberdeen, 1949), 50

⁸³ *HP*, i, 41

⁸⁴ Donald's letter to Henry VIII, 5 August 1545, in *Nat. MSS. Scot.*, iii, no. 29; *Henry VIII Letters*, xx(ii), no. 120

⁸⁵ Skene, *Celtic Scotland*, iii, 439

⁸⁶ See app. C for constables of castles; *Argyll Inv.*, iv, 145

providing a night's lodging to a visiting lord and his retinue, which did not require to be specified in documents.⁸⁷ But we find also a perfectly normal feudal duty of six pennies Scots annually specified in a grant of land on the west coast of Ross (no.76).

INTERNAL AFFAIRS

Law and Order

Throughout Scotland law and order was still largely a local concern, although there was appeal from local (baron) to sheriff courts and from the sheriff to the court of the justiciar. This royal official was appointed for a particular region and in the Highlands and Islands it was the justiciar for Scotland north of the Forth who, in theory, went on ayre twice a year to each sheriffdom.⁸⁸ Records of the appointment of such justiciars are sparse – Alexander, earl of Buchan, better known as the Wolf of Badenoch, was somewhat unsuitably acting as justiciar until removed by parliament in 1388; his son the earl of Mar held justice ayres in Inverness in the early 1430's; and Alexander, lord of the Isles and earl of Ross, was justiciar for some years from 1439.⁸⁹ Some large areas of the country had already been made into regalities – an early one was Sutherland – and these amounted almost to separate kingdoms within which the justiciar had no jurisdiction. Even then the area to be covered was very large – a difficulty which was also encountered by the sheriffs, in spite of attempted legislation by John Balliol in 1293.⁹⁰

The sheriffs acted as convenors rather than judges, initiating no proceedings but supervising members of the local communities in court and upholding their decisions with royal authority.⁹¹ The names of the sheriffs of Inverness – which then

⁸⁷ See Cameron, *Celtic Law*

⁸⁸ *APS*, ii, 32, 35

⁸⁹ *Moray Reg.*, 183; *APS*, i, 566; *ER*, iv, 634

⁹⁰ *APS*, i, 447; ii, 241-2, 249; Duncan and Brown, 'Argyll and the Isles', 216-17

⁹¹ Grant, *Independence*, 157, 161

included Ross, Sutherland and Caithness, with Badenoch and Lochaber – are little better known than the justiciars. William Leslie appears as sheriff of Inverness in 1439 and 1440, but otherwise it is John, lord of the Isles, who apparently held the office, and forfeited it in 1475.⁹² He is only so designated once in our documents, when he upholds the trading privileges of the royal burgh of Inverness in 1458 (no.69), apart from his formal renunciation (no.109a). John's half-brother Celestine, however, presided over inquests for the service of heirs as sheriff-depute in 1450 and as sheriff in 1461 and is called sheriff by his brother in 1467 (nos.55, 71, 80). In the south part of the lordship, parliament had by 1481 set up a new sheriffdom of Tarbert (see no.A37).

Of the lowest of the Scottish local courts, the baron court, there is no record from within the lordship, though the earl of Ross clearly had a court which met at Kinnairdie,⁹³ and the lord was also baron of Kingedward and of Kincardine.

Traditional accounts agree that the supreme court of appeal in the lordship of the Isles was the lord's council,⁹⁴ but there is little in the documents to show how justice was administered (nos. 54, 62–4). Where references to court proceedings are few, it is all the more significant to find as charter witnesses men who are clearly identified as judges, and whose style in two instances suggests that they had high rank and a wide area of responsibility. Whether the second witness to Donald's Gaelic charter of Islay lands in 1408 (no.16), Pat McAbhriuin, did or did not belong to one of the learned families of judges or 'brievies',⁹⁵ there can be no doubt about the occupation of '*Donaldus Judex*', who witnessed Alexander's charter of 1447 to Malcolm Mackintosh of the office of bailie or steward of the lands of the

⁹² *APS*, ii, 241–2, 249–50; *ER*, vi, 20, 128; and see app. C

⁹³ Nos.23, 51, 79; *Munro Writs*, no.15. Duart and Lewis were made free baronies after the crown took over (nos.A50, A69)

⁹⁴ Monro, *Western Isles*, 57; *HP*, i, 25; Martin, *Western Isles*, 273. For the council itself, see below, pp.xlvi–l

⁹⁵ Otherwise *breve* or *breive*, from Gaelic *breitheamh*, meaning judge or lawman, a recognised expert on the law, 'not so much a judge (in the modern sense), more of a jurisconsult and arbiter' (Matheson, 'Morisons', 61; Alick Morrison, *The Clan Morrison*, 12; Thomson, 'Learned Orders', 58–60; Bannerman, 'Lordship', 227). See also Barrow, *Kingdom*, 69ff

lordship of Lochaber (no.47). In two other documents (nos.63, 64), when Mackintosh appealed against the loss of lands and office in Lochaber, one of the witnesses to the proceedings before John at the Isle of Cara off Kintyre in June 1456 was Donald Breyff or Brehiff; his occupation is unmistakable, and his identity and status is almost certainly further established 18 months later by the appearance of '*Donaldus McGillemor iudex Insularum*' along with other island witnesses in an instrument of resignation of lands into John's hands at Dingwall castle.⁹⁶ Finally, an official named William, to whom the designation '*archiudex*' is attached, figures in 1485 among the somewhat unusual group of witnesses – along with the '*archipoeta*' and the '*cancellarius*' – to Angus Og's charter issued with the consent of his father and the council (no.119). If he was the chief judge, it is clearly implied that there were others subordinate to him; indeed, according to the Sleat seanachie, 'there was a judge in every isle for the discussion of all controversies, who had land from MacDonald for their trouble, and likewise an eleventh part of every action decided' – and on appeal to the higher court at Finlaggan, says a later account, 'the eleventh part of the sum in debate was due to the principal judge'.⁹⁷ In the first of three documents relating to the Mackintosh appeal of 1456, dated at Finlaggan a few days earlier than the others (no.62), Donald the brieve is not among the witnesses; some legal expertise may have been available, however, for the list includes a notary public named Duncan Obrolchan, one of another learned family which had provided a secretary to John's father 30 years before; another notary, Alexander Auchinleck, appears at Iona in 1492 (no.124).⁹⁸

The law administered within the lordship almost certainly had Celtic features. It was later said that the council 'decernit, decretit and gave suits furth upon all debaitable matters according to the laws of Renald McSomharkle'⁹⁹ but in 1504

⁹⁶ This document, the only one known which mentions the office '*iudex Insularum*', is noticed in no.128 comment

⁹⁷ HP, i, 25; Martin, *Western Isles*, 273

⁹⁸ See app. C for these notaries; also brieves/*iudices* under 'Brieve'

⁹⁹ Monro, *Western Isles*, 57; app. D, table 1/2

parliament decreed 'that all our soverane lordis liegis beand under his obesance and in speciale all the Ilis be reulit be our soverane lordis aune lawis and the commoune lawis of the realme and be nain other lawis'.¹⁰⁰

Special measures were needed during periods of particular unrest. For example commissions of lieutenancy were granted to Lennox, Argyll, Atholl and Huntly to proceed against John, lord of the Isles, in 1475.¹⁰¹ In the 1490s the king went to the west in person and took charge until 1500 when the earl of Argyll was made the king's lieutenant general for three years, and similar powers were given to the newly succeeded earl of Huntly in 1501.¹⁰² But an attempt was made by parliament in 1504 to establish more permanent authority by introducing extra justices and sheriffs in the area – for the north isles at Inverness or Dingwall, and for the south isles at Tarbert or Loch Kilkerran, with separate sheriffs in Ross and Caithness.¹⁰³

Not surprisingly, after the 'age of turbulence' which followed the forfeiture, when successive attempts were made to restore the lordship to John's immediate or collateral descendants, the period before 1493 was looked back to as a time of peace and plenty.¹⁰⁴ But traditional accounts even from internal sources leave room for doubt. According to the Sleat seanachie (who had no wish to exaggerate such disturbances, and was quick to defend the men of the Isles, and the MacDonaldis in particular, against aspersions on their conduct by southern historians),¹⁰⁵ the century which followed the accession of Donald of the Isles was punctuated by a series of internal disputes and aggression. John's sons by Amy MacRuari, Ranald and Godfrey, were shown as disputing the ownership of part of Garmoran; John, son of the Stewart mother, being dissatisfied with his allocation of land in Kintyre and Islay, led a rising against his full brother Donald; in the aftermath of Inverlochy, Alexander is said to have forced the Cameron chief to flee to

¹⁰⁰ *APS*, ii, 247, 252

¹⁰¹ *RMS*, ii, 1210, 1211, 1212; *Hist. MSS Comm.*, iv, 487

¹⁰² *RSS*, i, 413, 513, 520, 722, 723

¹⁰³ *APS*, ii, 241-2, 249

¹⁰⁴ Monro, *Western Isles*, 57

¹⁰⁵ *HP*, i, 10-11

Ireland; and in a dispute over the possession of Coll, MacNeill of Barra was killed.¹⁰⁶ A son of Duart acquired Ardgour by force, and both versions of the traditional story show the lord of the Isles encouraging internecine strife and violence;¹⁰⁷ and the disastrous difference between the last lord and his son Angus eventually led to the dismantling of the old lordship of the Isles. There is probably some truth, however, in the belief that the immediate aftermath of its forfeiture, while a possible successor still lived (even in custody), was one of the most unruly periods ever known.

Administration

In a review of administration within the lordship, first place must be given to the so-called 'Council of the Isles' – a convenient name for the body of councillors who advised the lord of the Isles. It was adopted by the Sleat seanachie, and may reflect the phrase 'our barronis and counsaill of the Ilis' used by Donald Dubh when he styled himself lord of the Isles and earl of Ross in 1545.¹⁰⁸ We know of eleven charters granted between 1444 and 1492 which mention specifically that they were issued with the consent and assent of the council.¹⁰⁹ None of these dates from a period before the lord of the Isles had become also earl of Ross; apart from one by Alexander, granted at Inverness in 1444, all are in the time of the last lord. Most of them were granted between 1463 and 1469 by John himself, but one was by Angus, master of the Isles, with consent of his father and the council in 1485, and the other in 1492 (in which the witnesses are also called 'lords of our council') by John himself and his nephew Sir Alexander of Lochalsh, who less than a week earlier granted another charter in his own name and with consent of his council.¹¹⁰ In addition, one record of an actual meeting of the

¹⁰⁶ *HP*, i, 27–28 (but cf. Steer and Bannerman, *Sculpture*, 127), 32–33 (and see no. 15), 46; Coll MS (per Gregory, *History*, 79)

¹⁰⁷ *HP*, i, 27; Macfarlane, *Geog. Coll.*, ii, 163–5

¹⁰⁸ *HP*, i, 25; *Henry VIII Letters*, xx(i), no. 1298; *Clan Donald*, i, 371–2

¹⁰⁹ This phrase does not seem to have been merely an empty form of words; although unusual, it also occurs in a Stewart charter of c. 1290 (G. W. S. Barrow, in Stringer, *Nobility*, 182)

¹¹⁰ These charters are nos. 42; 76, 78, 80, 82, 89, 90, 91, 96; 119, 122, 123

council has been found, when the Stewart lord of Lorn and two MacLean lairds sat with the thane of Cawdor in the earl's chamber in Dingwall castle in 1450 to adjudicate on the rights of Ross of Balnagown (no. 54).

It might be thought that this body was in fact a council of the earldom of Ross and that is perhaps in effect what the 1450 meeting was, in spite of the presence of men from the west. It is known that various magnates did have such councils, whose advice they may or may not have taken, but little is known about their role or composition. Seeking counsel from kinsmen and vassals is more commonly acknowledged, and there is a passing reference in the records of parliament for 1398 to the lord of the Isles and his brothers John and Alexander '*et consiliarii eorum principales*'.¹¹¹

But two traditional sources show clearly that by its composition and some of its duties, there was indeed a council of the Isles. One was written by an archdeacon of the Isles within a few years of its revival in 1545 by the rebel lord of the Isles, Donald Dubh, and the other by an adherent of the Sleat family who wrote a history of the MacDonalds at least 80 years later.¹¹² These two writers, Donald Monro and Hugh MacDonald, who were well placed to know the facts, are agreed that the council included three, or perhaps four, groups of four men each; and they, and the later writer Martin Martin, all say that the council was also the supreme court of justice for the Isles.¹¹³

According to Monro, who lists only three groups, there were four great men of the 'royal blude of Clandonald lineally descendit', namely the heads of the Dunivaig, Ardnamurchan, Clanranald and Lochaber (later Keppoch) families, one of whom was described in 1475 as '*primus et principalis conciliarius*' (no. 107); four 'greatest of the nobles callit lords', namely MacLean of Duart, MacLean of Lochbuie, MacLeod of Harris (Dunvegan), and MacLeod of Lewis; and four 'thanes of

¹¹¹ On magnate councils see Wormald, *Lords and Men*, 40, 95, 431 note 22; there are other examples in *Aberdeen-Banff Coll.*, 273, 484, 501, and *Aberdeen-Banff Ill.*, iv, 175, 189, 192; see also no. 14 below, and *APS*, i, 570

¹¹² Monro, *Western Isles*, 57; for H. Macdonald, see *HP*, i, 2, and Martin, *Western Islands*, 250

¹¹³ Martin, *Western Islands*, 273

les living and estate', namely MacKinnon, 'Mcnaie' (MacQuarrie),¹¹⁴ McNeill of Gigha, and MacNeill of Barra. The last group, mentioned only by the Sleat seanachie (Monro names instead the bishop of the Isles and the abbot of Iona), consisted of 'freeholders or men that had their lands in factory', four apparently chosen from Mackay of the Rinns, MacNicol in Portree, MacEachern (of Killellan in Kintyre), Mackay (of Ugadale in Kintyre), MacGillivray in Mull, and MacMillan (in Knapdale). The Sleat seanachie, without naming them, calls the three higher groups thanes, 'armins', lords or sub-thanes, and 'bastards', squires or men of competent estates.

All but two of the chiefs named in the first three groups figure at least once, and several much more frequently, in witness lists.¹¹⁵ The chief of Clanranald does not appear, and MacNeill of Barra cannot be identified with certainty, and neither figures in charters granted with the council's consent. Both, however, were members of Donald Dubh's council in 1545, which bore a striking resemblance (with some additions) to Monro's list written a few years later.¹¹⁶ None of the six names in the lowest grade (for which we have only Hugh MacDonald's authority) figures in any of the known witness lists.

Of the eleven charters and one other document which mention the council, seven relate to the mainland earldom, while five relate to lands and offices in the lordship of the Isles. Ignoring the three (all in Ross) which have no witnesses recorded, the remaining nine have in every case except the earliest (the only one dating from Alexander's rule) a clear majority of island witnesses, and the total proportions are about 5 to 1 in favour of the lordship. This may simply reflect the island lord's preference, or his 'precarious hold over the earldom',¹¹⁷ but it is remarkable to find, even in Inverness or the heart of Ross, so many men from the distant Hebrides sitting with local magnates such as Munro of Foulis and the Chisholm chief (nos.42, 78).

¹¹⁴ A. Matheson, in review of Monro, *Western Isles*, in *SHR*, xlii, 50 note 1

¹¹⁵ For notes on witnesses, see app. C. Of 44 witness lists, the majority date from the period when the lord of the Isles was also earl of Ross

¹¹⁶ Monro, *Western Isles*, 144 ¹¹⁷ Bannerman, 'Lordship', 223

Place-dates are attached to most of the charters, and such evidence can be supplemented from other sources. An island in the inland Loch Finlaggan was the Islay base of the lords of the Isles, and the nearby small 'Council Isle' (*Eilean na Comhairle*, Monro's 'Ellan na comharle') was the traditional meeting-place of their council;¹¹⁸ charters were issued from Finlaggan in 1427, 1433 and 1456, and from somewhere in Islay probably in 1408, and certainly from 1472 to 1486.¹¹⁹ While the lord of the Isles was also earl of Ross (c. 1437-75), all but two of the council-backed documents were issued at Dingwall or Inverness and their neighbourhoods; the Ayremore charter of 1467 (no.89) probably emanates from Knapdale, and two others were dated at Aros in 1469 and Oronsay in 1492 (nos.96, 123), where there were a castle and a priory with long associations with the lordship. After the death of John, lord of the Isles, in 1387, his son Ranald is said to have called a meeting 'of the nobles of the Isles and of his brethren' in Eigg, to invest his brother Donald as their father's successor;¹²⁰ but only one document (no.10) has been found originating in that large portion of the lordship lying north of Ardnamurchan.

The powers and functions of the council have been reviewed elsewhere, from the scanty information available.¹²¹ Its members are almost certain to have played some part in the ceremony of inaugurating the lords of the Isles.¹²² There is no evidence that the negotiation of treaties or alliances fell within its province, and decisions seem to have been concerned with domestic rather than public affairs.¹²³ The grants of Lochalsh and Sleat to the last lord's brothers Celestine and Hugh, it is worth noting, have the council's consent recorded, but others to MacLean of Duart and MacNeill of Barra are issued on the sole authority of the lord of the Isles. Hugh of Sleat, according to the family seanachie, 'was bound by his father's will not to marry [a second time] but by the consent of twelve of the principal men

¹¹⁸ Monro, *Western Isles*, 56-57, 95-100; *HP*, i, 24; *Argyll Inv.*, v, no.404

¹¹⁹ Nos.21, 22, 62; and 16, 101, 108, 111, 115, 116, 120

¹²⁰ *Clanranald Book*, 161

¹²¹ Monro, *Western Isles*, 105-6; Bannerman, 'Lordship', 223-6

¹²² *HP*, i, 23-24; Martin, *Western Islands*, 273 ¹²³ See no.73 comment

of his name and the heritors of the Isles'; and the Aros charter of 1469 actually names those to be consulted.¹²⁴ A marriage agreement between MacLean of Lochbuie and Ross of Balnagown had the consent of John and two members of his family, 'and vtheris gentillis of the saide lordis counsale quhilkis war than for the tyme' (no. 104).

Various grades of leading men in the lordship figure in traditional accounts. The 'thane' is not a word native to the Isles, where its equivalent would probably be *toiseach*, a leader or chief. The Sleat seanachie says that John (d. 1387) 'created many thanes in his time, for the lord of the Isles created thanes and sub-thanes at pleasure'; but he seems to use the word loosely, as in his story of placing the guests at a feast at Aros castle in Mull, where high precedence is given (above the MacLeans and MacLeods, for instance) to two of the next grade, MacKinnon and MacQuarrie, with the comment, 'for MacQuire was an ancient thane', created as he says earlier by the first John's father Angus.¹²⁵ 'Armin', which the same writer uses for those of one grade below the thane, is the term applied by the MacVurichs in their account of Angus Og's rising against his father to the leading men of the Isles other than those of the 'royal blude of Clan Donald'. 'War broke out', they say, 'between the chiefs (*armuinn*) of the Isles and the tribe (*cinneadh*) of MacDonald, the tribe having joined Angus and the chiefs having joined John.'¹²⁶

As well as holding the lordship of the Isles itself—a title which carries echoes of kingship—Alexander called himself also 'lord of Lochaber' in 1444 (no. 42). At least three lesser lordships are mentioned—Kintyre (nos. 109, A24, A31, A37), Knapdale (*ibid.*) and Lochaber (nos. 42, 47, 88, 124, A24, A31). Skye was already a lordship before the MacDonalds inherited it with the earldom of Ross. The lands of Sleat, Lochalsh and Lochcarron, given by John to his brothers Celestine and Hugh, were also designated as lordships (nos. 80, 122), and their owners were called lord of Lochalsh and lord of Sleat (nos. 102, 96). John's son Angus, master of the Isles, was also lord of Trotternish in

¹²⁴ *HP*, i, 59; no. 96 below

¹²⁵ *HP*, i, 23, 27, 45

¹²⁶ *Clanranald Book*, 162-3

1485 (no.119), but that district was not itself described as a lordship. Whatever the exact status of their owners, the great series of stone castles in Argyll and the Isles have been described as 'a unique monument of private fortification, indisputably the most remarkable collection of thirteenth-century lords' strongholds to be found in any single region of Britain'.¹²⁷

Some at least of MacDonald's chief kinsmen, such as the heads of the house of Dunivaig, could grant out part of their patrimony to others.¹²⁸ The office of bailie is frequently mentioned, but it is not known whether the holders exercised powers like those granted in 1478 to Leslie of Wardis in the barony of Kingedward (no.113) – to hold courts, distrain property, and punish delinquents. The two principal MacLean and MacLeod chiefs would be aware of these powers, for they were witnesses to the document.

Duart was bailie of the lord's lands of Tiree in 1390, and Lochbuie was bailie of the south part of that island in 1492 (nos.13, 123), Colin MacLean was bailie of Mull in 1463 (no.79), and Mackintosh was bailie or steward of Lochaber in 1447, lost the office by 1456, and had it restored by 1466 (nos.47, 62-64, 88). After the first forfeiture we find a member of clan Donald receiving a crown appointment as steward of Kintyre (no.A36), and after the second, Lochbuie became bailie in Morvern, Maclan of Ardnamurchan in Islay, and the MacLeods of Dunvegan and of Lewis concurrently in Trotternish (nos.A44, A45, A63, A51-52). Maclan's grant in 1494 clearly states that the office as well as the lands confirmed to him in Islay were previously held from 'John once lord of the Isles'; and the terms of the two competing Trotternish charters imply the same thing, which may well be true of the other crown appointments, although not stated. Whatever was the practice before 1493, financial returns had thereafter to be made to the crown, of which those submitted by Maclan for Islay, Colonsay, Sunart and Jura in 1507 have survived.¹²⁹ In the earldom of Ross,

¹²⁷ Barrow, *Kingship*, 113

¹²⁸ No.A64; app. D, table 3/16. See also no.102

¹²⁹ *ER*, xii, 587ff.

Munro of Foulis appears as MacDonald's bailie, and Thomas Dingwall adds the duties of his treasurer and chamberlain for Ross to those of dean of the diocese (nos.78, 87).

Other officers, such as the *toiseachdeor*, mair and crowner, must have had their place in the system of administration in the lordship, however little is known of their functions.¹³⁰ The first, which has puzzled many commentators, appears twice in these documents – MacNeill of Gigha, constable of castle Sween, was *toiseachdeor* of Knapdale in 1440 (no.33), and Somerled the son of John the son of Somerled was *toiseachdeor* of Lochaber in 1456 (no.61) – perhaps significantly, just before a complaint by Mackintosh that he had been deprived of his lands there and the office of perpetual steward of the Lochaber lordship (nos.62–64). In Kintyre, although no offices are on record before the forfeiture, MacEachern of Killellan had the office of mair (*marus de feodo*) of the lordship of South Kintyre in 1499 which he held hereditarily from John once lord of the Isles (no.A59); the Mackays of Ugadale held their lands for services as mairs of North Kintyre in 1505–9, and some 30 years later members of this family are stated to have held the office of coroner or crowner (*coronator*) of North Kintyre from the lords of the Isles from time immemorial (no.A72).

Of the offices of *fragramannach* and *armannach* in Iona, conferred on MacLean of Duart in 1390 (no.12), the authors of the Royal Commission's Iona inventory write: 'The Irish terms have been interpreted as labour-services, but they probably correspond to a lay stewardship of the type common in late medieval monasteries'. Two centuries later, MacLean's descendant and successor was responsible, as 'bailie of Icolmkill', for collecting the fruits, rents and emoluments pertaining to the bishop, the abbacy of Iona, and the priory of Ardchattan within the lands of the Isles.¹³¹

The documents tell us something of what the personal household of the lords of the Isles consisted.¹³² Among the offices

¹³⁰ Dickinson, 'Toschederach'; Steer and Bannerman, *Sculpture*, 143

¹³¹ *Argyll Inv.*, iv, 145; *Coll. de Rebus Alban.*, 15–18, contract between John, bishop of the Isles, and Lachlan MacLean of Duart, 8 Dec. 1580

¹³² See app. C, 'Key to Office Holders', and under individuals

granted to Lachlan Lubanach, first of the MacLeans of Duart, in 1390 (no. 13) was that of steward of the household (*senescallus domus nostri*), which may once have been held by the MacKinnon chief, but seems to have become hereditary in the Duart family;¹³³ it had royal confirmation to his grandson Lachlan Bronnach in 1431, and although held by *his* grandson Ewen MacLean of Ardgour in 1463 it had passed to Lachlan, master of Duart, by 1467 (no. 91). The duties of secretary usually went to a churchman, who would have some knowledge of law and letters, and various holders of the office appear in documents between 1426 and 1476. If Neil Fleming who witnessed a document in 1427 was the same as the secretary of 1443 and 1447, as seems likely, it indicates a fairly long period of personal service; and James Wick, clerk to the lord in 1456 and chaplain in 1461, and secretary or clerk in 1472 and 1476, also figures as chaplain to the king when James III was at Inverness in 1464. The lord of the Isles may have taken his secretary with him on his journeys as a key official of his household, for Thomas Munro, who appears in that capacity at Dingwall and Tain in 1463, is also found at Aros in 1469. It is likely, however, that a cleric available at any time who was able to draw up a legal document might be ready to record his occupation for that occasion as secretary to the lord of the Isles, and in a petition to the papal court such a designation might be expected to carry some weight.

The chancellor, whose duties in the king's household were to keep the royal seal and direct the chancery from which writs were issued, appears only once in the documents. '*Colinus Fergusii domini cancellarius*' is one of the unusual group of men, including the chief judge and poet, assembled by Angus, master of the Isles, in 1485 to witness the only known charter granted by him alone (no. 119), which prompts the thought that Angus – 'Islay's king of festive goblets, who raised his friends to honour'¹³⁴ – may have had a rival court different from his father's. The office appears once again after the forfeiture, when a crown rental states that the lord of the Isles used to give the

¹³³ *HP*, i, 21, 22–23

¹³⁴ Poem on execution of Angus's murderer, translation in *Book of the Dean of Lismore*, 97

product of lands in North Kintyre to his 'cancellarius et scribus'.¹³⁵ According to the Sleat seanachie, MacDuffie of Colonsay 'kept the records of the Isles', but if he did so with any efficiency these archives must have suffered the same fate as that which overtook other private muniments, perishing in the internal disputes and other troubles of this and later times.¹³⁶ The same writer says that MacKinnon 'was obliged to see weights and measures adjusted', but it has also been said that his lands in Skye were given him by MacDonald for settling all disputes which might arise from dicing or card-playing.¹³⁷

As will be seen from the seals which have survived, and the armorial shields on many of the sculptured stones dating from this period, some form of heraldry was practised in the lordship of the Isles.¹³⁸ Heralds in medieval times had a diplomatic status and were employed as official messengers, and there is a story that John had himself proclaimed king of the Isles 'by a herald of hes auen making', at the time of Donald Balloch's invasion of Arran and the burning of Inverness.¹³⁹ Like some other Scottish nobles, he may have had his own personal officers of arms, as shortly after the forfeiture of the earldom in 1475 a Ross herald and a Dingwall pursuivant are on public record, and an Islay herald and a Kintyre pursuivant appear after the lordship was forfeited.¹⁴⁰ Either the king created these offices on taking over the lands, or they had existed under the lordship and were merely continued under the crown.

Much has been written about the cultural and social influence of the lordship of the Isles, and there is no need here to do more than refer briefly to the members of the household who gave the lordship distinction in that field.¹⁴¹ The MacVurich (*MacMhuirich*) bards or seanachies, much of whose poetic and

¹³⁵ *ER*, xii, 703

¹³⁶ *HP*, i, 25; and see later under document survival (below pp.lxxix-lxxx)

¹³⁷ *HP*, i, 25; Skene, *Celtic Scotland*, iii, 432

¹³⁸ See app. E; Steer and Bannerman, *Sculpture*, 25, 183-4, and plate 8

¹³⁹ Balfour, *Annales*, i, 186

¹⁴⁰ *ER*, viii, 372, and x, 449; *APS*, ii, 125; *TA*, i, 237. See A. Wagner, 'Heralds of the Nobility', in *GEC Peerage*, xi, 39-104, esp. 95, 97, 99; Moncreiffe, *Highland Clans*, 61; *TA*, i, preface ccxciii-ccxcvi

¹⁴¹ *Gaelic Companion* contains short notices of individuals, and a very full list of printed sources

historical work is preserved in the Clanranald Book, are represented in the lordship documents by *Lacclanus mcmuredaich archipoeta*, witness to Angus's charter to the monastery of Iona in 1485 (no. 119), who like the chief judge was presumably the principal of a series of local practitioners. In the medical line, the most famous family or families in medieval Scotland were the MacBeths, later known as Beatons, represented by Fergus, who signed and probably drew up the Gaelic charter of 1408 (no. 16); two centuries later a charter of Islay lands to another Fergus recalled that the family had held land in return for medical services to the lords of the Isles 'beyond memory of man'.¹⁴² These were professional men whose offices passed down in the same family so long as they could perform their duties, and who in doing so helped to ensure that the lordship of the Isles would be remembered long after it had ceased to exist as a political and administrative unit.

The Church

Although the church is represented by only fourteen charters in this collection, and ecclesiastical witnesses do not bulk large, two of the four lords are particularly mentioned as having been supporters of churchmen, priests and monks; several religious houses in the Isles were founded and granted gifts and privileges by them and their predecessors; and Donald and his grandson the last lord are even said to have adopted the monastic life themselves.

The diocese of the Isles was under Norwegian control from the mid-twelfth century, although the patronage of the see, based in the Isle of Man, was transferred to the king of Scots in 1266. Two separate lines of bishops, for Man and for the Isles, emerged from the Great Schism in 1387, when bishop John based at Peel was accepted by the Roman pope but deprived by Clement VII, who translated bishop Michael from Cashel in Ireland. The new see of the Isles was still under the nominal control of the archbishop of Nidaros until 1472, when it passed

¹⁴² RMS, vii, 109

to the metropolitan authority of St Andrews.¹⁴³ In 1397 bishop Michael was allowed to send a priest to do some of the duties on his behalf 'because of the remoteness of the isles and personal inconvenience'.¹⁴⁴

The first native bishop was Angus de Insulis, son of Donald, lord of the Isles, and half-brother of Alexander, who held office from 1426 until his death a little more than ten years later. Angus was followed by John, son of Hector MacLean, perhaps one of the Duart family, although his dispensation for defect of birth makes no mention of royal or even noble race, which was usually specified when appropriate. Whether or not he was related to the lord of the Isles, no record exists of him witnessing a lordship charter, although by virtue of his office he would be a member of the lord's council. The next recorded holder of the see was another Angus de Insulis, son of the previous bishop Angus (concubinage was not an uncommon feature of Gaelic clerical and monastic life at the time). There was a seven-year vacancy after his death before John Campbell became bishop in 1487 – the first not closely linked with the lords of the Isles.¹⁴⁵

The location of the cathedral of the Isles has long posed a problem in episcopal history. It seems to have been at Snizort in Skye in 1433, when the first Angus petitioned the pope to allow him to move it to 'some honest place within the diocese', and to create there twelve canonries and as many prebends. There is no evidence that this was ever done; but when the second bishop Angus asked permission to retain the canonry of Kilberry in Knapdale (whose patron was the lord of the Isles), in the diocese of Argyll, the reason given was that he might have a house on the mainland to use for rest, or when he was called to the king of Scots. After the forfeiture of the lordship, king James at the earl of Argyll's request petitioned the pope that his cousin bishop John Campbell should hold the abbey of Iona *in*

¹⁴³ Watt, *Med. Fasti*, 197, 202-3. See also R. G. Cant, 'Norse influence in the organisation of the Mediaeval Church in the Western Isles', in *Northern Studies*, xxi (1984), 1-14.

¹⁴⁴ *Benedict XIII Letters*, 78-79.

¹⁴⁵ Watt, *Med. Fasti*, 203-4; app. D, table 5/2 and 2a; CSSR, iv, 784.

commendam, so that it should be the bishop's seat until 'the principale kirk in the ile of Man be recoverit fra Inglismen'.¹⁴⁶

The relationship between the lords of the Isles and Iona was certainly close, but documentary evidence is disappointingly meagre. We know of only two direct grants – Donald gave two parishes in Mull and one in Tiree to the monastery in 1421, and Angus master of the Isles gave a small grant of land in Mull in 1485 (nos. B7, 119). Most of the abbey's revenue came from lands in every corner of the lordship, except Lewis; the founding of both abbey and nunnery was claimed for descendants of Somerled, many members of the family were buried there, and the lord of the Isles was patron during the period of this study.¹⁴⁷ In this role, though not by name, the lord of the Isles appears in the petition of the king and other temporal lords and nobles of the Isles in 1443 for an inquiry into the state of the abbey, and for the deposition of an acolyte named Fingon, who had ambitions, as a grandson of a former MacKinnon head of the monastery notorious in tradition as the 'green abbot' (no. B16). As patron, Alexander had warned that if Fingon was received as a monk, he would have the relics and bones of his ancestors transferred elsewhere, with the precious things that they had given (probably including the gold and silver covering for a hand of St Columba), and would diminish rather than augment the monastery. The abbey church and other buildings were by that time in a very ruinous and neglected state. On a happier note, it seems to have been not long after this that restoration of the abbey was undertaken, its richly sculptured detail being associated with the name of Donald O'Brolchan. The last of the abbots, another MacKinnon, sat in parliament as well as in the council of the Isles, but with his death and the forfeiture of his patron, the bishop reigned supreme.¹⁴⁸

In the neighbouring see of Argyll, the fourteenth- and fifteenth-century bishops were less closely connected with the lords of the Isles, and their cathedral of Lismore was not within the lordship. One of its bishops, however, had once been

¹⁴⁶ Watt, *Med. Fasti*, 207; Reg. Supp., 682, 302v, 683, 173-4

¹⁴⁷ *Argyll Inv.*, iv, 145-7

¹⁴⁸ *Ibid.*, 148; *Clanranald Book*, 161; Steer and Bannerman, *Sculpture*, 106-9

Donald's 'chaplain and faithful servant', and in 1389 was rector of Kilmonivaig, a parish of which the patronage was in the family of the Isles.¹⁴⁹ George Lauder, bishop from 1427-1461, begged to be allowed to live in Glasgow, because strife among the temporal magnates of his diocese prevented him from exercising jurisdiction or safely convening his subjects. One incident is reported in which he was publicly taunted in Gaelic by some of these subjects. It is appropriate that soon after his time the pope was advised that no-one 'of whatsoever dignity, state and order' should hold any parish church in the diocese unless he understood and spoke intelligibly the language of the greater part of it.¹⁵⁰ The fact that the language problem figures less prominently in the diocese of the Isles may be because Argyll appealed more to outsiders, and also possibly the lords were able to keep a closer watch on applications and appointments.¹⁵¹

Apart from the abbey and nunnery of Iona, the only religious house within the diocese of the Isles was the Augustinian priory of Oronsay, traditionally founded by John, lord of the Isles, and on record by 1353. It was later in the care of the MacDuffies of Colonsay, a family which had members of its community in several generations, and eventually a prior, and whose commemorative crosses survive.¹⁵² In the Argyll diocese were the Cistercian abbey of Saddell in Kintyre, and the Valliscaulian priory of Ardchattan on Loch Etive. The former was founded, according to its own tradition, by Somerled's son Ranald, and the land grants he made were among those confirmed in 1393. His successors continued to help the abbey, which appears to have declined in the later fifteenth century and was suppressed in 1508.¹⁵³ Ardchattan was founded and endowed by the MacDougall lords of Lorn, but there are indications that the lords of the Isles provided protection and some further endowment during a period of transition in Lorn.¹⁵⁴

¹⁴⁹ See app. C, *s.v.* MacGillandris; *Benedict XIII Letters*, 55

¹⁵⁰ Watt, *Med. Fasti*, 27; *Reg. Supp.*, 550, 212; *Asloan MS.*, i, 222-4

¹⁵¹ *CSSR*, iv, 833

¹⁵² Steer and Bannerman, *Sculpture*, 215; *Argyll Inv.*, v, no. 386; nos. 8, 9, 48, 127, below

¹⁵³ Brown, 'Saddell', 130ff; *Argyll Inv.*, i, no. 296

¹⁵⁴ *Argyll Inv.*, ii, no. 217

Of the church at the parish level, written records tell us only part of the story. Surprisingly, many of the parishes in the Isles and in the lords' part of Argyll are mentioned in supplications to the popes between 1387 and 1493 – not in itself a sign of grace, as when all was going well there was no need for communication. It has been said that 'the very remoteness of the Highland dioceses inevitably made contact with the papacy somewhat infrequent';¹⁵⁵ but this is relative, and it should not be thought that the whole area was ecclesiastically in limbo. Clergy from Glenelg, Kilvicewen in Mull, Kilmelfort, and a monk from Iona were among those who visited Rome, in spite of living (as one of them pointed out) 'at the very end of the habitable earth', with a journey involving great expense and dangers, and a delay while he 'remained long, and practically spent all his money'.¹⁵⁶

In some ways the church in the lordship had unusual attributes. One, confusing to later investigators, was the use of the saint's name for a church rather than the geographical parish. Another was the apparent stress laid upon the obligation of hospitality by the clergy. This of course appears most often with complaints of lack of resources – 'especially because it is the custom in these parts to give continuous free hospitality for God's sake'. Again it was explained by the rector of Glassary that 'according to the custom of Scotland he is bound to give hospitality to all who come to the place of the said parish church, and freely to afford them the necessary food and drink'.¹⁵⁷ In part this may have been special pleading, but the tradition of hospitality in Gaelic society was very strong. Some unusual marriage customs may have minimised the stigma attached to the offspring of allegedly celibate clergy, of which there seem to be a disproportionate number from Argyll and the Isles.¹⁵⁸

Of the actions of the lords of the Isles as lay patrons, there is not much evidence. Now and again comes a record that the

¹⁵⁵ I. B. Cowan, in *The Middle Ages in the Highlands* (Inverness Field Club, 1981), 91

¹⁵⁶ *HP*, iv, 173-8; *CSSR*, i, 176, and ii, introduction, xxxii

¹⁵⁷ A. I. Dunlop, in *RSCHS*, xvi (1968), 183; *CSSR*, i, 173, ii, 271-2

¹⁵⁸ *CSSR*, ii, introduction, xxviii

patron has not made provision within the statutory period – for example, the negligence of the patron is blamed for the church of Knoydart being void in 1427, and when John, lord of the Isles, made a presentation to Kilarrow in Islay in 1376 there was doubt as to whether it was still valid.¹⁵⁹ The lords were patrons within their domains, but in some cases they passed the right on to other members of the family. The charter of the MacRuairi lands (no.7) granted by John to his son Ranald specifically included the patronage of the churches – and in fact it may have been one of Ranald's successors who was at fault in Knoydart, and not the lord himself. Although Alexander, lord of Lochaber, a son of John by his Stewart wife, was named as patron of the church of Kilmonivaig in 1395, the second John later gave the patronage to the priory of Ardchattan.¹⁶⁰ Trouble over the parish church of Kilchousland in Kintyre, which was said to have arisen when John de Insulis, younger brother of Donald, lord of the Isles, made the presentation but was wrongly alleged to be patron, was sorted out by John's nephew Alexander as true patron presenting another rector.¹⁶¹

It is difficult to put together any real pattern of ecclesiastical organisation on the ground – to establish who said mass when and where. There appears to have been a good deal of plurality – much of it unsuitable by modern standards. How, for example, could the rector of Kilchoan in Ardnamurchan possibly combine his duties there with the rectory of Kilchoan in Knoydart, and would anyone believe that he was 'able to hear morning mass in one church and a greater mass in the other on the same day'? Similarly a dispensation to hold Kilchattan in Gigha and Kildalton in Islay together on the grounds that 'the vicarages are within one hour's journey of each other' could only have applied during the very best of conditions at sea.¹⁶²

It is clear from architectural remains, if not from documents, that in Argyll and the Isles there were many chapels to supplement the parish churches. They were especially thickly spread in well-populated Islay, and were sometimes nearly as large as the churches. A few are known to have been endowed

¹⁵⁹ CSSR, ii, 181; CPL, iv, 224

¹⁶⁰ *Benedict XIII Letters*, 56; no.117

¹⁶¹ CSSR, ii, 188-9

¹⁶² *Ibid.*, iv, 61, 938

with specific lands; early sixteenth-century rentals, for example, show lands associated with the chapels at Finlaggan, Texa and Orsay in Islay.¹⁶³

As in more favoured climates, the fabric of buildings was in constant need of repair, and revenues were not always sufficient to meet the cost. Papal indulgences were granted in 1382 to those who visited the chapel of St Columba in the parish church of Duirinish in Skye, and contributed to its repair, and the same provision was made in 1393 for the parish church of Killean, on Loch Spelve in Mull, and in 1403 for the church of Barvas in Lewis.¹⁶⁴ In 1411 it was the cathedral of Argyll in Lismore itself that needed special funds, as it was said to be lacking in jewels, ecclesiastical ornaments, books and other necessities, and was also in need of costly repairs. In Iona, where a building fund for the collapsed buildings of the monastery is mentioned as early as 1403, the serious task of collecting money for repair and conservation was under way by 1428, with results that can still be seen there today.¹⁶⁵

EXTERNAL AFFAIRS

Neighbours: MacDougalls and Campbells

Dugall was one of the sons of Somerled among whom his kingdom was divided, and his descendants for several generations used the appellation 'of Argyll' (*de Ergadia*).¹⁶⁶ Their lands included mainland territory in Lorn, Morvern and Ardnamurchan, and also Lismore and the island group centred on Mull, with the castles of Dunstaffnage and Dunollie, Cairn na Burgh in the Treshnish isles, and Dun Chonnuill in the Garvellachs. Marriage into the Comyn family led to a Balliol connection, and 'John of Lorn' was the chief opponent of Bruce in his Argyll campaigns. This brought serious loss of lands and influence, but some of the family's island and mainland pos-

¹⁶³ *Argyll Inv.*, i-v; *ER*, xiii, 219

¹⁶⁴ *Clement VII Letters*, 79; *HP*, iv, 144-6; *Benedict XIII Letters*, 103

¹⁶⁵ *HP*, iv, 159-60; *Argyll Inv.*, iv, 144

¹⁶⁶ Macdonald, *Argyll*, and Duncan and Brown, 'Argyll and the Isles', are the best sources for the early history of the MacDougalls

sessions had evidently been restored before the agreement of 1354 with John, lord of the Isles (no.5). Their recovery was only a limited one, and in the absence of a male heir the Lorn lands went with a co-heiress in 1388 to Stewart of Innermeath.¹⁶⁷ The lords of the Isles were not able to exploit the weakness of the MacDougall position, as might have been expected; after 80 years Lorn passed again with Stewart co-heiresses to the Campbells of Argyll and Glenorchy.¹⁶⁸ By agreement with the Stewart lord of Lorn in 1451, the MacDougalls retained the lands of Dunollie, and southwards as far as the boundary with the Campbells, including Kerrera and other offshore islands.¹⁶⁹ Appin went to the male descendant of the Stewarts of Innermeath.

(The decline of the MacDougalls is in marked contrast with the expanding power of the Campbells during this period.) They had been one of a number of small families in Knapdale and Glassary, but they had a hereditary interest in the lands of Lochawe and Ardscofnish, which were confirmed in 1315 to Colin Campbell (son of Bruce's friend and supporter Sir Neil) as a free barony, for the service of a birling of 40 oars.¹⁷⁰ There is no doubt that their greatness as territorial lords dates from king Robert's reign, and their rise was partly at the expense of the MacDougalls. Although this rise coincided with our period of lordship charters, it was not really in opposition to the MacDonalds, as there was plenty of land available for both. Sir Colin Campbell took Dunoon for David II in 1334, and strengthened his position with the crown; another landmark in the Campbell rise was the disappearance of the earldom of Menteith, when the countess married in 1361 Robert Stewart

¹⁶⁷ Robert II granted Lorn, Benderloch, Appin and Lismore, resigned by Robert Stewart and his wife Janet, to Sir Robert's brother, John Stewart of Innermeath, later called lord of Lorn (*OPS*, ii, 110, from Argyll charters)

¹⁶⁸ One of three Stewart sisters who all married Campbells, Isabel was by May 1466 wife of Colin, earl of Argyll; her father John of Lorn had in 1452 entailed the lands of Lorn on male heirs, and after John's death in 1463, by agreement with his brother Walter Stewart, Argyll in 1469 exchanged Perth and Fife lands inherited by the three sisters for Lorn, of which he had a crown charter in 1470 (*RMS*, ii, 989)

¹⁶⁹ *AT*, 4 January 1450/1

¹⁷⁰ *AT*, 10 February 1315 (facsimile in J. Anderson, *Diplomata Scotiae*, no.xlvii); Barrow, *Bruce*, 406-7

later duke of Albany; about the same time Sir John Menteith, lord of Arran and Knapdale, died without a male heir – both Sir John and the countess had made grants in Knapdale and Cowal to Archibald Campbell; Melfort, Craignish, Kilmun and Glenorchy were in the family by 1357 through marriage with an heiress; and there was a series of alliances with John of Lorn, Gilbert of Glassary, and Lamont of Inveryne.¹⁷¹ In 1382 Archibald and Colin his son had a royal lieutenancy in Cowal and Knapdale. With marriage to the Stewart heiresses, already mentioned, almost the whole of Lorn became Campbell property about 1470. Meanwhile Duncan Campbell of Lochawe had married one of Albany's daughters, and in the list of hostages for James I, where he appears to be one of the richest, he is named Campbell of Argyll. Duncan was made a lord of parliament in 1445, and his grandson and successor Colin became first earl of Argyll in 1457 and began a long career of public service, becoming Master of the Household in 1464, and Chancellor of Scotland in 1483.¹⁷²

It seems surprising that control of Knapdale and Kintyre did not go to the Campbells in 1430, when two Ayrshire landowners were given power to keep order there, with custody of the castles of Sween and Skipness¹⁷³ – all of which apparently went back to the lord of the Isles on his release from Tantallon.

Early signs of rivalry with the MacDonalds are perhaps to be seen in the Auchinleck chronicle's account of a feud among the MacDougalls, in which Donald Balloch supported one side to which he was related by marriage, and apparently Colin Campbell successfully supported the other. This has been seen as symbolic of challenges to the position of John, lord of the Isles, on the west coast, both within his own family and from the Campbells.¹⁷⁴ The latter were certainly to benefit from the fall of the lordship, and to be used by the crown against the lords from 1476 onwards; but it is probably wrong to see violent rivalry emerging too early. Indeed there is a strong tradition, men-

¹⁷¹ Macdonald, *Argyll*, 171–2; *HP*, ii, 142, 143, 146; Steer and Bannerman, *Sculpture*, 204

¹⁷² *SP*, i, 330–4

¹⁷³ *RMS*, ii, 163

¹⁷⁴ *Asloan MS.*, i, 231; Grant, *Independence*, 219–20

tioned by both Sleat and Clanranald seanachies, that Argyll got the Knapdale lands from the Add to the Foxburn as a gift from the lord of the Isles, in return for support at the time of John's trouble with his son Angus (who, it is worth remembering, married Argyll's daughter).¹⁷⁵ This can hardly be quite accurate, as the trouble is said to have arisen from John's acceptance of the loss of Ross, Kintyre and Knapdale by forfeiture.

Although it is by their other activities that the Campbells are usually judged, it has been shown that they were also products of their Gaelic environment, succeeding the lords of the Isles in the patronage of Gaelic culture as well as to some extent in the political and territorial sphere.

Relations with the Scottish crown

The relations between the lords of the Isles and the Scottish crown varied greatly during the fourteenth and fifteenth centuries, depending on the relative strength of the parties. When the crown was weak, for whatever reason, the lords usually took full advantage of the fact – as indeed did many of the other magnates in the kingdom.

In the renewed Bruce-Balliol strife which followed the death of king Robert in 1329, John, lord of the Isles, failed to support his son David. At Tarbert in 1335 the earl of Moray tried to persuade him to become an ally, but instead in the following year John negotiated with Edward Balliol and Edward of England (nos. 1-3), although he took no prominent part on either side. He was thus able to bargain with David, and in 1343 was confirmed in his lands (no. A2), at the same time as Ranald MacRuari in Garmoran, and the MacLeods in Glenelg and Assynt. David was a prisoner in England from 1346 to 1357, and John of the Isles was specially named with the Steward, Douglas and Moray in the preliminary indenture and with Balliol in the final treaty of Berwick in 1357.¹⁷⁶

By this time John was related by marriage, and by some form

¹⁷⁵ *Clanranald Book*, 163; *HP*, i, 48. Argyll's Knapdale charter (no. A35) is one of the few which do not state that the lands had previously been held by or from the lord of the Isles

¹⁷⁶ *Chron. Wyntoun* (Laing), ii, 419; *Cal. Docs. Scot.*, iii, 1629; *RRS*, vi, nos. 148, 150

of agreement, with Robert the Steward, who was next in line to the throne. John does not appear to have joined his father-in-law, Douglas and March in their rebellion of 1363, but with John of Lorn, William, earl of Ross, and the latter's brother Hugh, he was in contempt for being absent when summoned to parliament in July 1366, and was ordered to be arrested. Acts of revaluation and revocation were passed in 1367, which would have hit John hard, and were probably used by the king as a bargaining factor. Lorn and Campbell of Lochawe made their peace and attended the parliament of March 1369 which urged the king to force the lord of the Isles into obedience.¹⁷⁷ David went north to Inverness and received John's submission there in November (no.6). The king's death 15 months later set the Steward on the throne as Robert II, and John's relations with the crown improved.

The lordship of the Isles took on a new significance in Scottish affairs in the 1390s (when John had been succeeded by his son Donald), owing to the loss of control in Moray after the division of power between the Dunbar earl and the king's son Alexander Stewart. The latter had increased his influence by marriage with the widowed Euphemia, countess of Ross, who had also inherited parts of Buchan. Donald's brother Alexander, lord of Lochaber, was drawn into the general disorder of Moray (no.14), and by 1398 parliament was directing that the submission of unspecified rebels must include the appearance before king and council of Donald and his brothers John and Alexander. Donald apparently made his peace, and was held responsible for Alexander, but having allowed him to escape was again summoned to parliament in the following year. In 1402 the lord of Lochaber attacked Elgin, but later returned to ask pardon. The Lowland perception of 'wild, wikked Highlanders', implanted earlier when the Wolf of Badenoch gave the cathedral of Moray to the flames, was now firmly rooted.¹⁷⁸

(There is a lack of information on the physical build-up of the Harlaw campaign of 1411, and a wide variety of interpretations of its object. It can be seen as a challenge to the Albany family's

¹⁷⁷ *APS*, i, 503, 506

¹⁷⁸ Grant, *Independence*, 206; *APS*, i, 570; *Moray Reg.*, 382-3

ascendancy on several levels: Donald's claim to the earldom of Ross, by right of his wife, against Albany's as guardian of the infant heiress Euphemia; the rescue of Ross from being the latest Highland earldom to be swallowed up (as Mar had been) by Albany; or even in the wider realm of Scotland, perhaps with co-operation from England or the absent James – for although the throne had been entailed on the male line in 1372, Donald might be thought to have a tenable claim, in the context of a kin-based society, if his mother was Robert II's eldest daughter.¹⁷⁹ If the result at Harlaw had been more decisive, it might have been possible to judge the true motive (Donald burned Inverness, marched towards Aberdeen, and was met by his cousin the earl of Mar on the summit of a moorland plateau near Inverurie, 14 miles from Aberdeen. Donald was not routed, but he did retreat.¹⁸⁰) Albany recovered Dingwall castle, raised an army to go west against Donald, who submitted at Polgillp (Lochgillphead on Loch Fyne), and is said to have given hostages and sworn an oath to keep the peace.¹⁸¹

(The death of Donald and the return of James brought weight to the side of the crown, following a long regency.) After the liquidation of the Albany family, James turned to other causes of disorder. He summoned a number of northern magnates to meet him in Inverness in August 1428, and arrested many of them including Alexander.¹⁸² There were some executions, but Alexander was taken to Perth with a view to educating him at court; he absconded, burned Inverness and then faced a royal army under James in person in June 1429 in Lochaber. Though

¹⁷⁹ Bannerman, 'Lordship', 214. But the parallel with Robert II's succession is surely not so exact as Dr Bannerman suggests.

¹⁸⁰ *HP*, i, 29–32. For a reconstruction of the battle based on other sources, see W. D. Simpson, *Earldom of Mar* (Aberdeen, 1949), 50–55.

¹⁸¹ *Chron. Bower*, ii, 445. There is evidence that the governor took an army to Polgillp against the lord of the Isles (*ER*, iv, 213), but none on the terms of submission beyond Bower's statement, which *Clan Donald* (i, 165–6) dismisses as 'pure fable'. Three boulders lying between tidemarks on the east shore of Loch Gilp, below Kilmory, are traditionally described as 'witnesses to the signing of the Treaty of Polgillip' (Marion Campbell of Kilberry and Mary Sandeman, 'Mid Argyll: an Archaeological Survey', in *PSAS*, xcvi, 94).

¹⁸² *Chron. Bower*, ii, 488–9. For the so-called 'Inverness parliament' see Balfour-Melville, *James I*, 284, and *Munro Writs*, no. 17.

no battle took place (two clans are said to have refused to fight against the king), Alexander gave himself up and made a stage-managed submission in the chapel at Holyroodhouse in Edinburgh and was sent as a prisoner to Tantallon castle.¹⁸³ The rebellion carried on without him, and parliament called for a host to report for the king's service by May 1431. Once more a royal army appeared in Lochaber, and the earl of Mar again took on the forces of the lordship; but a fleet under Alexander's cousin, Donald Balloch of Dunivaig, and the archers of another cousin, Alasdair Carrach, together defeated him at Inverlochy. The king decided to come to terms, and the lord of the Isles was released from Tantallon at the end of 1431.¹⁸⁴

Both the king and his island subject seem to have learned a lesson. (Alexander thereafter appears to have kept on the right side of the law, and for a time he *was* the law in the north), for after his acceptance as earl of Ross in or about 1436 he was justiciar of Scotland beyond the Forth at least from 1439 to 1443. As it happened, by the autumn of 1437 Alexander was one of the only three adult earls left at home in Scotland, the others being Archibald, earl of Douglas, who died in 1439, and David Lindsay, earl of Crawford.¹⁸⁵ The opening of the new reign saw some disorder, but there is no proof that the lord of the Isles had any part in it. He was apparently at the council at Stirling in August 1439, when an 'appointment' was made concerning the queen mother (now married to the 'black knight' of Lorn) and the keeping of the young king; but soon afterwards men from the Isles, including Lachlan MacLean of Duart, were fighting in Lennox and killed Colquhoun of Luss.¹⁸⁶ Alexander had consultations with some of the king's chief advisers in Bute, and also with the bishop of Ross about the pacification of the country, but apart from some evidence of 'devastation' in

¹⁸³ *Chron. Bower*, ii, 489-90; *HP*, ii, 18-19; Mackintosh, *M and CC*, 75-76. On feudal symbolism of this submission see G. Neilson in *The Scottish Antiquary*, xv (1901), 113-22; there is no evidence of a second stage-managed submission (cf. Nicholson, *Middle Ages*, 317)

¹⁸⁴ *APS*, ii, 19; *HP*, i, 40-43; Balfour-Melville, *James I*, 196

¹⁸⁵ On this temporary 'power vacuum' in the Scottish higher nobility, see Grant, 'Earls and Earldoms', 34

¹⁸⁶ *Asloan MS.*, i, 215

Arran by people ('illos') from Kintyre or Knapdale, the nature and source of the unrest remain obscure and it was not necessarily promoted by Alexander.¹⁸⁷

Meanwhile Douglas power was growing in the north, and by 1445 the earl of Douglas's two brothers had been made earls of Moray and of Ormond, and a third was lord of Balvenie. This is the background to the notorious bond between the earls of Ross, Douglas and Crawford (no.45) to which this year is attached in one source, and which played such an important part in the murder of Douglas by the king in 1452.¹⁸⁸ By then Alexander was dead, and his son John had been drawn closer into mainstream politics by his marriage in 1449 with Elizabeth, daughter of James Livingston, chamberlain of Scotland and keeper of Stirling castle, shortly before the Livingston family's fall from power. James was imprisoned and his estates forfeited, but he apparently found refuge in his son-in-law's territory. John rose probably in the spring of 1451 and took the castles of Inverness, Urquhart and Ruthven, strengthening the two former and demolishing the latter; he claimed that he had 'the kingis wryt and walx' to hold Urquhart for three years, and had perhaps been promised this in the time of Livingston power.¹⁸⁹ The king did little about this rising, except to grant the lordship of Badenoch with Ruthven castle in April 1451 to the earl of Huntly, his chief supporter in the north. The greatest threat was plainly from the Douglasses, and in the course of the royal struggle with them James Livingston was reinstated in office and estates. In spite of the bond, the lord of the Isles did not rise in support of the Douglasses in 1452, although the murdered earl's brother met John in Knapdale and asked for help; the timing is difficult to fix, but raids by Donald Balloch on Inverkip, Bute

¹⁸⁷ *ER*, v, 84, 86, 116, 161-2, 166; Dunlop, *Kennedy*, 31n. The earl of Avondale (James Douglas of Balvenie), the king's secretary (Sir Walter Ogilvy of Lintrathen), the constable of Dundee (Sir John Scrymgeour), and Archibald earl of Douglas were at Bute, and John bishop of Ross had payment for labours with the earl of Ross and the king's council; Douglas died in June 1439, and bishop John in September 1440

¹⁸⁸ For a written 'league' see no.45. 'Probably the best-known of all Scottish bonds is one which does not now exist' (Wormald, *Lords and Men*, 151)

¹⁸⁹ *Asloan MS.*, i, 224-5. For problems of dating see Grant, 'Revolt', 170

and Arran in the Firth of Clyde may have followed this meeting.¹⁹⁰

With the reinstatement of the Livingstons, John was once more in favour with the court, and received Urquhart and Glenmoriston for life in 1455 or 1456. For the remaining years of James II's reign he seems to have been at peace with the crown; when the king was in Inverness in October 1457, John was one of the witnesses to his charter to the collegiate church of Tain, and he is said to have joined James with a large Highland contingent at the siege of Roxburgh in 1460 where the king met his death.¹⁹¹

Another royal minority brought together several strands of disorder. A family feud among the MacDougalls of Lorn involved both the lord of the Isles and the earl of Argyll, and John was called to attend parliament early in 1461. Men from the Western Isles were also reported to be attacking Orkney and Caithness in great numbers; in June 1461 the bishops of St Andrews and Glasgow met John in Bute but nothing is known of what transpired.¹⁹² Five days earlier Edward IV had appointed Douglas to open the negotiations which culminated in 1462 in the 'treaty of Westminster-Ardtornish', of which more will be said when discussing relations with England. No doubt in pursuance of this, and in spite of a high powered 'embassy' sent to him which reached at least as far as Perth, John continued his depredations around Inverness, gathering the rents and produce of the king's lands and granting remissions and respites.¹⁹³ Summoned before parliament, under pain of forfeiture, he 'comperit nocht', the case was continued, and John's only reply seems to have been to lay waste the crown lands near Inverness by fire.¹⁹⁴ By June 1464, with a 15-year truce signed with

¹⁹⁰ *Asloan MS.*, i, 221-2; Grant, 'Revolt', 173; cf. Nicholson, *Middle Ages*, 362

¹⁹¹ *ER*, vi, 217, 221; *HP*, i, 45; *Fraser Papers*, 221; Pitscottie, *History*, i, 142-3

¹⁹² *ER*, vii, 20, and preface xxxix-xl; *Orkney Records*, 51-55. The Bute meeting is thought to have been the occasion for consultations on the Orkney depredations to reach an agreement with John 'by treaty or otherwise' (Dunlop, *Kennedy*, 222-3; Nicholson, *Middle Ages*, 401)

¹⁹³ Those sent to meet him were Argyll, Montgomery, lord Kennedy, and the Treasurer (*ER*, vii, 204); *APS*, ii, 108-9

¹⁹⁴ *ER*, vii, 347, 357

England, the young king's government was strong enough to permit a royal progress through Dundee, Aberdeen, Inverness and Elgin which led to a reconciliation. John was to the fore as a law-abiding subject, and witnessed a new crown charter to the burgh of Inverness; he also admitted seizing £74 worth of the burgh's customs, and Bishop Kennedy forgave him the rest though the treaty (now obsolete anyhow) remained secret for another ten years.¹⁹⁵

With the return of a settled peace between the two kingdoms in 1475, the treaty of 1462 came to light. James III was now strong and secure enough to challenge the lord of the Isles, and a citation was issued against John which was mainly concerned with the treasonable league and bonds made with king Edward and with James earl of Douglas, but also charged him with usurping the royal authority by making his bastard son Angus his lieutenant and with besieging Rothesay castle and laying waste the island of Bute. By proclamation at Dingwall castle and the crosses of Dingwall and Inverness (for in the eyes of the crown he was earl of Ross rather than lord of the Isles), he was ordered to appear in parliament at Edinburgh on 1 December 1475. When he failed to do so, sentence of forfeiture was pronounced.¹⁹⁶ Within four days commissions of lieutenancy were granted to Lennox, Argyll, Atholl and Huntly to raise their people to execute the forfeiture. James himself may have taken part in an expedition to the north, Atholl was rewarded with a forest in Perthshire for his trouble and expense, and Huntly was thanked for his 'gret labour and charge' in recovering Dingwall castle and in his invasion of Lochaber. That not only rival magnates hunted down the culprit is shown by the royal approval of Huntly's unofficial promise of reward to 'Hugh of the Isles' for help given at Dingwall and elsewhere.¹⁹⁷

¹⁹⁵ RMS, ii, 804; ER, vii, 296-7

¹⁹⁶ APS, ii, 108-9, 111

¹⁹⁷ RMS, ii, 1209-12; *Hist. MSS Comm.*, iv, 487; Macdougall, *James III*, 122, citing Atholl charters, 3 March 1481; *Spalding Misc.*, iv, 133. There is no other record of Hugh – presumably John's half-brother Hugh of Sleat (app. D, table 6/14) – taking any part in these events, but a tradition that he took his charters to the king for confirmation during Angus Og's lifetime (*HP*, i, 48) may be a confusion of the 1495 confirmation (no. A48) with memories of Hugh having opposed or at least not supported his brother in 1476

By 10 July 1476 John was in Edinburgh in penitent mood. On that day parliament rescinded his forfeiture, and immediately afterwards he resigned the earldom of Ross, the lands of Kintyre and Knapdale, and the offices of sheriff of Inverness and of Nairn, with their castles (no. 109a). He was then created a lord of parliament as lord of the Isles, while the earldom of Ross was annexed to the crown, with the proviso that it could be granted to the king's second son.¹⁹⁸ Five days later John gave a quitclaim (no. 109b) on behalf of himself and his heirs over the lands and offices surrendered, in a document with a seal bearing only the galley of the Isles, and bereft of the Ross lions which he had quartered with it while he also held the earldom.¹⁹⁹ He then received a new charter of Islay and his other island territories, Morvern, Garmoran, Lochaber, Duror and Glencoe, Kingedward and Greenan, entailed upon his natural sons Angus and John, to be held as other barons hold and for obedience to the laws and customs of the kingdom (no. A24).

Events of the next few years probably reflect the resistance of John's son Angus to his management of the lordship, and his inability to control the nephew who took the leading role after Angus's death in 1490. In April 1478 parliament called on John to answer for his 'treasonable assistance, counsel, favours, help and support' given to rebels who were holding castle Sween, which John was accused of 'stuffing' with men, victuals, and arms of war.²⁰⁰ But when John and a number of his followers were in Edinburgh in December he received a confirmation (no. A31) of his 1476 charter, and four days later he himself granted a charter there whose witnesses included a group of prominent islanders – and Colin earl of Argyll (no. 113). In August 1481 John had his Kintyre and Knapdale lands restored, for his lifetime only, 'for his faithful service' (no. A37); it is not clear what this service was, but it has been stated that he brought 'a great company' to support the king on the Anglo-Scottish border.²⁰¹ But any good impression that he may have made was

¹⁹⁸ *APS*, ii, 113

¹⁹⁹ See app. E

²⁰⁰ *APS*, ii, 115

²⁰¹ Lesley, *History*, 45; not 'a great army' (cf. Macdonald, *Argyll*, 254)

probably dissipated in the next ten years by the persistent unrest in Ross, fomented by members of his family, of whom the principal offender was his brother's son, Alexander of Lochalsh, which culminated in the battle of Park near Strathpeffer probably in 1491.²⁰²

John's final forfeiture does not appear in the records of parliament, but it certainly took place between 6 December 1492 (no.127) and 29 August 1493 (see no.A40). This time he was deprived of all his lands and the title of lord of the Isles, and retired into exile in lowland Scotland. James IV proceeded against the Isles in person at least five times before the end of the century, reaching Kintyre and even Mingary in Ardnamurchan. He gave permission and grants of money for John to visit the Isles and Lochaber in 1502. It is not known whether he actually went there, and early the following year John died at Dundee, where the king and court had been in residence.²⁰³

But, although John himself had submitted, his direct line was not extinguished. His son Angus, murdered at Inverness in 1490, had by his marriage to a daughter of Colin, earl of Argyll, a son Donald, perhaps born posthumously, who from infancy had been kept a prisoner in his grandfather's castle of Inchconnell on Loch Awe.²⁰⁴ But there were others of the family of the Isles, including the MacDonalds of Dunivaig, Lochalsh and Sleat, who did not give up hope of a revival of the lordship. There were six major risings in the 50 years which followed the forfeiture, and some even of the island chiefs who had their charters confirmed by the crown after the forfeiture, took part.

The first was in Kintyre in 1494, when 'Sir John of the Isles', head of the Dunivaig family,²⁰⁵ resisted the placing of a royal garrison in Dunaverty, and is said to have hanged the royal governor from the wall in sight of the king's fleet; about the same time, Sir Alexander of Lochalsh²⁰⁶ again invaded Ross,

²⁰² *HP*, i, 55-56; the year is generally accepted

²⁰³ For John see pp.309-12. The king's expeditions (summarised in Nicholson, *Middle Ages*, 542-4) probably secured the submission of those who had confirmation of charters and new grants in the years immediately following the forfeiture (nos.A42, etc.)

²⁰⁴ For Angus and Donald, see app. D, tables 7/1, 7/2

²⁰⁵ See app. D, table 3/4

²⁰⁶ *Ibid.*, table 6/3

but managed neither to avenge his earlier defeat nor to regain the earldom. Sir Alexander, called 'MacDonald's deputy' in the Irish annals, was killed at Oronsay in 1494 by John MacIain of Ardnamurchan,²⁰⁷ who consistently opposed the restoration of the lordship and was rewarded by the government for his support. John of Dunivaig, who had been the first to rise, was captured with his sons at Finlaggan by MacIain, handed over to the authorities, and executed at Edinburgh in 1499.

The heir himself, John's grandson Donald Dubh, brought out of Argyll's castle 'by a Fenian exploit' in 1501 by the MacDonalds of Glencoe, found shelter first with Torquil MacLeod of Lewis (whose wife was a sister of Donald's mother) and then with MacLean of Duart, and the chiefs of the Isles rallied to him; but after some turmoil in Lochaber and an incursion into Badenoch, with the king himself drawn into the campaign, the rising was over by 1506 and Donald became a state prisoner for nearly 40 years, 'until his hair got grey'.²⁰⁸ In the minority which followed James IV's death at Flodden, Donald of Lochalsh (son of Sir Alexander) was out in 1513-15 and 1516-19, in conjunction with Alexander of Dunivaig.²⁰⁹ The latter, supported by other chiefs of clan Donald and those of several island clans, came out again in 1529-31, and a brief rising led by Donald Gorm of Sleat in 1539 ended with his death at Eilean Donan castle.²¹⁰

The next rising, which proved to be the last, was also the most formidable.²¹¹ It came several years after the voyage round Scotland made by James V in 1540, when he carried off many of the chiefs who met him in the Hebrides, and on his return had the lordship of the Isles annexed inalienably to the crown.²¹² After his death Scotland was plagued by strife over the regency,

²⁰⁷ *Ibid.*, table 1a/3

²⁰⁸ *Clanranald Book*, 163; *HP*, i, 50. For Donald, see app. D, table 7/2. The main record sources for this rising are in *APS*, ii, and *RSS*, i

²⁰⁹ See app. D, tables 6/4 and 3/6. Donald died in 1519, the last male of his line

²¹⁰ *Ibid.*, table 6/18

²¹¹ The main record sources for this rising are in *Henry VIII Letters*, xviii(ii), xx(i and ii); *Sadler's State Papers*, i; *APS*, ii; *RPC*, i; *RSS*, iii and iv. A manifesto of 23 August 1545 is also in *Clan Donald*, i, 375-8

²¹² *APS*, ii, 361, 405 (Dec. 1540); they were included in a wider 'Act of Annexation'

and by Henry VIII's 'rough wooing' of the infant queen. Donald Dubh managed to escape once again; invited by Lennox to co-operate with the English, he adopted the titles of lord of the Isles and earl of Ross, gathered a full array of the leading MacDonalds and nearly all the island chiefs, and, after meeting them in a 'council of the Isles' based on the old pattern in July 1545,²¹³ sailed from the Sound of Islay with 180 galleys and 4000 men (according to an English observer) across the narrow seas to Ireland. After some delay, however, a full-scale invasion of Scotland from the west was postponed, and the fleet sailed for home. He himself, still hoping to carry on the war, returned to Ireland, but died of a fever at Drogheda, leaving no direct heir.²¹⁴ With Donald's death there ended any real hope of re-establishing the lordship of the Isles.

Relations with England

The frequent appearance of the lords of the Isles in English records may on the face of it seem to be haphazard, but a pattern can usually be found in the changing state of English relations with the Scottish crown. It was, of course, not unusual for Scottish subjects who were out of sympathy or out of favour with their own king or government to be used by the English to cause trouble in Scotland, and the fact that Ireland was part of the king of England's domains, and the distance from Antrim to Islay was short, made direct communication with the lord of the Isles all the easier. It seems in the majority of cases that the move for closer relations between the English crown and the lordship came from England, although that impression may be over-emphasised by the accident of document survival.

Taking as a starting-point the end of Robert I's reign, when John declined to support David II, and Edward III helped to make Edward Balliol master of much of Scotland, we find the English king in 1335 sending an envoy to Ireland to invite John

²¹³ *Henry VIII Letters*, xx(i), no. 1298

²¹⁴ James MacDonald of Dunivaig and the Glens (app. D, table 3/7) declared himself and was acknowledged by some as apparent heir of the Isles in January 1546 (*CSP (Ireland) 1509-73*, pp. 73, 74)

to enter his service.²¹⁵ The following year saw a formal indenture with Balliol as king of Scots (no.1), whereby John was confirmed in possession of his island and mainland territory in exchange for support against Balliol's enemies. Edward gave his approval, and a year later instructed his bailiff at Coupeland to release a galley, crew and goods of John of the Isles, which had been arrested on suspicion that they belonged to an enemy, whereas (Edward assured his bailiff) John had always been the king's liege.²¹⁶ In December 1337 John and his secretaries had a safeconduct to come to England with 60 to 100 men and horses and their ships, the earl of Shaftesbury was to treat with John, and the king wrote what was described as '*epistola blandiloqua*' to the lord of the Isles. Six months later Edward, still trying to please, granted a series of safeconducts – to John or his messengers, with servants and equipment, for his mother to cross to Ireland;²¹⁷ and to three named merchants to buy victuals for John in England and Ireland. On the same day, on the petition of John of the Isles, Edward granted lands in Ireland to Hugh Bisset, John's kinsman, 'in consideration of the many perils to which the petitioner has exposed himself in repelling his enemies'; and a few days later protection was granted to John Bisset of Rathlin 'out of regard for John de Insulis whose kinsman he is'.²¹⁸

Balliol having at last resigned his kingdom into Edward's hands, it appears that in 1356 John was again being cajoled to join the king's service with his allies, and trading privileges were again offered. Some two months before the 1357 treaty of Berwick led to an agreement between Scots and English merchants, Edward granted (again evidently at John's request) a licence to six named merchants of the Isles with their ships to trade in England or Ireland, provided they swore that they would not take their merchandise to the king's enemies of Scotland or elsewhere.²¹⁹

²¹⁵ R. Nicholson, *Edward III and the Scots* (1965), 220-1

²¹⁶ *Cal. Docs. Scot.*, iii, 1244 (20 Sep. 1337)

²¹⁷ *Rot. Scot.*, i, 516, 534, 535

²¹⁸ *Cal. Pat. Rolls 1338-40*, 81, 82, 88

²¹⁹ *Cal. Docs. Scot.*, iii, 1606; *Foedera*, vi, 59; *Cal. Pat. Rolls 1354-7*, 589

After the death of the lord of the Isles, John, bishop of Sodor, was sent in July 1388 (a month before the battle of Otterburn) on behalf of Richard II to treat with his sons Godfrey, Donald and John. What part if any England played in John's rebellion against his elder brother Donald is not recorded, but, as we have seen, there is no doubt that Donald and his brothers were in bad odour with the crown and parliament at home on a number of occasions in the 1390s, and might have proved to be helpful to the English king both there and in Ireland. Scottish mercenary soldiers or 'gallowglasses' were already operating in Ulster, and early in 1395 John MacDonald, expelled by his kinsman the lord of the Isles, offered his services to Richard II in Ireland (no. 15). In June 1400, a year after Henry Bolingbroke's return to England to replace Richard II, and some weeks before his expedition to Edinburgh as Henry IV, he issued a safeconduct to Donald and John with 100 horsemen and ships, and the following February leave was granted to '*John de Insulis dominus Dunwage et de Glynnis et Donaldus frater eius*' to come to meet Henry Percy at Cockermouth.²²⁰

The next phase in the relations between England and the lordship of the Isles followed the capture and imprisonment of James I. In August 1407 Hector MacLean of Duart, nephew of Donald of the Isles, was allowed to visit the king of Scots in England, provided he brought no letters or messages without telling Henry IV. The following month the bishop of Down and Janico D'Artasso were sent to treat with Donald (already at odds with Albany over the earldom of Ross) and his brother John about final peace, alliance and friendship, and this was followed by a further commission on the same lines to D'Artasso in May 1408.²²¹ Peace may not have been achieved, but in 1410 Henry gave permission for a double marriage between the children of John and Janico, followed three days later by a pardon (what for is not stated) for John, his wife Mary, and his sons John and Ranald. John Lyon, chaplain to the lord of the Isles, seems to have entered king James's service about this time, probably with Henry's knowledge.²²²

²²⁰ *Rot. Scot.*, ii, 94, 95, 155 ²²¹ *Cal. Pat. Rolls 1405-8*, 361, 363

²²² *Cal. Pat. Rolls 1408-13*, 183, 190. For Lyon, see app. C

Between 1411 and 1461 there is little record of connections between England and the lords of the Isles.²²³ This was probably due to the relative strength and interests of the crowns of England and Scotland rather than to any dramatic change of loyalty on the part of the lords of the Isles. It is true that for some time in the late 1430s and early 1440s Alexander was royal justiciar north of Forth, but the key to the long silence probably lay in the fact that it suited both England and Scotland to have a series of truces during the Hundred Years War with France, which ended with total defeat for England in 1453. Two years later the Wars of the Roses began to weaken England still further, and James II, after his defeat of the Douglas family, began to attack on the border again.

These two events brought the lords once more into the English orbit. The MacDonald-Douglas connection clearly survived the flight of earl James to England after the battle of Arkinholm (1455). Douglas was to prove a ready agent for Yorkist Edward IV against the Lancastrian Henry VI, who took refuge in Scotland after the defeat of his army at Towton in March 1461. By June of that year Edward had instructed Douglas to head a mission to negotiate with John, lord of the Isles,²²⁴ at the very time that John was in Bute being wooed by Bishop Kennedy. The preliminaries were successful, and at Ardtornish on 19 October John appointed ambassadors to go to London and arrange terms which he promised to ratify (no.74). At Westminster in February a treaty or indenture was made between John, his cousin Donald Balloch, and Donald's son John on the one hand, and king Edward on the other (no.75). The northern party agreed to co-operate with Douglas in taking over Scotland, which would be divided between them as vassals of Edward. In return the MacDonalds were to become Edward's pensioners. The ambassadors returned north loaded

²²³ Somewhat oddly, the lord of the Isles appears – along with the (Stanley) lord of Man – on both sides when the king of England wished to proclaim a truce in 1416 between himself and his allies on the one side, and the king of France and his allies on the other. In the former the two lords follow the duke of Bavaria, and in the latter they come between the duke of Gueldres and the doge of Genoa (*Cal. of Close Rolls 1413-19*, 108, 369)

²²⁴ *Foedera*, xi, 474

with presents for themselves and their lord. Almost a year later the bishop of Down was commissioned to take oaths from the three principals,²²⁵ but there is no evidence of whether he went, or indeed whether the treaty was ever ratified by John, who nevertheless promptly set about invading the crown's lands near Inverness.

But already the scene had changed. The Scottish government were themselves negotiating with Edward, and a truce for 15 years was concluded in June 1464 (with Bishop Kennedy accepting a pension from Edward), and extended in 1465 to more than 50 years. This truce led to a peace treaty in 1474, which had disastrous results for John in that his treason became known and he was forfeited in 1475, although (as already explained) the lordship of the Isles was restored to him. Peace did not last, and in 1481 Edward was again plotting with potential allies. He gave a commission to Gloucester and the earl of Douglas to offer lands, lordships and other gifts to any Scotsmen willing to help him. More specifically, in June he wrote to the mayor of Carrickfergus, and two others, authorising them to make alliances with the lord of the Isles, his kinsmen and councillors, and Donald Gorm, and with John of the Isles lord of the Glens and his kinsmen and councillors.²²⁶ On this occasion the lord of the Isles apparently remained loyal to James III, for in August 1481 he received a royal grant of lands for 'faithful service', unspecified (no.A37); he is said to have joined an army raised for service against England with a contingent of his own, and he was apparently ready to hand over one of Edward's envoys to the Scottish authorities.²²⁷

As we have seen, the English connection was to be resumed many years later by John's grandson, Donald Dubh.

²²⁵ *Cal. Docs. Scot.*, iv, 1328, 1334

²²⁶ Owing to an error in *Cal. Docs. Scot.*, iv, no.1469, the proposed allies are often said to be only John of Dunivaig and the Glens and Donald Gorm (Nicholson, *Middle Ages*, 495; Macdougall, *James III*, 146), but originals show two commissions as stated (PRO, Privy Seals (Tower) B21 Ed. IV, C76/165), and warrants for both (*ibid.*, C81/1521, nos.47, 48)

²²⁷ Payment was made in 1483 for provisioning a ship sent from Ayr to the lord of the Isles to capture the traitor Patrick Haliburton (*ER*, xi, 211)

THE DOCUMENTS

Survival and sources

The collection of documents which follows may well be only a fraction of those produced under the lordship of the Isles, and their survival must be largely a matter of chance. If an official register was ever kept, it and even all memory of it has long since disappeared, except for the bald statement that 'MacDuffie of Colonsay kept the records of the Isles'.²²⁸ Nor has any register of the dioceses of Ross, Argyll or the Isles, or of the few religious foundations within the lordship, survived, although documents relating to Iona abbey, Oronsay and Ardchattan priories, and Saddell abbey are known, and the registers of Aberdeen and Moray, Inchaffray and Paisley provide some relevant material. Family muniments have sometimes fared better, with collections preserved either in private hands or in public repositories.²²⁹

The losses are obvious, and some are on record. There are several references to the destruction of documents during the sixteenth-century troubles in the Isles, and even earlier – MacLean of Duart claimed the destruction of charters by Angus, master of the Isles, 'in time of mortal enmity' (no.A73), MacLean of Coll said in 1528 that his register was burnt (nos. A70, A71), and in 1532 Clanranald's 'evidents' were reported missing or destroyed during war and other disturbances.²³⁰ Even the more peaceful eastern country did not escape – Fraser of Lovat's charters had been destroyed by rebels in the 'wars of the Isles' by 1430; Tain's charters and those of the abbey of Fearn met the same fate, probably when St Duthac's chapel was burnt about the same time by savage Highlanders; and the Roses of Kilravock lost some of theirs when Elgin was attacked by the Wolf of Badenoch or by the lord of Lochaber.²³¹ Little or no fifteenth-century material exists among the fairly extensive muniments of the MacDonalds of Sleat or the MacLeods of

²²⁸ *HP*, i, 25

²²⁹ See pp.lxxxv-lxxxvii

²³⁰ *RMS*, iii, 1131

²³¹ *RMS*, ii, 179, and v, 1432; no.90 comment; *Family of Rose*, 130

Dunvegan. It was not only in the distant past, either, that documents disappeared: a Lochbuie charter of 1492 (no. 123) survived long enough for a facsimile to be made for the clan Donald historians in 1900, but it cannot now be traced, and some Mackintosh documents listed about the same time suffered during later flooding at Moy Hall; and these are not the only ones that are missing (nos. 73, 100). On a happier note, at least one collection, thought to have been lost, has come to light during the present century.²³²

Although the survival rate may in view of all these factors be relatively small, the collection which follows includes 49 texts from original documents. Full texts of 17 charters have been preserved through crown confirmations under the Great Seal (one not recorded in the Register), of which five can be checked with the originals. Almost all of those concerning island properties have been taken from such confirmations, the Gaelic charter of 1408 and Angus's charter of 1485 (nos. 16, 119), both in the Scottish Record Office, being among the exceptions.

Most of the documents are in Latin, but there are four in Scots (nos. 29, 37, 70, 104). The Gaelic charter is unique, and its survival remarkable, but that is not to say that no others were produced in the same language. It is, of course, impossible to judge what proportion of transactions were recorded, and how far the absence of early documents, among the Dunvegan muniments for example, may be at least partly explained by a feeling that written agreements were inappropriate for a people with an orally based culture.

Designations

The use in the fourteenth and fifteenth centuries of the designations 'de Ile' and 'de Insulis', and of the style or surname MacDonald, may seem to present difficulties. These forms have been very fully reviewed in relation to the monumental inscriptions in the West Highlands and Isles,²³³ and the following notes may be helpful.

²³² S.R.O., Munro of Foulis muniments, source of nos. 37, 56, 82

²³³ Steer and Bannerman, *Sculpture*, esp. 125, 154

De Ile or de Yle. This designation was normally reserved for the lords of the Isles, but might, on occasion, be used by those of their sons who did not succeed to the lordship, and also by their daughters. As far as is known, no member of the family outside this group is ever designated 'de Ile' in Scottish documents of the period;²³⁴ but in an English document, probably due to a simple error, John, son of Donald Balloch and great-grandson of John, lord of the Isles, is designated 'de Isle' in 1463.²³⁵

De Insulis. The chief families of the various branches of the clan Donald designate themselves 'de Insulis' (a form sometimes used by the lords themselves), or else use a name derived from the forenames of their progenitors, e.g. MacRanaldbane.²³⁶ The form 'de Insula' appearing in the time of Robert I and in 1369, is probably caused by an error in transcription, perhaps a wrong expansion of 'Insul-'; it also occurs in English documents between 1292 and 1296,²³⁷ and in a papal document of 1450 (no.B39).

MacDonald. This name, *MacDhomnuill* in Gaelic, hardly ever appears in official documents before about the middle of the sixteenth century. The most notable exception is the Gaelic charter of 1408 (no.16). It was used by the MacVurich seanachies to indicate the lord of the Isles, as in their account of the nomination of Donald as his father's successor, and in a praise poem and other references to him; the Sleat seanachie does likewise.²³⁸

As this study is concerned primarily with the lordship of the Isles, and only incidentally with the earldom of Ross, the

²³⁴ Except Roderick of Islay, forfeited 1325, unidentified (see app. D, table 1/15)

²³⁵ *Rot. Scot.*, ii, 405. The name De Lisle or Lyle appears in the records of the period, and the latter is given as alternative for 'Iley' in *RMS*, i, app. 2, nos.57, 58; the Scottish family of Lyle were styled 'de Insula', but apparently had nothing to do with the Western Isles, and a Northumbrian family of the name are on English record (*SP*, v, 549). This has led to John, lord of the Isles, being taken prisoner at Poitiers in 1357 (*Clan Donald*, i, 114), and his great-grandson being appointed a warden of the marches in 1457 (Gregory, *History*, 45; *Clan Donald*, i, 219-20). We agree with Macdonald (*Argyll*, 321 note 485) that these are unlikely

²³⁶ Examples of various patronymic forms are quoted in app. D

²³⁷ *RMS*, i, app. 2, no.653; *APS*, i, 149-50; *Cal. Pat. Rolls, Edward I*, iii, 52, 200; *Rot. Scot.*, i, 21, 22

²³⁸ *Clanranald Book*, 160, 215, 263, 265; *HP*, i, 21 etc.

former title is sometimes used for convenience, even when the lord was an earl also at the time.

Regarding other surnames, it is difficult to be entirely consistent in an area where Latin, Gaelic, Scots and English overlap. Except in the texts of documents and in quotations, we have wherever possible adopted what seems to us the nearest acceptable form of a name in English, especially where it has become familiar by common usage. We realise that this will not please everyone, and may even offend some, but we believe that for most readers who may turn to the book for information on the lords of the Isles in a feudal and documentary rather than a Gaelic and oral context, this method will make it easier to recognise individuals and family groups. With some reluctance, we have consistently followed the prefix 'Mac' with a capital letter, even when the next element is not a proper name (except where we think it particularly misleading, as with the Mackays and Mackintoshes). In accordance with current practice, we have also capitalised as well as formalised Gaelic epithets or soubriquets, such as Donald Balloch, Lachlan Lubanach (MacLean), Ian Borb (MacLeod), of which the meaning will be found in appendix C or D. In the use of personal names, John and Ian, Reginald and Ranald, Roderick and Ruari are equivalents. In Latin, *Colinus* can represent Malcolm as well as Colin.²³⁹ *Celestinus* (familiarised in English as Celestine) is the equivalent of Gillespic from Gaelic, and Archibald in English. Of female names, Finvola or Finnguala appears to have no English equivalent, but is used for Flora. These are only a few examples, but enough to show that some inconsistencies are to be expected, and perhaps excused.²⁴⁰

Editorial method

The documents are arranged in chronological order, as the large majority are exactly dated. They have been grouped under the four lords of the Isles in whose name they were issued

²³⁹ Steer and Bannerman, *Sculpture*, 152-3

²⁴⁰ For guidance on Gaelic, Scots and Latin equivalents and interpretation of personal names and surnames, see A. Macbain, *An Etymological Dictionary of the Gaelic Language* (1911), 396-412; P. Woulffe, *Sloinne Gaedheal is Gall* (1923 edn.); and Steer and Bannerman, *Sculpture*

– John, Donald, Alexander and John – and are numbered serially throughout in Arabic numerals; documents issued by their representatives and the closest members of the family have been included (nos. 10, 102, 107, 119, 122, 124). These are the numbers used in referring to the primary documents throughout the volume. Relevant royal charters, of which abstracts are given in appendix A, always have that letter preceding their serial number, and the same also applies to extracts from the papal registers listed in appendix B.

In the main series, after the serial number comes a summary in English of the contents of the document. The first word usually indicates the type of document (charter, precept, etc.); where no full text is available, the summary begins with the words 'Note of . . .'. As not only the name of the granter changes, but his designation also varies (with the addition of the earldom of Ross and of lesser titles and public offices where appropriate), the full name and style used in each document is included in these summaries. Personal names and place-names are given whenever possible in standardised modern form (Ordnance Survey spellings being preferred for the latter), with an explanation where it is thought necessary in the notes; for Gaelic names, on which the editors cannot write with authority, it has been considered sufficient to use forms which are familiar and reasonably intelligible, even when not strictly correct. Where a place-name has not been identified, or its identity is in doubt, it appears within quotation marks in the summary, any clues being added in the comments; O.S. national grid references to all places identified will be found in the index. The last item in the summary is the place of issue, if known, and the date or date-limits assigned to the document.

In dating, the year is taken to begin on 1 January. During the period covered, however, a new year did not begin until 25 March, and as this has already caused some confusion in fixing key dates, a double year is given for clarity when appropriate. In the relatively few cases where a document is undated, it is placed at the end of the series issued by the lord whose name it bears, with date-limits of succession and death modified where possible from indications given in the document itself.

In presenting the text, the spelling is given as in the original or other source, care being taken to adhere faithfully to the form in which proper names appear. The use of capital letters and punctuation has been modernised for easy reading, and for the same reason abbreviated forms have been extended without the use of italics or square brackets.

Following the text, the next information given is the source or sources from which it is taken, either manuscript or printed. If the original is available, it has of course been preferred; and a brief description is given, which includes the overall dimensions of the document and the size of the 'writing block'. The existence of a seal is mentioned, and fuller details will be found in appendix E. Lacking the original, or even a facsimile (as in no. 123), the most authentic copy may be obtained from a later royal confirmation, which nearly always recites the full text of the original (no. 127 being an exception); such texts have been copied from the manuscript Register of the Great Seal.

After the source, there follow details of works in which the document has been printed previously. These are not necessarily exhaustive, but well known and accessible versions are fully listed, even when they have been found to be imperfect. Some printed abstracts are mentioned as well as full texts, as, for example, the reading of personal and place-names by the editors of the Great Seal register and the compilers of *Origines Parochiales Scotiae* are often instructive. If there is no entry of this kind, it can be assumed that no printed version is known to the editors.

Finally there are or may be two sets of notes, the first textual, and the second general and historical comment. The former have been kept to the minimum, but the latter are often extended to assist identification of place-names in a region with which readers may not be familiar. Where doubts arise over a location, early maps and plans have been examined, and books and articles by writers who have made a study of place-names, or have been specially acquainted with the topography of a district, have been consulted. As some place-names are found in more than one part of the Highlands and Islands, the context in which a name appears is not always a sure guide to its location

(e.g. nos.76, A5), but generally speaking lists of lands granted help materially towards identification.

For the identity of persons, only occasionally included in the notes, the index should be consulted, where cross-references are given if the form of a name appearing in a document may prove baffling. As a guide to the circle in which the lords of the Isles moved, notes on all named witnesses are gathered together in appendix C, along with those holding official positions, councillors, and others associated with the lordship. Relationships within the chief line and its branches, from record evidence and traditional sources, and the marriage links between them and other families, are shown in appendix D.

LIST OF MANUSCRIPT SOURCES

The following is a list of manuscript sources from which texts have been obtained, either in original or transcript. The **bold** numbers following each entry are those of the documents.

Aberdeen

University of Aberdeen Library

MS.3004, Fraser of Philorth Papers, **97**

Blair Castle

Atholl Muniments, **24**

Brodie Castle

Brodie Muniments, **20**

Castle Leod, Strathpeffer

Earl of Cromartie's Muniments, **22, 81, 85**

Cawdor Castle

Cawdor Muniments, **29, 38, 51, 52, 59, 65, 66, 67, 68, 91, 92, 93, 94**

Craigston Castle

Urquhart Muniments, **113, 114**

Edinburgh

National Library of Scotland

Adv.MS.16.1.10, Register of Aberdeen, **39**

Adv.MS.26.3.2, John Riddell Notes, **76**

- Adv.MS.33.2.15, Balfour's Annals, 45
 Adv.MS.34.4.10, Moray Register, 14
 Adv.MS.34.4.14, Paisley Cartulary, 58
 Adv.MS.35.4.8, Macfarlane's Genealogical Collection, 4, 32
 Adv.MS.35.4.12a, Macfarlane's Notebook, 23, 90
 MSS.2129, 2131, 2135, 2137, Gregory Collection, 47, 61, 86, 89, 98
 Dep.175, Gordon Cumming Papers, 25, 103
 Dep.313, Sutherland Papers, 30, 83
 Dep.327, Frasers of Lovat and Strichen Papers, 72
 Ch.16062, 16063, from Fleming of Wigtown Papers, 128, 129
- Scottish Record Office
- B70, Tain Burgh Muniments, 28
 C1, C2, Great Seal Register, 7, 11, 12, 13, 17, 21, 40, 43, 76, 78, 80, 96, 102, 122, 124, 125
 CS5, Acta Dominorum Concilii, 19, 49, 104
 E38, Exchequer Rolls, 121, 126
 GD1/220, Items donated by J. S. Richardson, 27
 GD1/661, Castle Fraser Muniments, 120
 GD25, Ailsa Muniments, 105, 106, 107, 111, 115, 116
 GD44, Gordon Castle Muniments, 50
 GD46, Mackenzie of Seaforth Muniments, 81
 GD93, Munro of Foulis Muniments, 37, 56, 82
 GD98, Douglas Collection, 95
 GD103, Society of Antiquaries Collection, 42, 71
 GD125, Rose of Kilravock Muniments, 34, 35, 35a, 70
 GD137, Scrymgeour-Wedderburn Muniments, 44
 GD159, Ross of Cromarty Muniments, 108
 GD176, Mackintosh of Mackintosh Muniments, 62, 63, 64, 88
 GD220, Duke of Montrose Muniments, 110
 GD297, J. & F. Anderson, WS, Collection, 31, 54, 57
 GD305, Cromartie Muniments, 77, 79
 PA2, Acts of Parliament of Scotland, 109a
 PA5/4, Black Book of Parliament, 6

- RH1, Register House Transcripts, **61, 87**
RH6, Register House Charters, **16, 48, 53, 109b, 119**
RH9, Inventories, **112, 117, 118**
SC29, Inverness Sheriff Court Records, **55**

Glasgow

- Scottish History Department, University of Glasgow
AT, Argyll Transcripts, **A58**
ASPA, Vatican Archives: Acta Sacra Penitentiariae
Apostolica (microfilm)
Reg.Supp., Vatican Archives: Register of Suppli-
cations (microfilm)

London

- British Library
Egerton Charters, **84**
Public Record Office
C81/1330/26, Warrants for the Great Seal, Series I, **1,**
2, 3

Perth

- Kinnoull Trustees
Dupplin Charters, **10, 18**

Perth, Western Australia

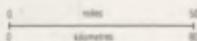
- University of Western Australia, **46**

Tain

- Burgh Charters, **28**

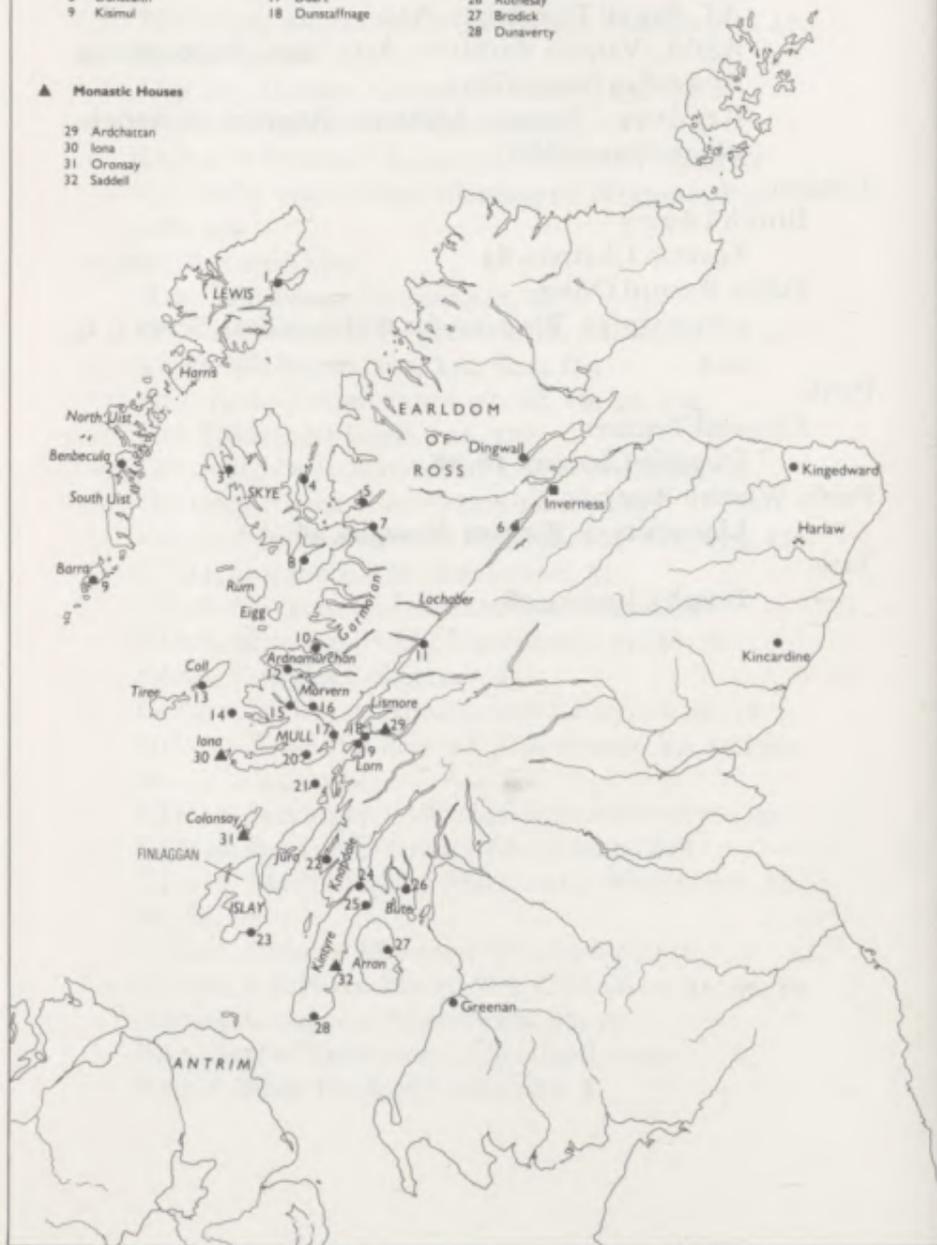
● Castles

- | | | |
|----------------|-------------------|-----------------|
| 1 Stornoway | 10 Tioram | 19 Dunollie |
| 2 Borve | 11 Inverlochy | 20 Moy |
| 3 Dunvegan | 12 Mingary | 21 Dun Chonnall |
| 4 Brochel | 13 Breacachadh | 22 Sween |
| 5 Scrome | 14 Cairn na Burgh | 23 Dunivaig |
| 6 Urquhart | 15 Aros | 24 Tarbert |
| 7 Eilean Donan | 16 Ardornish | 25 Skipness |
| 8 Duncath | 17 Duart | 26 Rothesay |
| 9 Kaimul | 18 Dunstaffnage | 27 Brodick |
| | | 28 Dunaverly |



▲ Monastic Houses

- 29 Ardcharan
- 30 Iona
- 31 Oronsay
- 32 Saddell



ACTS OF THE
LORDS OF THE ISLES

JOHN
1336-1387

I

Indenture between Edward, king of Scots, and John de Insula by which John received the island of Islay, the lands of Kintyre and Knapdale, the island of Gigha, half the island of Jura, the islands of Colonsay, Mull, Skye, and Lewis, and the lands of Morvern and Ardnamurchan; and also the ward of Lochaber until the son and heir of David of Strathbogie comes of age; in exchange for support against Edward's enemies. Perth, 12 September 1336.

Hec indentura facta apud villam de Perth die Jovis xij die Septembris anno Domini millesimo CCC XXXVI inter excellentissimum principem dominum Edwardum Dei gratia regem Scotorum illustrem ex una parte et Johannem de Insula ex altera parte testatur quod dictus dominus rex concessit quantum in se est predicto Johanni pro bono et laudabili servitio sibi impenso ac in futurum impendendo per se et heredos suos insulam de Ysle terram de Kentyre terram de Knappedoll insulam de Gythe dimidium insule de Dure insulam de Golwouche^a insulam de Mulle insulam de Sky insulam de Lewethy terram de Kenalbadon et de Ardmurcon^b tenenda eidem Johanni heredibus et assignatis suis. Concessit etiam dictus dominus rex eidem Johanni wardam de Loghaber usque ad legitimam etatem filii et heredis domini David de Strabolgy ultimi comitis Atholle. Pro quibus quidem concessionibus predictis prefatus Johannes de Insula obligat se et heredes suos esse ligios homines et fideles dicto domino regi et heredibus suis imperpetuum et gravari omnes suos inimicos et rebelles quibuscumque diebus et locis et omnibus quibus eos gravare poterit et se et suos ac heredes ejus quoscumque. Et pro securitate omnium premissorum fideliter

complendorum praestetur sacramentum corporale per dictum Johannem super sanctam eukaristiam calicem altaris et misalem. Item vult et concedit dictus Johannes quod si predictus rex obsidem vel obsides ab eo voluerit habere pro majori securitate faciendum consanguinem vel consanguines suos minores etatis sibi propinquiores dicto domino regi reddendos cum tempus opportunum advenerit quia dictus Johannes filius nec heredem a corpore suo nondum habet procreatum. Preterea prefatus dominus rex vult et concedit quod quocumque tempore haeredem de corpore suo legitime procreatum quod compaternitas ejusdem heredis prefato Johanni concedatur.

SOURCE: PRO, C81/1330.

PRINTED: *Foedera*, iv, 711; *Cal. Docs. Scot.*, iii, 1182; *Clan Donald*, i, 496.

NOTES: *a.* Golwouche could be read Golwonche. *b.* Ardinton in *Foedera*, but *Cal. Docs. Scot.* appears to be correct in giving Ardmurcon.

COMMENT: The year 1335 which has appeared in a variety of sources arose from an error, and the text clearly reads 1336; David of Strathbogie, earl of Atholl, was not killed until November 1335 (*SP*, i, 432). The indenture was submitted to Edward III for his approval, and the text survives from the copy sent by Edward to his chancellor. Of the place-names, Golwouche and other forms of the name Colonsay are hard to recognise, but from their context this identification is generally accepted (Loder, *Colonsay*, 46). Kenalbadon or Cineal Bhaodain was the old name for Morvern (Watson, *CPNS*, 122); a rector of the church of St Columba in Keneavadean was witness in 1409 (no. 17); and cf. Kilbedane in A67.

2

Letter from John of Yle to Edward, king of Scots, requesting confirmation by the king of England of John's submission to Edward. 21 September 1336.

Excellentissimo principi ac magnifico domino suo domino

Edwardo Dei gracia Regi Scotorum illustri Johannes de Yle reverenciam et honorem. De specialissimis litteris vestris nobis ultimo destinatis ac eciam cordialibus in quantum possumus quam plurimum regraciamur ex quibus plene precepimus intellectu quod omnes petitiones nostras per nos vobis directas granter et cordialiter admisistis et eas nobis quantum in vobis sit concedere vultis dum tamen subiectionem et obedienciam debitam et honestam vestre regie maiestati duxerimus faciendum secundum quod in vestris litteris regii nobis destinatis liquido alias meminimus nos scripsisse circa securitatem et confirmacionem ac ratificacionem regis Anglie super ea que nobis concesseritis nobis impetrandis quas si nobis impetrare non poteritis nostram vestre regie maiestati committere non possumus ut velletis. Si eas impetrare poteritis diem et locum acceptemus infra quos vobiscum aut cum sano vestro consultu poterimus emendare. Dum litteras vestras de salvo conductu ac eciam dicti regis Anglie sub sigillis vestris magnis poterimus invenire. Valete. Datum in festo Mathei apostoli.

SOURCE: PRO, C81/1330.

PRINTED: abstract in *Cal. Docs. Scot.*, iii, 1182.

COMMENT: see no.3 also.

3

Letter from John, lord of the Isles, to Edward, king of England, requesting confirmation of lands granted by Edward, king of Scots. 21 September 1336.

Excellentissimo principi ac magnifico domino domino Edwardo Dei gratia regi Anglie domino Hibernie duci Aquitanie Johannes de Yle dominus Insularum reverenciam et honorem cum salutatione debita et honesta. Recolit vestra regia maiestatis quod nos volumus litteras vestras de securitate nobis et nostris sub sigillo vestro magno in perpetuum concedendas de confirmatione et ratibitione omnium terrarum quas dominus Edwardus Dei gratia rex Scotorum nobis duxerit concedendas impetrare quas si invenire non poterimus cum eo non poterimus

concordare. Valet in prosperitate per tempora diuturna.
Datum in festo Mathei apostoli.

SOURCE: PRO, C81/1330.

PRINTED: abstract in *Cal. Docs. Scot.*, iii, 1182.

COMMENT: This document, rather than the 1354 indenture (no. 5) as has previously been assumed, appears to be the earliest use of the title 'dominus insularum', although it was not adopted regularly at once. We are indebted to Mr W. D. H. Sellar for pointing this out.

4

Note of a grant by the lord of the Isles to William son of Angus Mackintosh of the lands of Glenloy and Locharkaig. 1336.

In a section on William Mackintosh: 'Jus etiam Barroniae Glenluy et Lochairkagg, patre Aenea adhuc vivente, a Domino Insularum acquisivit Anno 1336'.

SOURCE: NLS, Adv. MS. 35.4.8(i), 172.

PRINTED: Macfarlane, *Gen. Coll.*, i, 172.

COMMENT: This extract is from 'De Origine et Incremento Makintoshiorum Epitome', a history and genealogy, partly based on named earlier writers and making use of documentary evidence where it existed, written by Lachlan Mackintosh of Kinrara (uncle of the chief Lachlan Mackintosh of Torcastle), and completed a few years before his own death in 1686 (Mackintosh, *M and CC*, 6, 212n). In the same source there is a further statement that the charter was confirmed by David II on 28 February 1359 (noted in *RRS*, vi, 239). Mackintosh (40n) points out that William probably inherited these lands from his mother. There was continued controversy over these lands between Mackintosh and the Camerons until an agreement and sale by Mackintosh to Lochiel on 15 June 1664 (Mackintosh, *M and CC*, 241-67).

Agreement between John, lord of the Isles, and John of Lorn by which (1) John of Lorn quitclaims to John of the Isles lands, islands and castles for which John of the Isles had charters from king David or king Robert his father viz. Cairn na Burgh More and Cairn na Burgh Beg, the island of Mull, Dun Chonnuill, the islands of the upper part of Jura, and the island of Tiree, except the island of Coll, three unciaes of land of Tiree nearest Coll (subtracting the free land of the churches of Duror and Glencoe) which island and lands John of the Isles grants to John of Lorn. (2) Whoever is Lorn's steward in the Tiree lands shall not make a dwelling there without leave from John of the Isles. (3) They will act as brothers and John of Lorn will have the right to build 8 vessels of 16 or 12 oars. (4) John of Lorn will give three hostages to John of the Isles until the castle of Cairn na Burgh More is handed over. (5) John of the Isles obliges himself to accept no letters, gift or feu from any king or guardian of Scotland over the said lands conceded to John of Lorn. (6) They will not rise in war against each other with anyone but the King of Scotland. (7) John of the Isles undertakes never to give custody of Cairn na Burgh More to any member of the clan Fynwyne (MacKinnon). (8) Anyone doing murder will be exiled by both. (9) Wrongdoers will not be allowed to transfer from the retinue of one party to the other unless willing to answer for his wrongdoings. 'Iwon sele', 8 September 1354.

Anno Domini M CCC quinquagesimo quarto in nativitate Beate Marie Virginis apud Iwon sele^a facta fuit hec conventio et interposita inter nobiles viros Johannem de Yle dominum Insularum ex una parte et Joannem de Larin dominum Ergadie ex altera super quibus defenderunt et finaliter concordarunt. Inprimis predictus Joannes de Larin concedit et quietum clamat cum fusto et baculo omne jus et clameum quod habuit vel habet seu habere poterit Joanni de Yle domino Insularum de omnibus terris castris et insulis cum pertinenciis suis inferius nominandis de quibus dictus Joannes de Yle incartatus per dominum David vel dominum Robertum^b . . . patrem ejusdem Reges Scotie videlicet castra de Kerneburgh et Hystylburgh cum omnibus

insulis suis et juribus totam insulam de Mule cum omnibus suis pertinentiis et castrum de Dunconill cum omnibus pertinentiis suis et insulis superiore parte de Duray cum suis pertinentiis insulam de Tereyd cum omnibus pertinentiis suis et libertatibus exceptis terris infrascriptis videlicet insula de Colle cum omnibus suis pertinentiis et tribus unciatis terris de Tereyd que propinquiores sunt terre de Colle demptis terris liberis ecclesiarum de Durobwar et Glencowan cum omnibus suis pertinentiis quas terras et insulam cum omnibus suis justis pertinentiis et consuetudinibus aut exaccionibus quibuscunque idem Joannes de Yle dominus Insularum dat concedit et per presentes confirmat absque calumpnia vel repetitione seu clameo aliquo a predicto Joanne vel heredis suis in perpetuum predicto Joanni de Larin libere et pacifice possidendas. Item ordinatum est quiscunque fuerit sen^f in predictis tribus unciatis terre de Tereyd ex parte Johannis de Larin non faciet domesticaturam seu habitaculum in predicta insula sine licentia predicti Johannis de Yle. Item concordatum est inter predictos nobiles quod semper de cetero ex nunc sint carnales fratres et compadres singuli alterius commodum respicientes liceat enim eidem Johanni de Larin componere seu fabricare octo naves que sint de numero xvi remorum vel xii remorum in sua debita forma et quantitate. Insuper ordinatum est inter predictos nobiles quod Joannes de Larin dabit Joanni de Yle tres obsides in manu sua donec habuerit castrum de Kerneburgh sibi deliberatum viz unum filium legitimum Lachlani filii Alexandri et alium filium legitimum Ywari M'Lulli et filium legitimum Johanni M'Molmari vel alterius boni parentela sua. Item Johannes de Yle obligat se quod nunquam impetrabit nec capiet literas donum vel infeodacionem a quoque rege vel custode regni Scocie super predictis terris per ipsum concessis eidem Johanni de Larin. Item concordat est inter predictos quod idem Johannes de Yle nunquam insurget ad guerram contra Johannem de Larin per se vel per alium vel alterum^d auxilium dabit cum quacunque persona vivente presente vel futuro excepta persona Regis Scocie simili modo idem Johannes de Larin se obligat Johanni de Yle. Concordatum est quod Johannes de Yle nunquam dabit custodiam castri de Kerneburgh ulli de nacione clan Fynwyne.

Item conventum est quod quisunque fecerit vel perpetraverit homicidium ex premeditata nesquiscia inter predictos nobiles exilio ab utroque specialiter deputetur. Item si quis a retinentia unius ad retinentiam alterius propter malefacta sua procedere voluerit ab altero non admittatur nisi de suis transgressionibus justicie complementum voluerit exhibere. Et ad omnia ista et premissorum singula fideliter observanda tactis Dei evangeliiis ac diversis aliis sanctorum reliquiis et sanctuariis corporalia prestiterunt juramenta. Parti vero hujus indenture remanenti penes Johannem de Larin sigillum Johannis de Yle est appensum parti vero remanenti penes Johannem de Yle sigillum Johannis de Larin est appensum. Datum die et loco et anno supradictis.

SOURCE: Pamphlet by John Davidson, w.s., *Accounts of the Chamberlain of Scotland . . . With some other curious Papers* (Edin., 1771), appendix II, no. i, 29-30. Original said to have been 'found at the search made some years ago, by authority of the Court of Session, into the hogsheads in the Register-office', but it is not now known to exist.

PRINTED: Hailes, *Annals*, iii, 381-3; *Clan Donald*, ii, 745-6; *HP*, i, 76-78.

NOTES: Marginal notes in Davidson's pamphlet have: *a.* 'Awon sele' for 'Iwon sele'. *b.* word between Robertum and patrem 'cut out'. *c.* senescallus. *d.* 'aliter' or 'alterum'.

COMMENT: The MacDougalls are here seen to be regaining some of their lands in Lorn, but by 1388 the lordship of Lorn had passed by marriage to Sir John Stewart of Innermeath (we have adopted the spelling 'Lorn' now used by the Ordnance Survey and RCAHMS, see footnote in *Argyll Inv.*, iii, 1). The significance of the clause relating to the clan Fynwyne, or MacKinnon, is not now evident. Ship-service is discussed at p. xxxix. Doubts about the identity of Hystylburch, Isleborg or Isellborgh (cf. nos. 12, A2) with the lower castle on Cairn na Burgh Beg in the Treshnish Isles have been resolved (*Argyll Inv.*, iii, 189). Duror and Glencoe are recorded in many forms (cf. nos. A2, A24, A43), but the identification is not in doubt (Watson, *CPNS*, 124, 434); they were granted to Angus Og by

Robert I (RMS i, app. 2, 57). The reading Iwon sele or Awon sele cannot now be checked, but it may have been mistranscribed; Macphail (*HP*, i, 76n) tentatively suggested 'Icolmchile', i.e. Iona, but another possibility is Eilean Seil, Isle of Seil (perhaps 'Illon' in MS, and 'll' misread as 'W'), which would be convenient to both John of the Isles and John of Lorn.

6

Submission of John, lord of the Isles, to David, king of Scots, admitting that he has committed acts of negligence, undertaking to obey royal officials, pay contributions and expel enemies and rebels from his lands and lordship and promising to send three hostages to Dumbarton Castle. Inverness, 15 November 1369.

Universis presentes literas inspecturis Johannes de Yle dominus Insularum salutem in omnium salvatore. Cum serenissimus princeps ac dominus meus metuendus dominus David Dei gracia rex Scottorum illustris contra personam meam propter quasdam negligencias meas commissas commotus fuerit propter quod ad ipsius domini mei presenciam apud villam de Invernys die quinto decimo mensis Novembris anno gracie millesimo trecentesimo sexagesimo nono in presencia prelatorum et plurium procerum regi sui accedens humiliter ipsius domini mei voluntati et gracie me obtulit et summissi de huiusmodi negligenciis remissionem et graciam suppliciter postulando. Cumque idem dominus meus ad instanciam sui consilii me ad suam benevolenciam et graciam gracie admitterit concedens insuper quod in possessionibus meis quibuscunque remaneam non amotus nisi secundum processum et exigenciam juris. Universitati vestre per presencium seriem pateat evidenter quod ego Johannes de Yle predictus promitto et manucapio bona fide quod de dampnis iniuriis et gravaminibus per me filios meos et alios quorum nomina in literis regiis de remissione michi concessis plenius exprimuntur quibuscunque regni fidelibus hucusque illatis satisfaccionem faciam et emendas

terras et dominia in subiectis iuste regam et pro posse gubernabo pacifice et debite domino nostro regi legibus et consuetudinibus regni sui et iustificabiles fieri. Et quod obedient et comparebunt justiciariis vicecomitibus coronatoribus et aliis ministris regiis in singulis vicecomitatibus prout melius et obediencius aliquo tempore bone memorie domini regis Roberti predecessores mei et inhabitantes dictas terras et dominia sunt facere consueti. Et quod respondebunt prompte et debite ministris regis de contributionibus et aliis oneribus et serviciis debitis imposterum et eciam de tempore retroacto. Et in eventu quod aliquis vel aliqui infra dictas terras seu dominia deliquerit vel deliquerint contra regem seu aliquos vel aliquem de suis fidelibus et iuri parere contempserit seu contempserint aut in premissis vel premissorum aliquo obedire noluerit vel noluerint ipsum seu ipsos tanquam inimicum vel inimicos et rebellem seu rebelles regis et regni dolo et fraude omnino remotis statim prosequar toto posse quousque a finibus terrarum et dominiorum meorum expulsus vel expulsi fuerit vel fuerint aut ipsum vel ipsos parere fecero iuri communi. Et ad hec omnia et singula facienda implenda et fideliter observanda in predictorum prelatorum et procerum presencia corporale prestiti iuramentum insuper et dedi et concessi obsides infra scriptos videlicet Donnaldum filium meum ex filia domini senescali Scocie genitum, Anagusium filium quondam Johannis filii mei, et Donnaldum quemdam alium filium meum naturalem quos quia tempore confeccionis presentis presentialiter promptos et paratos non habui ipsos intrare seu reddi faciam apud castrum de Dunbretane ad festum natalis Domini proximo iam futurum si potero alias citra vel ad festum Purificacionis beate Virginis proximo inde sequens sub pena infraccionis prestiti iuramenti et sub pena amissionis omnium que erga dominum nostrum regem amittere potero quouismodo ad quorum obsidum intraxionem ut premittitur faciendam dominum meum dominum senescallum Scocie comitem de Stratherne fideiussorum inveni. Cuius sigillum causa fideiussionis huiusmodi eciam ad maiorem rei evidenciam una cum sigillo meo proprio est appensum presentibus in testimonium premissorum. Actum et datum anno die et loco predictis.

SOURCE: SRO, PA5/4, f.27 (Black Book of Parliament).

PRINTED: APS, xii (Supplementary), no.30; Tytler, *History*, i, 380.

COMMENT: In this submission it will be noted that John uses the first person singular, and not the usual plural 'we'. For background to the submission see Introduction, pp.lxiv-lxv.

7

Note of a grant by John de Yle to Reginald his son of the lands of Moidart with the castle of Eilean Tioram, Arisaig, Morar, and Knoydart, the islands of Eigg, Rum, Uist with the castle of Benbecula, Barra, and St Kilda, the lands of Sunart and 'Lettirlochettle', Ardgour, Auliston, and Lochaber viz. Lochy, Kilmallie and Locharkaig. 1346 x 1372/3.

Rex, etc., omnibus etc. Sciatis nos approbasse ratificasse et hac presenti carta nostra pro nobis et nostris heredibus imperpetuum confirmasse donacionem illam et concessionem quas dilectus filius noster Johannes de Yle fecit Reginaldo de Yle filio suo de insulis terris et castris infra scriptis videlicet de terra de Mudewort cum castro de Elantirym de terra de Arassayk de terra de Morowore et de terra de Cnudeforde de insula de Egge de insula de Rume de insula de Huwyste cum castro de Uynvawle de insula de Barre et de insula de Hert cum omnibus aliis minutis insulis ad dictas insulas pertinentibus de tribus unciatis terre de Swynwort et de Lettirlochettle de duabus unciatis terre de Ardegoware de una unciata terre de Hawlaste cum advocacionibus ecclesiarum earundem terrarum et sexaginta marcatis terre in partibus de Lochabre videlicet de decem et septem denariatis terre de Loche de dimidia davata terre de Kymalde et de una davata cum dimidia de Locharkage in extentam quadringentarum et viginti marcatarum terre. Tenendas et habendas prefatas terras insulas cum castris predictis eidem Reginaldo et heredibus suis masculis de corpore suo legitime procreandis de prefato Johanne de Yle et heredibus suis per omnes rectas metas et divisas suas, adeo libere quiete plenarie integre et honorifice in omnibus et per omnia sicut carta prefati Johannis de Yle prefato

Reginaldo filio suo exinde confecta in se juste continet et proportat. Salvo servicio nostro. In cujus rei, etc. Testibus, etc. Apud Arnele, primo die Januarii anno regni nostri secundo.

SOURCE: SRO, CI/iii/18 (Great Seal Register) (confirmation dated 1 January 1372/3).

PRINTED: *RMS*, i, 520; *Clan Donald*, i, 502-3.

COMMENT: These were the lands of Garmoran which John inherited from his wife, Amy MacRuarie (see Introduction p.xxviii). They had been given by her aunt Christina to Arthur Campbell (*HP*, i, 110; and app. D, table 1/13), whose father received Dunstaffnage and lands in Lorn (*HP*, iv, 16-18) but must have lost them again fairly quickly. In the islands the castle of Vynvawle (Benbecula) was named Borve (*Chron. Fordun*, i, 44; *HP*, i, 26); Hert, otherwise Heryce, or Hyrte (no.A7) has been identified by various writers as Hirta (St Kilda) and as Harris, as indicated in *SWHIHR, Notes and Queries*, xviii, 16-18; xx, 24-26, where reasons are given for the former being more likely. On the mainland, Lettirlochettle, not otherwise known, probably lay between Loch Sunart and Loch Shiel (*OPS*, ii, 198, 199); Howlaste was apparently near Auliston Point in Morvern (Gaskell, *Morvern*, 156); Lochy does not seem to have survived as a place-name except in the loch and river, and the castle of Inverlochy, but *OPS*, ii, 181, explains Loche and Kylmald as 'apparently Lochiel and Kilmallie'.

8

Note of a charter by John, lord of the Isles, son of Angus to the abbey of Saddell of the lands of 'Lesenmarg'. 1330 × 1387.

'Evidencia factam per Johannem dominum Insularum filium Angusii de duabus mercatis terrarum nuncupat[is] Lesenmarg cum pertinenciis.'

SOURCE: SRO, C2/xiv/408 (Great Seal Register) (confirmation dated 1 January 1507/8).

PRINTED: *RMS*, ii, 3170 (5).

COMMENT: Lesenmarg (unid.) may have been among the Saddell lands granted by the bishop of Argyll to the earl of Arran in 1556, e.g. Lessewark (*OPS*, ii, 24, and see Brown, 'Saddell', 134n). See nos.9 and 48 for other grants to Saddell.

9

Note of a grant by John, lord of the Isles, to the abbey of Saddell of the lands of 'Darneychan'. 1330 × 1387.

'... ac quod dilectus filius Johannes de Yle dominus Insularum dimidiam nummatum terre de Darneychan que duarum marcharum valorem non excedit ...'

SOURCE: SRO, RH 2/6/i/338-9 (Vatican Transcripts).

PRINTED: *HP*, iv, 146-9; see also *Clement VII Letters*, 194.

COMMENT: Vatican confirmation of grants to Saddell made by Reginald son of Somerled, Roderick son of Reginald, and by Christina daughter of Alan (see app. D, table 1/2 and 11-13) includes a gift by John, lord of the Isles (and not his son as given in the translation in *HP*, iv, 149) of Darneychan, but not of Lesenmarg. Darneychan (unid.) is not among the places named in 1556 (cf. no.8 comment). See also no.48.

DONALD
1387-c. 1423

10

Charter of confirmation by Godfrey of the Isles, lord of Uist, of grants made by Christina, daughter of Alan, and Reginald called MacRuari to the abbey of Inchaffray of the chapel of Holy Trinity in Uist with the lands of Carinch and of Illeray between Husabost and 'Kanusorarrath'. Castle Tioram, 7 July 1389.

Omnibus Christi fidelibus has litteras inspecturis vel auditoris Gothfridus de Insulis dominus de Wyste salutem in viceribus salvatoris. Noverit universitas vestra nos dedisse concessisse ac per presentes confirmasse pro salute anime nostre et nostrorum predecessorum in honore sancte Trinitatis et beate Marie virginis gloriose monasterio sancti Johannis ewangeliste in Insulamissarum et conventui eiusdem in puram et perpetuam elemosinam capellam sancte Trinitatis in Wuyste et totam terram de Karynych et quatuor denariatis terre in Ylara inter Husaboste et Kanusorarrath cituatas sicut melius liberius honorificencius et utilius Cristina filia Alani bone memorie vera heres et Reginaldus dictus M^cRodry verus dominus et patronus dictam capellam cum prefatis terris dictis monasterio et conventui contulerunt. Nos vero volentes collacionem et donacionem eorundem firmam ac stabilem permanere easdem per presentes affirmamus ratificamus approbamus ac innovamus et sub ea forma videlicet quod noster dilectus ac specialis dompnus Thomas sepedicti monasterii canonicus nomine dicti monasterii dictam capellam cum prefatis terris et omnibus suis pertinenciis integre pacifice et quiete possideat ac plenarie. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Apud castrum nostrum de Elane Tyrym septimo die mensis Iulii anno Domini M^o ccc^o octogesimo nono.

SOURCE: Original. Kinnoull Trustees (Dupplin charters) no. 147.

PRINTED: *Inchaffray Chrs.*, p. 136, no. 142; *Clan Donald*, i, 506-7 (line one missing).

DESCRIPTION: 26 × 18cm; 21 × 8.5cm; one slit, no tag or seal.

COMMENT: See also no. 18, and app. D, table 1/13; for Godfrey see table 2/28. The abbey of Inchaffray, near Crieff, was known as *Insula Missarum*, 'isle of the masses' (Watson, *CPNS*, 255; *Inchaffray Chrs.*, xxiii). The name Illeray, once applied to the whole island now called Baleshare, has been confined to its northern portion (Beveridge, *North Uist*, 78). Husabost was probably on the present site of Teanamachar (Ian Fraser in 'The Place-Names of Illeray', *Scottish Studies*, xvii, 155); Beveridge did not identify either Husabost or Kanusorarrath, here associated with it, and the latter was not recorded by Fraser.

II

Charter by Donald, lord of the Isles, to Lachlan MacLean of the castle of Duart and lands of Torosay, Glencannel, Brolas, Burgh, Ardmeanach, Keltigan, Uluvalt, and the constabulary of the castles of Dun Chonnuill and Dunkerd with the island of Garvellach and the two islands of Garbh Eileach, 'Scalda', the lands of Ardlarach in Luing, Maol buidhe in Scarba, and the upper part of Jura, lands in Morvern viz. Achnaha, Achranich, Kinlochaline, Uladail, Dubh Dhoire, Sron, Achnatavishruskline and all other rights as granted by Donald's father. Ardtornish, 12 July 1390.

Sciunt presentes et futuri nos Donaldum de Ile dominum Insularum dedisse concessisse et hac presenti carta nostra hereditarie confirmasse carissimo nostro alumno et fidelissimo familiari Lochlanno Makgilleone conservatori presentium omnes et singulas terras infrascriptas necnon et custodiam et constabulariam castrorum infrascriptorum videlicet castrum de Doward cum unciata terra de Torosay et duabus denariatis terre de Glenkener et duodecim denariatis cum tribus quadrantibus terrarum de Broglos ac etiam magnum denariatum terre de Burg ac etiam sex denariatis terre cum dimedia in Ardineaganach^a Akeawtegan usque ad Ulwalch dictis Keltigan et Ulwalch

inclusive in hiis computatis et simili modo dimediam constabulariam castrorum de Dunconail et Dunkerd cum insulis videlicet Garbealeach et duabus insulis Garbealean et Scealda et duabus denariatis terre de Ardlarach in Luyng et denariatum terre de Moylbuyg in Scarba et superiorem partem terre de Dura et terras duodecim mercarum in Morwarn videlicet sex denariatis de Achagnaha et quinque denariatis de Achagranache et tres denariatis de Achagalain et tres denariatis de Ulgadall et duas denariatis de Dubgaere et duas denariatis cum dimedia Nasrone et duas denariatis cum dimedia de Achagtae Geniruslang^b cum omnibus iuribus libertatibus commoditatibus fertilitatibus (sic) privilegiis et pertinenciis quibuscumque ad dicta officia constabularie seu ad dictas terras spectantibus seu quouis modo spectare valentibus in futurum. Habendas et tenendas de nobis et heredibus nostris eidem et heredibus suis in pascuis planis pratis nemoribus venacionibus piscariis ac ceteris circumstanciis quibuscumque libere plene pacifice et quiete et hereditarie prout melius plenius et honorificentius alique terre seu castra jure hereditario poterunt dari seu litteris aut cartis confirmari. Insuper omnia jura libertates et privilegia dicto Lachlanno et suis heredibus quo ad redemptionem captivorum et suum consilium et cetera alia per reverendum patrem nostrum concessa in hiis presentibus ratificamus approbamus confirmamus et renovamus in quorum omnium fidem et testimonium sigillum nostrum presentibus est appensum. Datum apud Ardthoranis duodecimo mensis Julii anno Domini millesimo tricentesimo nonagesimo.

SOURCE: SRO, C2/xiii/300 (Great Seal Register) (confirmation of 13 July 1495).

PRINTED: *RMS*, ii, 2264.

NOTES: *a.* Ardineaganach (*RMS*, ii, 2264); Ardmeaganach (*OPS*, ii, 314). *b.* Achagtae M^cRuslang (*RMS*, ii, 2264); Achagtae generuslang (*OPS*, ii, 190).

COMMENT: This charter and the two following were confirmed by James I at Perth on 30 October 1431 (no. A11). In spite of the appearance of a Gaelic charter in 1408 (no. 16), these Latin texts of 1390 and 1409 seem to be genuine and not formalised by the

clerks in chancery (see no. 18 for earliest original). Of the places named, Dunkerd may be the lower fortification on Dun Chonnuill in the Garvellochs, making a twin castle there as in the Treshnish Isles on Cairn na Burgh More and Beg (*Argyll Inv.*, v, 268 and n). For Morvern place-names cf. Gaskell, *Morvern*.

12

Charter by Donald, lord of the Isles, to Lachlan MacLean of the constabulary of the castles of Cairn na Burgh More and Cairn na Burgh Beg with the islands of Fladda, Lunga, the lands of Gometra, Treshnish, Calgary, Inivea, and 'Bedich', and the offices of fragramannach and armannach in the island of Iona. Ardtornish, 12 July 1390.

Noverint universi ad quorum noticiam presentes litteras pervenerint nos Donaldum de Ile dominum Insularum dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro et fidelissimo alumpno et familiari Lachlanno Makgilleone constabulariam et custodiam castrorum nostrorum de Kernaborg et Isleborg unacum minutis [insulis]^a Floda et Lunga et quatuor denariatis terre de Godmadray et quatuor denariatis de Tressones et denariatum de Calwogray et denariatum de Aeneangboge et obulatum de Bedich necnon et officium fragramannach et armannach in insula de Hy cum omnibus libertatibus commoditatibus fructibus et pertinenciis quibuscumque ad dictum castrum seu ad dictas terras aut ad dicta officia spectantibus seu spectare valentibus in futurum. Habendas et tenendas de nobis et heredibus nostris eidem et suis heredibus libere plene pacifice quiete et hereditarie in pascuis planis pratis nemoribus aquariis venacionibus piscariis et ceteris circumstanciis quibuscumque prout melius liberius plenius quietius et honorificencius aliqua constabularia seu alique terre aut officia poterint dari seu litteris aut carta confirmari. In cuius rei testimonium sigillum nostrum presentibus est appensum. Apud Ardthoranis duodecimo die mensis Julii anno Domini millesimo tricentesimo nonagesimo.

SOURCE: SRO, C2/xiii/300 (Great Seal Register) (confirmation of 13 July 1495).

PRINTED: RMS, ii, 2264; *Clan Donald*, i, 507.

NOTE: a. word apparently omitted.

COMMENT: For Isleborg see no.5 comment. Treshnish is the name of lands in the Mornish district of Mull, as well as of the island group. Aeneangboge, like two place-names in no.A37, contains the Gaelic element *Aoineadh*, a steep place or rocky slope rising from the sea (Watson, *PNRC*, 173; Gillies, *Argyll*, 12); it can be identified here as the place in Mornish, unnamed in OS maps and called Inivea, a deserted township on N side of Calgary Bay (*Argyll Inv.*, iii, no.369), which appears as Enynvay in 1496, Inveyan in 1509, and Ynigway in 1510 (RMS, ii, 2329, 3440; *ER*, xiii, 212), also Blaeu's Inue, and Invie, Innevea, Innevey and Januey of 1670s rentals (*HP*, i, 252, 258, 279, 316). The meaning of the offices of 'fragramannach' and 'armannach' is not exactly known, but they were presumably some form of stewardship (see Introduction, p. 000).

13

Charter by Donald, lord of the Isles, to Lachlan MacLean of the office of bailie of Tiree with the lands of Mannal and Heylipoll, and the office of steward of the granter's household. Ardtornish, 12 July 1390.

Pateat universis ad quorum noticiam presentes litteres pervenerint nos Donaldum de Ile dominum Insularum dedisse concessisse et hac presenti carta nostra perpetualiter confirmasse carissimo nostro alumpno Lachlanno Makgilleone officium ballivatus totarum nostrarum terrarum de Tyriag cum terris infrascriptis videlicet unciata terre de Mannawallis et dimedia unciata terre de Hindebollis necnon et officium senescallatus nostre domus cum omnibus juribus libertatibus commoditatibus fertilitatibus privilegiis et ceteris aliis pertinenciis ad dicta officia ballivatus senescallatus seu ad dictas terras quoquomodo spectantibus aut spectare valentibus in futurum. Habendas et tenendas de nobis et heredibus nostris omnibus eidem et

heredibus suis imperpetuum libere pacifice plenarie quiete et hereditarie prout melius liberius plenius et honorificentius aliqua officia de jure seu consuetudine cum antedictis terris poterint dari seu litteris instrumentis et cartis confirmari. In cuius rei testimonium sigillum nostrum presentibus est appensum. Datum apud Ardthoranis duodecimo die mensis Julii anno Domini millesimo tricentesimo nonagesimo.

SOURCE: SRO, C2/xiii/300 (Great Seal Register) (confirmation of 13 July 1495).

PRINTED: RMS, ii, 2264.

COMMENT: Hindebollis in Tiree has been identified as Heylipoll (cf. *Argyll Inv.*, iii, 208; *HP*, i, 59), and Mannawallis is probably now Mannaal. For offices and their holders see app. C.

14

Indenture between Thomas Dunbar, earl of Moray, and Alexander of the Isles, lord of Lochaber, by which Alexander undertakes to protect the lands of the regality of Moray and church lands. Cawdor, 25 September 1394.

Presens indentura testatur quod anno Domini m^occc^o nonagesimo quarto vigesima quinta die mensis Septembris apud Caldor infra vicecomitatum de Narn concordatum est modis et formis quibus sequitur inter nobiles viros et potentes dominos videlicet dominum Thomas de Dunbar comitem Moravie ex parte una et Alexandrum de Insulis dominum de Lochabre ex parte altera videlicet quod idem Alexander de Insulis habeat in custodia defensione et tuitione omnes terras et possessiones regalitatis Moravie et omnes terras ecclesiasticas et adherebit dicto domino comiti et cum eo stabit contra quoscunque domino nostro rege comite de Fyffe domino Insularum exceptis pro termino septem annorum a die confectionis presentium immediate sequentium plenarie complendorum exceptis terris Hugonis Fraser Thome de Cheshelme et domini Willelmi de Fodrynham de quibus est certa conventio inter ipsos. Et idem dominus comes pro termino septem annorum dabit eidem

Alexandro annuatim octoginta marcas terrarum videlicet le Bonacht pro xx libris terras de Essy pro xx libris et xx^{ti} marcas solvendas decem marcas ad festum Pentecostes proximo futurum et alias decem marcas festum Sancti Martini proximo inde sequens et sic singulis annis donec declaratum fuerit cum consilio domini comitis de Fyfe de terris xx^{ti} marcarum quas habuit Malcolmus le Grant ad comitem Moravie pertinere. Et hoc deliberatio idem Alexander recipiet secundum antiquam taxationem quas octoginta marcas una cum baronia de Abertarffe et x marcas terre quas habet de Willelmo de Fodryngam libere habebit cum omnibus commoditatibus curiis et exitibus quamdiu dicta terra in custodia domini Alexandri fuerit. Et idem dominus comes stabit et adherebit eidem Alexandro in suis agendis contra quoscunque domino nostro rege comite de Fyffe Malcolm de Dromonde domino de Mar Alexandro herede Rossie exceptis nec unus eorum recipiet homines alterius quoscunque modo. Et si contingat quod absit quod veniet aliqua controversia casu fortuito inter homines ipsorum remediabitur inter ipsos juxta consilium ipsorum. Et si per inimicitiam aut feloniam perpetretur aliquod maleficium seu homicidium inter homines ipsorum facientes exulabunt termino introitus dicti Alexandri ad festum Sancti Martini proximo futurum. Item idem Alexander non permittet quoquomodo homines suos nec alios kethranos pro posse suo cujuscunque status fuerint mendicare per terras Moravie nec eas comedere seu destruere. Etiam concordatum est quod in fine dictorum septem annorum restituet dictas terras in manibus dicti domini comitis si ulterius non possunt concordare sine displicentia aliquali magis quam pro tempore conventionis existebat. Pro qua quidem conventionem bene et fideliter tenenda utraque pars fidem dedit corporalem. In quorum testimonium sigillum domini comitis parti remanenti cum dicto Alexandro est affixum et e converso sigillum dicti Alexandri parti remanenti cum dicto domino comite modo consimili est affixum. Datum anno die et loco supradictis.

SOURCE: NLS, Adv. MS. 34.4.10, f.cviii (Register of Moray).

PRINTED: *Moray Reg.*, 354-5.

COMMENT: Thomas Dunbar, earl of Moray, was the son of Marjorie daughter of Robert II and Elizabeth Muir, and was thus a first cousin of Alexander (*SP*, i, 16; vi, 300). For the significance of the earldom of Moray see Grant, *Independence*, 206-9.

15

Letter from John MacDonald to Richard II of England explaining that he has been expelled by the lord of the Isles his kinsman and is now living in dire hardship in O'Neill's country; he now wishes to become liege man to Richard and will come into his presence if Richard pleases; he offers to become leader in Ireland of as many men as Richard wishes him to have. Armagh, 25 February 1394/5.

Excellentissime princeps ac domine mi rex vestre regie maiestatis excellenciam scire facio quod MacDonyld dominus Insularum meus consanguineus est et esse deberet vester ligeus homo, qui quidem MacDonyld me expellebat de mea patria usque vestram terram Hibernie et ad partes O Neyll veni: cum eodem O Neyll hactenus expectabam in intollerabili miseria prout mundus novit. Set, invictissime rex, si vestra regalis magestas in meo adventu in Hibernia foret ad eandem regiam vestram magestatem declinarem: set nunc quia non inmerito vestra benigna fidelitas in universo mundo predicatur, ut est dignum, multum sum animatus et confortatus venire ad vestram presenciam et esse vester ligeus homo turbiferus et constabularius per totam terram vestram Hibernie cum tot hominibus armatis quot velitis me habere cum vestra regia magestate: et semper volo subici vestris beneplacitis et mandatis et ad hoc offero prout homo ligeus facere tenetur suo regi et si hoc vestre excellencie constare poterit, me si placet certificantes de vestra regali magestate per archiepiscopum Ardmachensem Hibernie primatem. Et licet O Neyll veniet sive non veniet ad presenciam vestram ego veniam si placet vestre digne excellencie prout Thomam Talbot informavi. Scriptum apud Ardmach die Jovis post festum Cinerum vester subditus ligeus Johannes

MacDonyld sue nacionis capitaneus et constabularius Hibernicorum Ultonie.

SOURCE: PRO, per E. Curtis, *Richard II in Ireland* (Oxford 1927), 87-88.

COMMENT: This John, who made his submission to Richard II at Drogheda on 16 March 1394/5, has been identified with the future John of Dunivaig and the Glens (Steer and Bannerman, *Sculpture*, 162; McNeill, *Anglo-Norman Ulster*, 119), but at least one writer does not agree (K. Nicholls in *Peritia: Journal of the Medieval Academy of Ireland*, i (1982), 386-7). It is certainly odd to refer to his brother as 'consanguineus', but the Sleat seanachie (Hugh Macdonald) states that John was forced to go to Ireland about this time (*HP*, i, 32), and he certainly kept up an English connection, being named with Donald when safe conducts were granted by Henry IV in 1400 and 1401, and making an indenture with Henry at Carrickfergus in 1403 (*Foedera*, viii, 146, 155; Nicholls in *Peritia*, i, 388). See Introduction, p.lxxvi.

16

Charter by Donald, lord of the Isles (MacDonald), to Brian Vicar Mackay of lands in Islay viz. Ballivicar, Machrie, Kintra, Ghrasdail, 'Tocamol', 'Ugasgog', Gleannastol, Cragabus, Cornabus, and Kilnaughton. 6 May 1408.

An Ainim De Amen.

Ataimse Mac D[o]mhnaill ag bronnagh agas tabha[irt en] mhairg deg go leith dfearann uaim pfhein [agas om] oighribh do Bhrian Bhicaire Mhagaodh ag[as da oighribh na dhiaigh] go siorthuighe suthain ar son a sheirbh[ise] . . . damh^a pfein [agas dom athair romham, agas so air chunnr] ag agas air chonghioll go tteobhraidh^b se fein agas iadsan damhsa [agas dom oighribh am dhiaigh] go bliadhnaimhail ceithre ba ionmbharbhtha chum mo thighe; agas a c[as]^c nach biadh na bath soin ar faghail, bhearadh an Brian huas agas oighriogh dhomsa agas dom [oighri]bh am dhiaigh da [mhar]g agas da [fhichit] ma[rg] ar son na mbo cceadna huas. Agas [ar na habhar uibh] cceadna ataimse

dom cheangal fein fein^d agas ag ceanghal m'oighriogh um dhiaigh go de[irio]dh^e an [bh]eath[a]^f na f[earainn] soin moille re na dtoruibh mara agas tire do sheasamh agas do chongbhail^g d[on mBhrian Bhiocaire] Mhagaodh huas agas da oighribh go siorthuighe na dhiaigh mar an ccead[na; agas as iad so] na fearainn thugas dho fein agas [da] oighribh go brach, [i]adhon Baile bhicare, [M]ach[aire Learga] riabhoige, Cionragha, Grastol,^h Tocamol, W[g]asgog, D[a ghleann A]stol, Cracobus, Cornubus agas Baile Neaghtoin. A[ga]s ionnas go mbiaidh brigh neart agas laidireacht ag an mbrontanas so bheiriam uaim, ceanglaimⁱ aris me fein agas m'oighriogh go siorthuighe fo ccunrag so [do] sheasaibh agas chonghbhail don mBhrian reimhraise agas do^j oighribh na dhiaigh go deiriogh an bheatha le cur^k mo laimhe agas mo sheala sios a[n] so a lathair^l na bfhiaghain so^msios, agas [an] seis[eamh la] do mis na bealtui[ne] agas a[n] bh[liadhan so do] bhreith chriosta mile ceithre ced agas a hocht.

M^cDOMHNAILL

a

EOIN X MacDOMHNAILL
chomhartha

a

PAT: X M^cABHRIUIN
chomhartha

FERCOS MacBETHA

a

AODH X M^cCEI
chomhartha

ENGLISH TRANSLATION

In the name of God, Amen.

I, MacDonald, do hereby grant and give eleven marks and a half of land from myself and from my heirs to Brian Vicar Mackay and to his heirs after him for ever and ever, for his services . . . to myself and to my father before me; and this on covenant and on condition that he himself and they shall give to me and to my heirs after me yearly four cows fit for killing for my house. And

in case that these cows shall not be found, the above Brian and his heirs shall give to me and to my heirs after me two marks and forty marks for the same cows aforesaid. And for the same causes I bind myself and bind my heirs after me to the end of the world, these lands together with their fruits of sea and land to defend and maintain to the above Brian Vicar Mackay, and to his heirs for ever after him in like manner. And these are the lands I have given to him and to his heirs for ever, namely Baile Vicar, Machaire Learga riabhoige, Ciontragha, Grastol, Tocamol, Ugasgog, the two Gleannastol, Cracobus, Cornubus, and Baile Neaghtoin. And in order that there may be meaning, force and effect in this grant I give from me, I again bind myself and my heirs for ever under covenant this to uphold and fulfil to the aforesaid Brian and to his heirs after him to the end of the world, by putting my hand and my seal down here, in the presence of these witnesses here below, on the sixth day of the month of the Beltane, and this year of the birth of Christ one thousand four hundred and eight.

M^cDONALD

his

JOHN X MacDONALD

mark

his

PAT: X M^cABRIAN

mark

FERGUS MacBETH

his

HUGH X M^cCEI

mark

SOURCE: Original. SRO, RH6/218; also 'ancient transcript' (SRO, RH6/218a).

PRINTED: (1) in Gaelic script: *Proceedings of the Royal Irish Academy*, v, 230-1 (in paper by W. Reeves, 12 Jan. 1852); *Nat. MSS. Scot.*, part ii, (1870), ed. Cosmo Innes, p.47, no.lix, and preface, xiii-xiv. *Nat. MSS.* text copied in Cameron, *Celtic Law* (1937), 217.

(2) in Roman type: *Nat. MSS. Scot.*, ii, 47; *Islay Book* (1895), 16-17; *Clan Donald* (1896), i, 513-14; Watson, *Rosg Gaidhlig* (first published 1915, 2nd edn. 1929), 182-3; *Celtic Law*, 216.

(3) facsimiles in *Nat. MSS. Scot.*, *Islay Book*, and *Clan Donald*; also in D. J. Macdonald, *Clan Donald* (1978), 74.

(4) English translations in *P.R.I.A.*, v, 231-2; *Nat. MSS. Scot.*, ii, 47; *Islay Book*, 18; *Celtic Law*, 219 (also in modern Gaelic, 218); W. D. Lamont, 'The Islay Charter of 1408', in *P.R.I.A.*, lx(C), 165-6 (1959/60).

DESCRIPTION: 25.3 × 27.7cm; 23 × 21cm.

SEAL: Red wax is affixed at the end of the granter's signature, but it bears no device.

NOTES: Square brackets indicate portions found to be illegible in the original, and supplied by Innes from the 'ancient transcript'. *a.* Reeves has 'dheighsheirbhise' (translated as 'good services'), without any indication of a gap in his text; Watson and other Gaelic scholars are satisfied that the *Nat. MSS.* reading so far as it goes is correct, with a word missing; Cameron (pp.243-4) drew attention to the inconsistency. *b.* Double 'tt' and 'cc' emphasise that the consonant is not aspirated. *c.* ac(as) in *Nat. MSS.* *d.* Repetition may be a scribal error. *e.* deiriogh in *Nat. MSS.*, from which the following also are alternative readings. *f.* literally 'the end of life'. *g.* chonghbhail. *h.* Graftol. *i.* ceanglam. *j.* da. *k.* cuir. *l.* laithair. *m.* 'so' repeated in MS. (Watson omits).

COMMENT: This is the only surviving specimen of a Gaelic charter granted by one of the lords of the Isles (see Introduction, p.lxxx). Written in the Gaelic script on what is apparently goatskin, it came to the notice of the Rev Dr William Reeves (later Bishop of Down), a student of Irish antiquities and editor of Adamnan's life of St Columba; he exhibited it at a meeting of the Royal Irish Academy on 12 January 1852, and a text with English translation was published in their *Proceedings*. Its owner then was John Magee, whose grandfather had held lands in the Antrim parish of Culfeightrim; according to the family tradition, these had been given to an ancestor related to Sorley Buie MacDonnell (see app D, table 3/9), a descendant of the granter's brother John, for services rendered during the wars in

Antrim, including the battle of Aura (1559). The charter had been handed down in the family for many generations; when the *National Manuscripts of Scotland* were in course of preparation by authority of the Government, it was made available to the editor, Cosmo Innes, for inclusion in part II, published in 1870; being ignorant of the Gaelic language, he had the assistance of the Rev. Dr Thomas MacLauchlan, first editor of the *Book of the Dean of Lismore* (1862), and Hector MacLean, schoolmaster at Kilmeny in Islay and collaborator with the folklorist John Francis Campbell. Along with the charter, Innes explains, he received an 'ancient transcript' which, though itself defective, enabled him to supply all the illegible parts of the original, except a single word (see note *a* above); this transcript is in the Scottish Record Office, but the writing is faint and in parts obscured by treatment presumably used in an attempt to decipher it.

After the facsimile had been made, the charter and transcript were returned to Hugh Magee (who was now the owner) with an offer to purchase them. As a result of negotiations conducted through Dr Reeves and the Rev Professor George Hill, of Queen's College, Belfast (author of *The Macdonnells of Antrim*), and a friend of Magee named Alexander Keenan, the original and copy were secured by Cosmo Innes on behalf of the Lord Clerk Register for a payment to Magee of £5 out of the Register House publication fund (presumably with Treasury sanction), and a copy of the relevant *National Manuscripts* volume. Innes noted that the condition of the original had greatly worsened since 1852, 'from being continually handled, carried in the owner's pocket, and of late kept apparently in a damp place'. The family, according to a note in *Islay Book*, had been loath to part with the document, 'believing that by it they might still assert their right in the island'. After its arrival in Edinburgh, thanks to the care of Dr Thomas Dickson, curator of the Historical Department of the Register House, its condition was much improved, and it is now one of the documents publicly displayed by the Scottish Record Office. Although considerably worn, especially where it has been folded, much of the original text can still be read. A facsimile in

Islay Book, made by photolithography 'without any manipulation of the text', and another in *Clan Donald*, are much more distinct than the one which appeared in the *National Manuscripts*.

The text given above, transcribed into Roman type, follows the *National Manuscripts* readings, as modified slightly by Professor Watson in a text intended for teaching rather than for record purposes. It is worth noting that this text differs in some respects from Reeves's version; but after a careful comparison of the two it was found that the variations in Reeves, sometimes comprising whole phrases, are mainly repetitions of words included elsewhere in the text, and have no significant effect on the interpretation of the charter. His version can be seen not always to have followed the wording of the original, and it was accordingly decided that any attempt at collation would be of no value in producing an accurate text.

The clearest part of the original now consists of the names of the granter and the witnesses, and the charter has been claimed as the earliest known deed in Scotland to bear the signature of laymen (Bannerman 'Lordship', 211; cf. G. G. Simpson, *Scottish Handwriting, 1150-1650*, 8-11). Boldest of all is 'McDomhnaill', clearly different from the writing in the body of the document, and considered to have been written by Donald, lord of the Isles, himself. One writer who casts doubt on its being in Donald's own hand (McKerral, *Kintyre*, 148) suggests that his 'mark' appears below the signature, but if so it would be the only one unacknowledged as such; and suggestions as to what this and the different marks made by three of the four witnesses might represent are purely speculative. The writer of the document is likely to be Fergus MacBeth, the only witness who does not attest by mark; notes on all witnesses, and also on the grantee, are in Appendix C.

The form and content of the document have been fully discussed by Cosmo Innes, John Cameron and W. D. Lamont in the works cited above. Eight of the ten place-names appear in recognisable form on the current Ordnance Survey map, scale 1:50 000; of the remaining two, Tocamol is shown between Ghrasdail and Glenastle in McDougall's 1749 map, and Ugasgog (which Reeves thought might in manuscript be read as

Wreggoge or Weeggoge) continued in similar form for nearly three centuries, e.g. Ugasgok 1563 (*RSS*, v, 1259), Wgistok 1686 (*Islay Book*, 499), and appears to have been part of Ghrasdail at or near OS Port Alsaig. Machaire Learga riabhaich was probably a single holding, of which only the first word of the name remains in use (*PSAS*, xvi, 271). Dr Lamont, who knew the area well, saw the charter-lands as forming 'a compact group covering most of the northern half of Oa together with Ballivicar and Machrie'.

We are specially indebted to Dr Bannerman for advice on the text of this unique charter. The Keeper of the Records of Scotland (Dr Athol L. Murray) kindly provided information about the acquisition of the documents (*SRO*, correspondence, 8/112/16, 49, 52, 53, and 8/115/4, 6; office record, 2/4 p.248).

17

Charter by Donald, lord of the Isles, to his nephew Hector MacLean of Duart, as constable of the castle of Cairn na Burgh More, of the lands of Feall(?) in the island of Coll. Ardtornish, 1 November 1409.

Noverint universi presentes et futuri nos Donaldum de Ile dominum Insularum dedisse concessisse et hac presenti carta nostra confirmasse dilecto nepoti nostro Hectori Makgilleone domino de Doward constabulario castri nostri de Karnaborg et suis heredibus masculis eiusdem castri futuris constabulariis de nobis et heredibus nostris terras sex marcarum de Tyrungha Feal^a in insula Cola loco victualium farrine et casei ab incolis de Tyriag ad custodiam dicti eius castri constabulario hactenus annuatim dari consueti. Habendas et tenendas (sic) terras predictas sex marcarum Tyrungha Feal eidem Hectori et heredibus suis predictis de nobis et heredibus nostris per suas rectas metas et antiquos fines in campis montibus pratis planis et pascuis silvis et litoribus stagnis rivis vivariis et molendinis ceterisque aquis dulcibus et amaris venacionibus aucupationibus et piscacionibus omnibusque aliis commoditatibus et pertinentiis ad terras predictas Tyrungha Feal de jure vel consuetudine

ad presens spectantibus seu spectare valentibus quomodolibet in futurum libere quiete plene et honorifice sicut melius plenius et liberius et honorificencius aliqua porcio terre in regno Scotie datur a barone liberetenente in feodum seu carta confirmatur. Quasquidem terras sex marcarum Tyrungha Feal nos et heredes nostri eidem Hectori et heredibus suis predictis contra omnes masculos et feminas warantizabimus imperpetuum pariter et defendemus. In cuius rei testimonium sigillum nostrum autenticum presenti carte apponi fecimus. Datum apud castrum nostrum de Ardthoranis in festo omnium sanctorum anno Domini millesimo quadringentesimo nono. Presentibus hiis testibus venerabili in christo patre domino Michaeli Dei gratia episcopo Soderensi in sacra theologia doctore, discretis viris magistris Malcolmo et Nigello rectoribus ecclesiarum Sancti Columbe de Moyle et de Keneavadean bachallariis in decretis, ac nobiles viris Lachlanno Makfingane et Roderico Maknele et multis aliis.

SOURCE: SRO, C2/xiii/300 (Great Seal Register) (confirmation of 13 July 1495).

PRINTED: *RMS*, ii, 2264; *Clan Donald*, i, 525.

NOTE: *a*. Tyrrughafeal printed in error in *RMS* abstract, was corrected in errata for same volume.

COMMENT: This Hector MacLean had a safe-conduct to visit James I in England in 1407 (see app. C). Tyrungha Feal is probably Feall, Blaeu's Fail, prefixed by *tirunga*, or ounceland (Watson, *CPNS*, 185), as in A62 below; a former village at Feall was apparently engulfed by sandblow (Beveridge, *Coll and Tiree*, xiv, 41-42; *SWHHR*, *Notes and Queries*, xviii, 12-13). The third and fourth witnesses are the rectors of Kilcolmkill in Mull and Morvern respectively (see app. C, Malcolm (surname unknown) and Colini, Neil).

Charter of confirmation by Donald, lord of the Isles, of a gift by Christina, daughter of Alan, to the abbot and monks of

Inchaffray of the chapel of the holy Trinity in Uist with its lands.
Aros, 6 December 1410.

Noverint universi presentes litteras visuri vel audituri quod nos Donaldus de Yle dominus Insularum ratificamus et confirmamus per presentes donacionem Cristine filie Alani domine et heredis de Wystis factam in puram elimosinam de cappella Sancte Trinitatis in Wystis cum terris et pertinenciis venerabilibus viris abbati et conventui monasteri Insule Missarum diocicis Dunblanensis ibidem deo servientibus et imposterum servituris sicut melius plenius et honorificencius dicta cappella cum pertinenciis a prefata domina et suis postmodum successoribus Reginaldo Rodrici quondam domino de Wystis et Goffredo de Insulis fratre nostro earundem terrarum hereditario domino per suas litteras data fuit seu concessa vel carta confirmata. Ita tamen quod prefati abbas et conventus tam spiritualiter quam temporaliter faciant et observant nobis et heredibus nostris ea que predictis donatoribus facere et observare tenebantur prout in litteris originalibus super hoc confectis plenius continetur. In cuius ratificacionis et confirmacionis testimonium sigillum nostrum presentibus apponi fecimus. Apud castrum nostrum de dun Aros in Mulle vi^o die mensis Decembris anno Domini millesimo quadringentesimo decimo.

SOURCE: Original. Kinnoull Trustees (Dupplin Charters), no. 128.

PRINTED: *Inchaffray Chrs*, p. 137, no. 143.

DESCRIPTION: 18.3 × 11.7cm; 15.4 × 7. cm; one tag and seal.

SEAL: only known example of seal of Donald (see app. E).

COMMENT: This is the earliest surviving original latin document to be issued by the lord of the Isles, and as it never passed through the royal chancery it shows that the charter form used by the lords was a normal one, and did not have to be rewritten when it came to be confirmed. See also no. 10, and for Christina app. D, table 1/11-13. The castle of Aros appears as Dounarwyse in Fordun's list (*Chron. Fordun*, i, 43).

Charter by Donald, lord of the Isles, to Angus Mackay of Strathnaver and Neil his elder son by Elizabeth sister of the granter of the lands of Strath Halladale and Ferincoskry. Isle of Locharkaig, 8 October 1415.

Sciant presentes et futuri quod nos Donaldus de Ile dominus Insularum dedimus concessimus et presenti carta nostra confirmamus nobili viro Angusio M^cayg de Srathnawir et Nigello filio suo seniori inter ipsum et Elizabetam de Insulis sororem nostram procreato et ipsius filii heredibus masculis de eius corpore legitime procreandis et si contingat dictum filium sine heredibus masculis de eius corpore legitime procreandis de hac vita migrare alteri filio superviuenti qui successive superviuere contingat de suis germanis fratribus et illius superviuentibus filii heredibus masculis de eius corpore legitime procreandis terras de Srathalgadill et Ferancestgrayg. Habendas et tenendas per suas rectas metas et antiquos fines in hereditatem et feodum de nobis et heredibus nostris et supradicto suo filio et illius filii heredibus masculis ex eius corpore legitime procreandis. Reddendo inde nobis et heredibus nostris dictus Angusius et eius filius ut supradictum est et ipsius filii heredes masculi de eius corpore procreandi eorum homagium familiaritatem et servitium contra omnes huius vite mortales dolo et fraude remotis ut per ipsius Angusii patentis litteras nobis inde factas plenius continetur. Solvendo etiam^a nobis et heredibus nostris prefatus Angusius et eius filii seu heredes predicti wardam et releviam quotiens fuerit debitum et solvi consuetum. Nos vero et heredes nostri predictas terras de Srathalgadill et Ferancestgraygis concedimus dicto Angusio et heredibus suis supradictis in planis pascuis campis et nemoribus stagnis rivis aquis molendinis venacionibus piscariis cum ceteris aliis emolumentis et pertinentiis sicut melius plenius liberius et honorificentius terre in hereditate solent dari seu litteris confirmari. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Data apud insulam in Arcage^b octavo die mensis Octobris anno Domini millesimo quadringentesimo quinto decimo.^c Hiis

testibus Lauchlano Makgillane et Rodrico Makcloid cum diversis aliis.

SOURCE: SRO, CS5/18/2/201 (Acta Dominorum Concilii) for 15 February 1505/6.

PRINTED: *Mackay Book*, 375; *Clan Donald*, i, 512.

NOTES: a. Source has 'etc' here in error for 'etiam'. b. *Clan Donald* has 'apud Insula Marcage', but the marginal note which they quote is not in original. c. *Clan Donald* erroneously gives the year as 1400.

COMMENT: Ferincoskry (see also nos. 54, 82) lay in the Sutherland parish of Creich on the north side of the Dornoch Firth, Kyle of Sutherland and River Oyke, and extended west of the River Shin to include 'the lands of Fernacoskye in Braycat' (*Sutherland Earldom*, 4; *Munro Writs*, no. 46). Although clearly connected with the earldom of Sutherland (see *RRS*, ii, no. 520), Ferincoskry was granted by Robert I to the earl of Ross (*RMS*, i, App. 2, 370, 380). Lands in the parish of Creich were given by the king in 1430 without reference to any other superior; but later the lord of the Isles, when also earl of Ross, granted Ferincoskry to his brother Celestine (no. 82). Regarding the place-date, there was an island chapel dedicated to St Columba in Loch Arkaig, where according to family tradition a Mackintosh chief was buried in 1368 (see app. C); whether it was the island still to be seen near the east or lower end of the loch is not clear, as two versions of a description in Macfarlane (*Gen. Coll.*, ii, 160-1, 519) say 'in the south-easthead' or 'the soudermost end' of Loch Arkaig (not simply at the head as quoted in *OPS*, ii, 181 and map).

Letters testimonial by John, bishop of Ross, Dame Mary, lady of the Isles and of Ross, and others, recording the resignation of William son and heir of Henry Graham of the lands of Kirdell in the sheriffdom of Inverness into the hands of Thomas, earl of Moray, and the regrant by the earl to the said William and his

heirs male, whom failing to William Hay of Lochloy his father in law. Rosemarkie, 16 August 1420.

Jhon truch the grace of Gode byschop of Ross, Dame Mary of the Ile lady of the Ylis and of Ross, Huchion Fraser lorde of the Lovat, Jhon Makloyde lorde of Glenelge, Angus Gothrason of the Ylis, Scher Willzame Fayrhar dene of Rosse, Walter of Dowglase scheravaff of Elgyn, Walter of Innes lorde of that ilke, Jhon of Vrcharde lorde of Cromothy, Donalde of Kaldor thayne of that ilke, Jhon Syncler lorde of Deskforde, Jhon the Rose lorde of Kilravache, Jhon of Narn (sic) lorde of Ard-murthach with mony ovthyr til al and syndry to the knowlage of the qwhilkis thir present lettris sal to cum gretyng in Gode ay lestande. Syn it is medeful and meritabil to ber lele witnese to suthfastnese to yhur vniuersite we make knawyn truche thir present lettris that on Fryday the sextende day of the moneth of August the yher of our Lorde a thowsand fowr hundreth and twenty yher in to the kyrke yharde of the chanounry off Rosmarkyng comperit Willzame the Grame the sone and the hayr vmquhil of Henry the Grame in presence of vs be for a nobil lorde and a mighty Thomas erle of Murreff his ovyr lorde of his landis of the barony of Kerdale resyngnande of his awyn fre wil purly and symply be fust and baston in til handis of the sayde lorde the erle the sayde al his landis with the pertinentis of the sayde barony of Kerdale within the scheradome of Inuernes and al ovthyr landis that he hafe or may have rycht to in tyme to cum haldyn or to be haldyn of the sayde erle or erlys in one tyme cummande to be gyffyn to the sayde Willzame the Grame and til his hayris male lachfully gottyn or to be gottyn of his awyn body and faylzand thar of as Gode forbede to do to Willzame the Hay his gudfadyr lorde of Lochloy and til his hayris male lachfully gottyn or to be gottyn of his awyn body and faylyeande thar of as Gode forbede it do to sayde Willzame the Hayis assyngnase qwateuer thai be. The qwhylyk resygnacioun the sayde lorde the erle resavit and frely gave agayne to the sayde Willzame the Grame and til his hayris male and falzande thar of to Willzame the Hay and til his hayris male and his assyngnase in al forme and maner as is befor wryttyn. Apon

the quhylkis thyngis the sayde Willzame the Grame and Willzame the Hay requirit vs in witesyng be our lettris testimoniales and our selis the qwhilk we grawntit in fullyng of suthfastnes the place day moneth and yher beforsayde.

SOURCE: Original. Brodie Castle.

PRINTED: *Moray Reg.*, 475-6.

DESCRIPTION: 32.5 × 16.5cm; 29.3 × 9.7cm; seven tags but one seal only remains.

SEAL: Dame Mary of the Isles (see app. E).

COMMENT: The barony of Kirdell included places in upper Strathdearn, to the east of the River Ness and on the north-east shore of Loch Ness (*RMS*, iii, 3292); although the name of the barony probably refers to Kirdell in the parish of Knockando (Mains of Kirdell, Kirdellbeg). By 1431 John, son of William Hay of Lochloy, possessed the lands (*RMS*, ii, 194). The appearance and style of Dame Mary is evidence of her active pursuit of her claim by inheritance to the earldom of Ross. John Narn, though clearly written, is probably a mistake for MacIan.

ALEXANDER

C. 1423-1449

Charter by Alexander, lord of the Isles and master of the earldom of Ross, to Gilleonan son of Roderick son of Murchard MacNeill of the island of Barra and the lands of Boisdale in Uist. Eilean Mor in Loch Finlaggan, 23 June 1427.

Pateat universis ad quorum noticiam presentes littere pervenerint nos Alexandrum de Yle dominum Insularum et magistrum comitatus Rossie dedisse concessisse et per presentes nostra litteras confirmasse dilecto nostro alumpno et armigero Gilleownan Rodrici Murchardi Makneill conservatori presentium ac omnibus et singulis heredibus suis masculis de legitimo thoro procreatis seu procreandis a nobis et nostris omnibus heredibus omnes et singulas terras totius insule de Barra cum pertinenciis per omnes rectas metas suas et antiquas divisas dicte insule in feodo et hereditate imperpetuum unacum omnibus aliis libertatibus et commoditatibus quibuscumque ad dictam insulam de Barra spectantibus seu juste spectare valentibus in futurum libere quiete bene et in pace pro homagiis bonis et fidelibus serviciis dicti Gilleownan et ipsius omnium heredum nobis et nostris omnibus heredibus prestandis impendendis ac in posterum bene et fideliter perimplendis contra omnes homines et feminas cuiuscunque status aut conditionis fuerint tam in guerra quam in pace tam per terras quam per mare euntes dicti Gilleownan et ipsius omnium heredum vite temporibus duraturis. Insuper concedimus et per presentes confirmamus antedicto Gilleownan et omnibus heredibus suis masculis omnes et singulas terras unciatas de Baegastallis in Wist in liberam et perpetuam hereditate modo et formo subscriptis deficientibus vero ipso Gilleownan et ipsius legitimis heredibus de suo corpore procreatis quod absit tunc libere concedimus et confirmamus prefatas terras de Barra et Baegastallis diutius viventi de

fratribus dicti Gilleownan inter Rodericum Makneill et filiam Ferchard Makgilleoin procreatis et deficientibus omnibus hiis fratribus quod absit concedimus et per presentes confirmamus antedictas terras cum pertinentiis prefato Roderico et ipsius omnibus heredibus in feodo et hereditate imperpetuum modo et forma quibus supra. Quasquidem omnes et singulas terras prenominate de Barra et Baegastallis cum omnibus suis justis pertinentiis libertatibus et fertilitatibus in feodo et hereditate perpetua sepedicto Gilleownan et omnibus heredibus suis masculis pro nobis et omnibus nostris heredibus contra omnes homines et feminas cuiuscumque status aut condicionis fuerint warrantizabimus acquietabimus et imperpetuum defendemus. Hiis testibus reverendo in Christo patre ac domino domino Angusio Dei gratia episcopo Sodorensi, magistro Nigello Celestini bacallario utriusque juris ac rectore de Killecomman, Lauchlano M^cgilleoin domino de Doward, Johanni Murchardi Makgilleoin, Terleto Ferchardi M^cgilleoin, Nigello Flemmyn et multis aliis. In cuius rei testimonium sigillum nostrum presentibus est appensum. Apud insula sancti Finlagani in Yle in vigilia sancti Johannis Baptiste anno Domini millesimo quadringentesimo vicesimo septimo.

SOURCE: SRO, C2/xiii/188 (Great Seal Register) (confirmation of 12 November 1495).

PRINTED: RMS, ii, 2287; *Clan Donald*, i, 563-4.

COMMENT: The style used here and elsewhere by Alexander accepts his mother as countess of Ross; this was not yet recognised by the king who was acting as earl of Ross in 1431/2 (*Cawdor Book*, 11; *Family of Rose*, 127), and as late as April 1436 (*Cawdor Book*, 12). This is the first reference in these documents to Finlaggan (see Introduction, p. xlix). Baegastallis for modern Boisdale appears to reflect the Gaelic name Baoghasdail (Watson, *PNRC*, 224). The fifth witness, son of Farquhar MacLean, was probably brother to Roderick MacNeill's wife mentioned in this charter (see app. C, under Tearlach MacLean (Kingairloch)).

Note of a charter to Torquil MacLeod of Lewis. Finlaggan, 7 January 1432/3.

'To Rory succedit Torkill in whois tyme the lords of the Ilis wer of such power and haid rooted themselves so in northern superiorities, than non of ther neighbours could obtaine peace or saifty without acknowledging them as ther Lords; and the many prejudice done by them to McKenzie so terrified others that almost all, and amongst others this Torkill McLeod, did cast himself under patrociny to the Lord of the Isles, and to insure it, resigned his lands in the King's hands in favours of the Lords of the Isles, and therwpon the Earl disponed all the lands againe to the said Torkill, to be holdin of him for homadge and service. This Chartor is given be Alexander of Illa at Finlagan in Ila, the 7 of January 1432.'

SOURCE: Castle Leod, Strathpeffer, MS. History of the Family of MacKenzie by George 1st earl of Cromartie (seventeenth century).

PRINTED: Fraser, *Cromartie*, ii, 511.

COMMENT: It is assumed that this charter refers to the lands of Lewis and/or Vaternish in Skye. Lewis had been granted to John, lord of the Isles, in 1343 (no.A2) and was in his hands in 1367 (*APS*, i, 529), but was confirmed to Euphemia, countess of Ross, and her husband Alexander Stewart in 1382 (*RMS*, i, 742). Skye seems to have remained with the earldom of Ross and was included in the 1382 confirmation. The lands were certainly held by MacLeod of Lewis before 1511 (no.A69), but the date of this grant must be suspect. The first earl of Cromartie suffers a dubious reputation, was accused of falsifying the records of parliament for political purposes, and a later writer on his clan considers that he undoubtedly invented Colin Fitzgerald as the ancestor of the MacKenzies (*Mackenzies*, 552-3). He stressed the role and position of the MacLeods of Lewis from whom he was descended, but he had access to Seaforth family papers and to the writs of the MacLeods of Lewis from Stornoway Castle, and his statements

should not be dismissed lightly (see Matheson 'MacLeods of Lewis', 321).

23

Charter by Alexander, earl of Ross, to Alexander MacCulloch of the lands of Scardy, Plaids, Pitnellies, Pithogarty, Balkeith and Balcherry and the office of bailie of the immunity of Tain in the earldom of Ross. Dingwall, 6 January 1436/7.

Omnibus hanc cartam visuris vel audituris Alexander de Ile comes Rossie salutem in Domino sempiternam. Noveritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro armigero Alexander M'Cullach omnes et singulas terras nostras de Scarvy de Pladds de Petnely Petogarty Balmaduthy (nunc Ballecuith) et Ballechory cum pertinenciis una cum officio ballivatus immunitatis de Tayn jacentes infra dictum nostrum comitatum pro suo homagio et fideli servitio nobis impenso et heredibus nostris ac successoribus comitibus Rossie imperpetuum in feodo et hereditate cum omnibus commoditatibus libertatibus et aisiamentis ac justis suis pertinenciis quibuscumque per omnes rectas metas suas antiquas et divisas in viis semitis boscis planis pratis pascuis et pasturis in molendinis multuris et eorum sequelis in brasinis stagnis aquis et rivulis in aucupationibus venationibus et piscationibus in moris maresiis turbariis petariis et carbonariis cum libero introitu et exitu cum curiis et escaetis curiarum dictarum terrarum. Reservatis nobis heredibus nostris et nostris successoribus comitibus escaetis curiarum officii ballivatus dicti immunitatis de Tayn. Prefatus vero Alexander heredes sui et assignati possidentes in perpetuum dictas terras cum pertinenciis cum omnibus commoditatibus tam non nominatis quam nominatis una cum bondis et nativis ad dictas terras spectantibus seu juste spectare valentibus in futurum, adeo libere integre plenarie et honorifice bene et in pace sicut alique terre in comitatu nostro dantur vel hereditarie concedentur. Reddendo ex dictis terris cum pertinenciis prefatus Alexander heredes sui et assignati uni capellano in ecclesia sancti Bonifacii Deo servienti quinque marcas usualis monete ad duos terminos videlicet Pentecostes et

sancti Martini per equales portiones ac faciendo nobis heredibus nostris et nostris successoribus comitibus Rossie annuatim tres sectas ad tria placita capitalia tenenda apud Kynardy tantum pro omni alio onere servitio seculari exactione vel demanda que de dictis terris et officio exigi poterit vel requiri. Et nos vero Alexander prefatus heredes nostri et nostri successoribus comites Rossie prefatas terras cum pertinenciis dicto Alexandro heredibus et suis assignatis contra omnes mortales warantizabimus acquietabimus et in perpetuum defendemus. In cuius rei testimonium sigillum nostrum appendi fecimus. Apud castrum nostrum de Dingvale sexto die mensis Januarii anno Domini millesimo quadringentesimo tricesimo sexto. Hiis testibus Hugone de Ross domino de Balnagowyn, Donaldo de Calder, Georgio de Munroo de Foulis, et Johanne M'Loyde cum pluribus aliis in testimonium vocatis.

SOURCE: NLS, Adv. MS. 35.4.12a. Transcribed by Walter Macfarlane from a copy at Cadboll in July 1756.

PRINTED: *Clan Donald*, i, 527-8.

COMMENT: This is the first reference to Alexander as earl of Ross, and the survival of three documents dated within four days, while it may be an accident, suggests that his confirmation in the earldom was recent. For place-names in Ross-shire, see Watson, *PNRC*; those in this charter are repeated in no.55. Scardy, which Watson (*PNRC*, 38) classed as obsolete, was the site where the bailie courts of Tain were held, and has been identified with Hilltoun near Tain (Fraser, *Cromartie*, ii, 337, 460). Kinnairdie, now within the north edge of Dingwall, was the accepted place for holding the earl of Ross's courts. For the immunity of Tain see no.28.

Charter by Hugh Fraser, lord of Lovat, to Alexander, earl of Ross, of the lands of one third part of Glenelg. Inverness, 8 January 1436/7.

Omnibus hanc cartam visuris vel auditoris Hugo Fraser dominus de Lovet ac dominus tertie partis de Glenelg salutem in

Domino sempiternam. Noveritis me dedisse concessisse et hac presenti carta mea confirmasse magnifico et potenti domino Alexandro de Ile comiti Rossie totas et integras terras meas prefate tertie partis mee de Glenelg. Tenendas et habendas dictas terras cum pertinenciis prefato domino heredibus suis et suis assignatis a me heredibus meis et meis assignatis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in viis semitis planis pratis pascuis et pasturis molendinis multuris et eorum sequelis in fabrilibus et brasinis in aquis stagnis aucupacionibus venacionibus piscacionibus in moris et marresiis petariis turbariis et carbonariis cum libero introitu et exitu cum curiis et curiarum eschaetis ac cum omnibus aliis commoditatibus libertatibus et aisiamentis ac iustis suis pertinenciis quibuscunque tam non nominatis quam nominatis tam prope quam procul tam subtus terram (sic) quam supra terram ad dictas terras spectantibus seu iuste spectare valentibus in futurum adeo libere integre plenarie honorifice bene et in pace sicut alique terre in regno dantur et conceduntur. In cuius rei testimonium sigillum meum est appensum. Apud Invernys octavo die mensis Januarii anno Domini millesimo quadringentesimo tricesimo sexto. Hiis testibus Henrico de Wemes, domino Johanne vicario de Kilmorok, domino Patricio de Warlaw, Johanne Willelmi, David Piccart et Ranaldo clerk cum pluribus aliis.

SOURCE: Original. Blair Castle, Atholl Charters no.22.

DESCRIPTION: 31 × 10.7cm; 27 × 6.5cm; one tag, no seal remains.

COMMENT: This is the only known example of a grant of land to the lord of the Isles by a subject superior. The lands of Glenelg were earlier divided: two thirds were held by MacLeod of Dunvegan (*RRS*, vi, 506), while this third had been included in a charter in which Hugh Fraser of Lovat took over lands as heir to his brother Alexander (*RMS*, ii, 179). Lovat appears to have resumed possession of his third, perhaps on the forfeiture of the lords of the Isles; the MacLeods and the Frasers disputed their thirds of Glenelg for many years (*OPS*, ii, 207, 829). See also no.37.

Precept by Alexander, earl of Ross and lord of Nairn, addressed to Donald of Cawdor to give sasine to Alexander Fraser of the lands of Golfurd, . . . , Kinnudie and Bordland, following a charter. Inverness, 9 January 1436/7.

Alexander de Ile comes Rossie ac dominus de Narn^a Donaldo de Caldor ballivo nostro de Narn salutem. Vobis precipimus et mandamus quatinus Alexandro Fraser vel suo certo actornato latori presentium saisinam hereditariam terrarum de Golfurd . . .^b Kynoudy et de Bordland cum pertinentiis juste et sine dilacione secundum tenorem carte nostre sibi confecte conferatis salvo jure cuiuslibet et hoc nullo modo omittatis. Et in signum dicte saisine per vos tradite sigillum vestrum in secunda cauda post nostrum apponatis. Datum sub sigilo nostro apud Invernys nono die mensis Januarii anno Domini millesimo quadringentesimo tricesimo sexto.

SOURCE: Original. NLS, MS. Dep. 175/5 (Gordon Cumming Papers).

DESCRIPTION: 24.5 × 7cm; 22.4 × 4.4cm; 2 sets slits, no tag.

NOTE: *a.* Narn here may be a clerk's error for insularum and is certainly unusual, although not incorrect. *b.* Illegible place-name may be Petquhyn, named with Golfurd, Kynnoudie and Bordland in crown charter to Hugh Fraser of Lovat 14 Sept. 1430 (*RMS*, ii, 174).

COMMENT: For discussion of the identity of Alexander Fraser of Golfurd see Warrand, *Fraser*, 87-89. In 1476 he exchanged Golfurd and Bordland with Alexander Dunbar of Westfield for part of the barony of Kirdell (no.20); he was the founder of the family of Fraser of Farraline and Erchitt. Bordland was the name given to the mensal farm belonging to a baron's castle, or according to modern usage the home farm, but it might be at a considerable distance from the castle (Alexander, *PNA*, 188).

Note of a charter by Alexander, earl of Ross and lord of the Isles, to the prior and friars of the Dominican preachers in

Inverness of an annual rent payable from the lands and ferry of Easter Kessock. Inverness, 4 September 1437.

'To all the faithful to whose knowledge the present letters shall come, Alexander of Ile, Earl of Ross and Lord of the Isles, Greeting eternal in the Lord: Know, that we, for the salvation of our soul, and for the salvation of the souls of our father, ancestors, and successors, have given, granted, and by this present writ confirmed to the religious men, the prior and friars of the Dominican Preachers of Inverness, twenty shillings of annual rent, of the usual money of Scotland, to be paid annually at two terms in the year, viz. of Pentecost and St Martin's, by equal portions, of our land and ferry of Easter Kessock, with the pertinents, in pure and perpetual charity, as freely as any annual rent is given and granted to any religious men in the Kingdom of Scotland: In testimony of which matter we have caused our seal to be appended at Inverness the 4th day of the month of September in the year of the Lord 1437. These, with many others being witnesses, viz. Torquil M^cLoyde Lord of Levyhous, George Munro of Foulis, Alexander M^cCullach and Lord Beane.'^d

SOURCE: C. Fraser Mackintosh, *Invernessiana*, p.109; *Clan Donald*, i, 474-5.

NOTE: a. The authors of *Clan Donald* have given this as Lord Blanc.

COMMENT: This document has not been traced, but OPS, ii, 534 n8 says it was in the Northern Institution, Inverness.

27

Charter of confirmation by Alexander, lord of the Isles, earl of Ross and justiciar north of Forth, of a charter by John Lindsay, lord of Byres, to Sir Walter Innes of that ilk of the lands of the barony of Aberchirder in the sheriffdom of Banff. Dingwall, 22 February 1438/9.

Alexander de Ile dominus Insularum comes Rossie et iusticiarius ex parte boreali aquae de Forth universis et singulis hanc cartam

visuris vel audituris salutem. Sciatis nos approbasse ratificasse et hanc presenti carta nostra confirmasse donacionem illam et concessionem quas dominus Johannes de Lyndissay dominus de Byris fecit et concessit dilecto nostro consanguineo domino Waltero de Innes militi domino eiusdem de terris baronie de Abyrkirdere cum pertinenciis infra vicecomitatum de Banff. Tenendis et habendis dicto domino Waltero et heredibus suis cum omnibus et singulis libertatibus commoditatibus asiamentis et iustis pertinenciis quibuscumque ad dictas terras spectantibus seu quoquomodo iuste spectare valentibus infuturum, adeo libere quiete plenarie integre et honorifice in omnibus et per omnia sicut carta et evidencia dicti domini Johannis de Lyndyssay eidem domino Waltero inde confecta in se iuste continent et proportant et adeo libere in omnibus per omnia sicut carta bone memorie quondam domini Walteri de Lesly avi nostri facta quondam domino Willelmo de Lyndyssay de Byris consanguineo suo super dictis terris plenius continet et proportat. Et ut hec nostra confirmacio predicte carte avi nostri robur virtutem et libertatem teneat habet et possideat. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Apud castrum nostrum de Dingvella vicesimo secundo die mensis Februarii anno Domini millesimo quadringentesimo tricesimo octavo. Testibus venerabilis viris Willelmo de Lesly vicecomite de Invernys, George Munro domino de Foulis, Willelmo de Orchard, Willelmo de Caldor, Hugone de Ross, et Murchardo Revach armigeris.

SOURCE: Royal confirmation in SRO, GD1/220/66, dated 19 August 1453.

PRINTED: from original (now missing) *Familie of Innes*, 73-74; *Clan Donald*, i, 528-9.

SEAL: style 1 (sketch in John Riddell's notes, NLS, Adv. MS. 26.3.2, p.251).

COMMENT: The lands and thanage of Aberchirder as granted by Walter Leslie to William Lindsay of Byres were confirmed on 27 February 1369/70 and again on 15 July 1370 (*RMS*, i, 339, 316).

Inquest authenticated by the seal of Alexander, earl of Ross, lord of the Isles and justiciar north of Forth, into the rights and privileges of the immunity of Tain. Tain, 20 April 1439.

Hec inquisitio facta est apud villam immunitatis de Thayne vicesimo die mensis Aprilis anno Domini millesimo [quadrin]gesimo tricesimo nono per subscriptos fide dignos videlicet Alexandrum de Sutherland magistrum eiusdem, Willelmum de Leslie [vice]comitem de Inverness, Hugonem de Ross de Balnagone, Georgium de Munro de Foulis, Alexandrum Mc[Cu]llo[ch], Alexandrum [Henrici de] Sutherland, Johannem de Sutherland, Willelmum de Caldor, Willelmum de Tarale, Hugonem Alexandri, Georgium MacCull[och], Hugonem [Junio]rem de Munro, Donaldum Symonis, Fercherdum Reyid, burgenses de Inverness, Jonnem Moir de [Caldro]ssy, Joha[nnem] Bayne, Donaldum MacTyr, Donaldum Jussorem, Johannem de Spens, Andream Alani, Andream de Tarrale, Johannem [Mo]n[y]la[w], et Alexandrum Sky[nnare]: qui iurati magno [iura]mento interveniente per se conjunctim et divisim in dicta in[quisitione] invenerunt et effectuose ad [ple]num intellexerunt; quod omnes inhabitantes infra predictam immunitatem de Thay[ne et eorum] omnia [bon]a quecumque sunt sub speciale protectione sedis apostolice; et quod dicta immunitas pr[imo] fundata fuit per quondam illu[st]rissimum Scotorum regem^o Malcolmum canmoir bone memorie; et quod postea [pr]efa[ta] immunitas [confirm]ata [fuit per] diversos reges et illustres principes videlicet David de Broyce, Robertum eius nepotem [et ultimum] Ro]bertum [primi] Roberti filium]; et quod dicti inhabitantes villam de Thayne plenam et liberam potestatem et privilegium habent et [h]ab[uerunt ad emendum et ven]dendum omnia bona quecumque infra quatuor cruces angulares antedictae immunitatis; e[st] quod unique solverint et nec de ratio]ne solvent aliquam contributionem regibus Scotie nec comitibus Rossie preterquam custumam domino nostro regi et [extunc licitum] est omnibus dictam immunitatem habitantibus laborare et

navigare cum omnibus suis merc[himoniis et rebus quibuscun- que] ubique locorum ad ipsorum beneplacitum absque aliqua contradictione seu ulter[ius demanda per virtutem] privi[legii sepedicti] immunitatis prout ipsis melius videbitur expedire: In quorum omnium premissorum fidem et testimonium [sigilla quarundam] predictorum fidedignorum qui prefate inquisitioni interfuerunt sub impressione sigilli magnif[ici ac] potentis d[omini] d[omi]ni Alexandri comitis Rossie domini insularum ac supremi domini nostri regis justiciarii ex par[te boreali aquae] de F[orth huic] presenti inquisitioni sunt appensa loco die et anno supradictis.

Hec est vera copia principalis et originalis inquisitionis modo prescripto sigillata ut mihi apparuit de verbo [in verbum] fideliter copiata et collationata nihil addito vel remoto quod rei subst[antiam mutaret aut sententiam variet per me Jaco]bum Hoppringile notarium publicum subscriptum. Teste manu propria [et signo usitato et consueto].

Ita est Jacobus Hoppringle notarius publicus premissis requisitus manu propria.

SOURCE: Sixteenth century copy in Tain town house. Nineteenth century version in Tain town council minutes, SRO, B70/6/2, 8 December 1826.

PRINTED: Macgill, *Ross-shire*, 407 latin, 369 translation.

NOTES: Items in square brackets no longer legible, text taken from above versions. *a.* should read regem but is apparently reges.

COMMENT: Pryde, *The Burghs of Scotland*, 24, calls this document 'a late and obscurely (not to say nonsensically) worded copy'. It seems genuine for the sixteenth century but what the notary actually saw cannot now be established. Six identifiable witnesses are in order for the 1439 date (see app. C). James Hoppringle was admitted as a notary public on 1 January 1564 and was active until at least 1578 (SRO, NP 2/1/208; RMS, v, 981). Alexander was already concerned with the affairs of Tain (see no.23) and his son was to continue the interest (see no.69). It is probable that this inquest followed the fire at the chapel of St Duthac at Tain which took place just before 1430 (see

comment to no.90). When Tain received a royal charter in 1578 the claim was made that their 'old infestment and charters were cruelly burnt in a fire caused by certain savage and rebellious Ersch subjects' (*RMS*, v, 1432).

29

Obligation by Alexander, earl of Ross and lord of the Isles, in favour of Alexander Sutherland and his wife Mariota of the Isles to defend them in the castle and lands of Dunbeath and the lands of Reay, and if they should lose them to give them an equal worth of land between the bridge of Alness and the girth of Tain in the earldom of Ross. Inverness, 24 October 1439.

Be it mayde kende till all men be thire present lettres ws Alexander of Ile erle of Ross and lorde of the Ilys to be oblyst and be thyre oure present lettres oblyssis and stratlie byndis ws fore ws ande oure arrys till be wpricht with Alexander of Suthirlande and oure derrast syster Maryoun of the Ilys hys spous ande the arrys gottyn ore to be gottyn betuex thame of thare bodyis in the defens of the castell and landys of Dunbeth and the landis of Ra with the pertinens aganest all tha that leffis ore dee may. Ande gyff yt happynnis that the sayde castell and landys of Dunbeth with the pertinens be optenynt and lachfully wonnyn fra Alexander of Suthirlande ore fra the arrys bodely gottyn ore to be gottyn betuexe hym and Maryoun of Ile oure sister now ore in tymys for to cum we oblyss and stratlie byndys ws fore ws and oure arrys that we sall gyf alsmekeyll landys heretabilly with all profitis that sall extende till alsmekeyll malys zerly as all the landis of Dunbeth with the pertinens betuexe the bryg of Alnes and the gyrth of Tayne with in the erldowm of Ross till the forsayde Alexander and till Marioun oure forsayd systyre hys spous ore tyl the arrys bodely gottyn ore to be gottyn betuexe thame. And we oblyss ws and oure arrys till fulfyll this obligacioun before wrytyn all fraude gyll cavyllacioun and excepcionys excludyt and biput. In witnes of the quhilk thyng oure seill we haf toput at Invernys the xxiiii day of the moneth of Octoberis the zere of oure Lorde a

thowsande fowrhundyr thyrti and nyne zeris. Before thire wittnes that is to say Lauchlayne Maklann of Dowart, Johne Makloyde of Dunbegane, Carlich Makkerchyre, Alexander M^ccullauch, and Aychyn Carlichson with sundry wthiris.

SOURCE: Cawdor Castle, bundle 8 (transumpt dated 26 September 1464).

PRINTED: *Cawdor Book*, 16.

COMMENT: It is possible that Kindeace was given to Alexander Sutherland in honour of this pledge (see no.51). No more is heard of the lands of Reay in this connection, but Alexander was known as Sutherland of Dunbeath until his death (see app. C) and passed the lands to his daughter (see no.83). See also comment on no.30. The witnesses Carlich Makkerchyre and Aychyn Carlichson were probably MacLeans of the Kingairloch family (see app. C).

30

Precept by Alexander, earl of Ross and lord of the Isles, addressed to Alexander Sutherland of Duffus, John Sutherland of Golspie and the principal coroner of Caithness to give sasine to Alexander Sutherland and Mariota de Ile, sister of the granter, of the lands of the lordship of Dunbeath with the castle and the lands of the lordship of Reay in the earldom of Caithness, sheriffdom of Inverness. Inverness, 24 October 1439.

Alexander de Ile comes Rossie ac dominus Insularum dilectis nostris Alexander de Suthirland de Dufhous, Joanni Suthirland de Golspy, et magno coronatori Cathanie ballivis nostris in hac parte salutem. Quia concessimus per cartam nostram dilecto nostro genero Alexandro de Suthirland et Mariote de Ile sorori nostre sponse sue et eorum alteri diutius viventi et eorum heredibus inter se de corporibus suis procreatis seu procreandis omnes et singulas terras nostras domini de Dunbeath cum castro ejusdem cum pertinenciis et terras nostras domini de Ra cum pertinenciis jacentes in comitatu Cathanie infra vicecomitatum de Inverness ut tenore carte nostre inde eidem

confecte plenius continetur. Vobis et vestrum cuilibet conjunctim et divisim precipimus et mandamus quatenus prefato Alexandro et Mariote prefate sorori nostre sponse sue seu eorum actornatis latoribus presentium sasinam et statum hereditarium dictarum terrarum et castri cum pertinenciis indilate visis presentibus tribuatis seu alter vestrum tribuat salvo jure cujuslibet ut est moris. Ad quod faciendum vobis seu alteri vestrum conjunctim et divisim in hac parte nostram plenariam potestatem et mandatum speciale committimus per presentes. Et in signum dicte sasine per vos seu alter vestrum tradite sigilla vestra seu sigillum alterius vestrum post nostrum apponatis seu alterius vestrum apponat. Datum sub sigillo nostro apud Inverness vicesimo quarto die mensis Octobris anno Domini millesimo quadringentesimo vicesimo (sic) nono.

SOURCE: NLS, MS. Dep. 313/428/2/3 (Sutherland Papers) (eighteenth century copy).

PRINTED: reference in *Sutherland Add. Case*, 1770/1, cap. V, 30 note K.

COMMENT: This document said to be from 1429 is known only from an eighteenth century transcript, and has almost certainly been misdated. Not only was Alexander probably a prisoner in Tantallon in October 1429, but it would pre-date by nearly eight years any document in which he styled himself earl of Ross. A. B. W. MacEwen also argues for a 1439 date on the grounds of Mariota's marriage history and their dispensation dated 15 December 1438 ('Sutherland of Dunbeath'; *CSSR*, iv, no. 504). The lands of Dunbeath and Reay were held by the earl or Ross in 1380 and in 1427 (*SRO*, GD 297/229, i and iii).

31

Precept by Alexander, earl of Ross and lord of the Isles, addressed to George Munro and Alexander MacCulloch to give sasine to John, son and heir of the late Hugh Ross, of the lands of Balnagown, Auchoyle, Garty, Culcairn, Badcall, Moultaivie, Pitmaduthy, Easter Allan, Tarbat, Rarichie, Cullisse, Westray, Strathcarron, Strathoykell, Ospisdale, Invercassly, and

'Mullochy' in the earldom of Ross, sheriffdom of Inverness, following a retour. 21 January 1439/40.

Alexander de Ile comes Rossie ac dominus Insularum dilectis nostris Georgeo de Munroo et Alexandro M^ccullach ballivis nostris in hac parte salutem. Quia per inquisitionem de mandato nostro factam et ad capellam nostram retornatam compertum est quod quondam Hugo de Ross pater Johannis de Ross latoris presentium obiit vestitus et saisitus ut de feodo ad pacem et fidem domini nostri Regis de terris de Balnagowin Achabill Gorty Culcarne Badcoll Moltuy Petinowy estir Allane cum pertinenciis et de sex marcarum annui redditus de Tarbatt et de duobus Rarychis et de Culuys cum pertinenciis et de terris de Westeray et de Strathcaron cum pertinenciis et de terris de Strathordle cum pertinenciis et de terris de Osbudule et Innourcasly cum pertinenciis et de terris de Mullochy cum pertinenciis jacentes in comitatu nostro predicto infra vicecomitatum de Innernys et quod dictus Johannes est legitimus et propinquior heres dicti quondam patris sui de dictis terris et annuo redditu cum pertinenciis et quod de nobis tenentur in capite. Vobis precipimus et mandamus coniunctim et divisim quatinus prefato Johanni seu suo certo actornato latori presentium saisinam et statum hereditarium dictarum terrarum et annuiredditus cum pertinenciis visis presentibus tribuatis seu aliter vestrum tribuat indilate salvo jure cuiuslibet ut est moris. Ad quod faciendum vobis et aliquem vestrum nostram plenariam potestatem ac mandatum speciale committimus per presentes. Et in signum dicte saisine per vos seu aliquem vestrum tradite sigillum vestrum in secunda cauda post nostrum apponatis. Datum sub sigillo nostro vicesimo primo die mensis Januarii anno Domini millesimo quadringentesimo trigesimo nono.

SOURCE: Original. SRO, GD 297/180 (J. & F. Anderson collection).

DESCRIPTION: 29.6 × 8.5cm; 26 × 4.8cm; 2 tags, no seal remains.

COMMENT: See also no. 54. The Balnagown family was the senior surviving male line of the original earls of Ross. Hugh

Ross of Balnagown was descended from Hugh Ross, younger brother of William, earl of Ross. William married Mary, sister of John, lord of the Isles, and was succeeded on his death in 1372 by his daughter Euphemia and her husband Walter Leslie (see Table, Introduction, p.xxxii). Badcall was 'to the east of Millcraig and fast becoming obsolete' (Watson, *PNRC*, 71). Petinowy here is Petmadove in 1490 (*RMS*, ii, 1978, 1981, 1982), hence Pitmaduthy. Westray was a district name in or for the parish of Edderton (Watson, *PNRC*, 23, 31; *OPS*, ii, 415). Strathordle is Strathochell in no.104 and *RMS*, ii, 1978, hence Strathoykell. Mullochay was probably in or near Strathoykell; under Kincardine parish Watson explains a shieling named Mullach in 1619 as Meaglaich (*PNRC*, 8, 22).

32

Disposition by Alexander, earl of Ross and justiciar north of Forth, to Walter Urquhart, parson of Kiltearn, of lands in the burgh of Cromarty and at Navity. Balconie, 23 March 1439/40.

Be it maid Kend till al men be thir present Letters Us Alexander the Earl of Ross and Justiciar to our Sovereign Lord the Kinge fra the North part of the Water of Forth Til haf Giffyn to Walter of Urchard our Cousin Parson of Kilteyrn al the Richt of the lands of Finlay and Rosan within the Burgh of Cromathy & his Ousgang of Newaty Notagainstandand that the foresaid Walter his Sister Dochter wos Ayr to the foresaid Lands We Gif that as af (sic) free Gift to the said Walter as throw virtue of oure office and throw powar at langis til our Lege Lord the King the fee as Giffyn throu our gift the Frank tenement Remanand with the foresaid Land As his Indenter party proports maid tharupon. And we the foresaid Alexander Earl of Ross Warrands to the foresaid Walter his Ayres and his Assignais the foresaid lands. And at no man be so hardy to make Grife Molestian (sic) to the said Walter in the Said Lands onder the pains of Lywys Lands and Guds al that may tyne agains the King and Us. Giffyn onder

our greit Seil at Balkyny the xxiii day of Marche the zeir of our Lord m^o iiii^o xxxix.

SOURCE: NLS, Adv. MS. 35.4.8. (ii), 293, copied by Walter Macfarlane from the writs of the Urquharts of Cromarty.

PRINTED: Macfarlane, *Gen. Coll.*, ii, 374; *Clan Donald*, i, 475.

COMMENT: This document suggests that Alexander was acting by virtue of his office as justiciar, but Robert I had given the burgh of Cromarty to Hugh, son of the earl of Ross, on 5 December 1315 (*Nat. MSS. Scot.*, ii, no. xxi, printed in *Family of Rose*, 112, and said in error to be with the charters of the Kilravock family).

33

Note of a charter by Alexander, earl of Ross and lord of the Isles, to Torquil MacNeill of the islands of Gigha and Danna and the lands of Barbreack, Barbae, Barlochan, Barnashalg, and Ardnachaig with the constabulary of Castle Sween and the office of Toiseachdeor of Knapdale. 24 June 1440.

'24 June 1440. Charter by Alexander Macdonald of Ilay, Earl of Rossie and Lord of the Isles, to Torquill MacNeill, of the whole island of Gigha, the island of Dannay, the lands of Barbreck, Barbech, Barlochan, Barnashally and Ardnachage, the constabulary of the Castle of Suffne and the office of Thosciachdeora of Knapdale.'

OPS, ii, 822: 'Between the years 1429 and 1449 Alexander of Yle, earl of Ross and lord of the Isles, granted in heritage to Torquel M'Neill, constable of the castle of Syffyn, the constabulary of that castle, certain lands in Gyga, and the following lands in Knapdale namely, 4 marklands of Dannay, a markland of Bairbrek, a markland of Bairbethan, 2 marklands of Bairnaphala and Duarbay, a halfpenny land of Duffoynyng, a markland of Tuirynys, with the office called Toshachdeora of the lands of Knapdale.'

SOURCE: Campbell, 'MacNeill Inventory', 121.

PRINTED: *OPS*, ii, 822.

COMMENT: This charter and no.60 appear to be the only evidence that the lord of the Isles controlled this district of northern Knapdale. For Knapdale lands, see Introduction, p.xxvi. The date of this charter is known from an inventory of writs concerning lands formerly held by the MacNeills in and near Knapdale which belonged to the Campbells of Inverneill; extracts were published by Herbert Campbell, historian of the Campbells of Duntroon and their cadets. For the office of Toiseachdeor see Dickinson 'Toschederach', 85-111; Steer and Bannerman, *Sculpture*, 143, and Introduction, p.000. For Gigha place-names see Anderson, *Gigha*. Barlochan lay on the N side of Barr an Lochainn near Cosandrochaid (S. MacMillan, *Families of Knapdale*, 57). Castle Sween has many different spellings, cf. no.60.

34

Charter by Alexander, earl of Ross, to Hugh Rose of Kilravock of the lands of the barony of Kilravock in the sheriffdom of Nairn, following resignation by his father John. Kinmylies, 2 July 1440.

Omnibus hanc cartam visuris vel audituris Alexander de Ile comes Rossie eternam in Domino salutem. Noveritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Hugoni de Roos filio Johannis de Roos de Kylrawak pro suo fideli servicio nobis impenso omnes et singulas terras baronie de Kylrawak cum pertinenciis iacentes in vicecomitatu de Narn que quidem baronia cum pertinenciis fuit dicti Johannis hereditarie et quam idem Johannes non vi aut metu ductus nec errore lapsus sed mera et spontanea voluntate per procuratores suos super hoc specialem mandatum huius ut clare patuit per suas litteras patentes in manus nostras per fustem et baculum (sic) coram testibus subscriptis sursum reddidit pureque simpliciter resignavit ac totum jus et clameum que in dicta baronia cum pertinenciis habuit seu habere potuit pro se et

heredibus suis omnino quittum clamavit imperpetuum salvis dicto Johanni pro termino vite sue le franktenement dictarum terrarum cum pertinenciis et sponse sue tertia parte ei debita post mortem dicti Johannis ac si de eisdem terris obierit vestitus et saisitus ut de feodo. Tenendam et habendam dictam baroniam cum pertinenciis prefato Hugoni heredibus suis de nobis et heredibus nostris comitibus Rossie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis moris marresiis viis semitis aquis stagnis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupacionibus venacionibus et piscationibus lacubis et viuariis cum curiis eschaetis et curiarum exitibus cum fabrilibus et brasinis silvis et nemoribus cum bondis bondagiis nativis et eorum sequelis cum furca et fossa sok sak thol et theme infangandtheyf outfangandtheyf cum tenendiis et liberetenementium serviciis et cum omnibus aliis et singulis libertatibus commoditatibus et aisiamentis suis pertinentibus quibuscumque tam non nominatis quam nominatis tam sub terra quam supra terram procul et prope ad predictam baroniam cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum, adeo libere et quiete integre plenarie et honorifice bene et in pace in omnibus et per omnia sicut dominus Johannes aut aliquis predecessorum suorum prenominatam baroniam cum pertinenciis de nobis et predecessoribus ante dictum resignationem inde nobis factam liberius tenuit seu possidit. Reddendo inde annuatim dictus Hugo et heredes sui nobis et heredibus nostris unum par albarum cirothecarum vel unum denarium argenti ad festum Penthecostes apud locum castri de Narn nomine albe firme tantum omnes alio onere servicio seculari exactione seu demanda que de dicta baronia cum pertinenciis exigi poterint vel requiri per nos vel heredes nostros. Et nos vero Alexander de Ile comes prefatus et heredes nostri predictam baroniam cum pertinenciis prefato Hugo heredibus suis contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum appendi fecimus. Apud Kylmile secundo die mensis Julii anno Domini millesimo quadringentesimo quadragesimo. Presentibus ibidem Lachlano M^cgillane de Dowarde, Johanne M^cloyd

of Dunbeggane, Torquillo M^cloyd de Lewhaus, Tarleto M^certhir, Georgeo de Munroo, et Hectore Tarleti, et pluribus aliis.

SOURCE: Original. SRO, GD 125 box 2 (Rose of Kilravock Muniments).

PRINTED: *Family of Rose*, 131.

DESCRIPTION: 29.5 × 15.3cm; 25.7 × 9.3cm; one tag, no seal remains.

COMMENT: The original resignation of these lands by John Rose of Kilravock into the hands of Alexander as earl of Ross survives, dated 22 June 1440 at '*manerium meum de Kylrawok*' (SRO, GD 125, box 2). John had been retoured heir to his father Hugh on 11 February 1431/2 in the lands of Kilravock and Easter Geddes to be held '*de comite de Rosse qui pro tempore fuerit*'. By this charter John retained a life-rent in the lands. It is surprising that Easter Geddes, although obviously included, is not mentioned in this or the following documents. The witnesses Tarlet McErthir and Hector Tarleti were probably MacLeans of the Kingairloch family (see app. C).

35

Variant of no.34 of the lands of Kilravock but without the reddendo clause. Inverness, 20 July 1440.

Omnibus hanc cartam visuris vel auditoris Alexander de Ile comes Rossie eternam in Domino salutem. Noveritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Hugoni Roos filio Johannis Roos de Kilrawak pro suo fideli servicio nobis impenso omnes et singulas terras baronie de Kilrawak cum pertinenciis iacentes in vicecomitatu de Narn. Que quidem baronia cum pertinenciis fuit dicti Johannis hereditarie et quam idem Johannes non vi aut metu ductus nec errore lapsus sed mera et spontanea voluntate in manus nostras fustem et baculum (sic) coram testibus subscriptis sursum reddidit pureque simpliciter resignavit ac totum jus et

clameum que in dicta baronia cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quietum clamavit imperpetuum salvis dicto Johanni pro termino vite sue le franktenement dictarum terrarum cum pertinenciis et sponse sue tertia parte ei debita post mortem dicti Johannis ac si de eisdem terris obierit vestitus et saisitus ut de feodo. Tenendam et habendam dictam baroniam cum pertinenciis prefato Hugoni et heredibus suis de nobis et heredibus nostris comitibus Rossie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas cum omnibus commoditatibus libertatibus et aisiamentis ac iustis suis pertinenciis quibuscumque tam non nominatis quam nominatis ad dictam baroniam cum pertinenciis spectantibus seu iuste spectare valentibus in futurum, adeo libere et quiete integre plenarie honorifice bene et in pace in omnibus et per omnia sicut dictus Johannes aut aliquis predecessorum suorum prenominatam baroniam cum pertinenciis de nobis et predecessoribus nostris comitibus Rossie ante dictam resignationem inde nobis factam liberius tenuit seu possedit. In cuius rei testimonium sigillum nostrum appendi fecimus. Apud Invernys vicesimo die mensis Julii anno Domini millesimo quadringentesimo quadragesimo. Hiis testibus Thoma Fraser domino de Lovet, domino Waltero Ogilby milite, Willelmo Lesly vicecomite de Invernys, Donaldto de Caldor, Willelmo de Urchard, Willelmo de Caldor, Georgio de Munro, Alexandro M^ccullach, Roberto Cheshelme, Johanne Graunt, et Johanne Willelmi de Fothnes et pluribus aliis.

SOURCE: Original. SRO, GD 125 box 2 (Rose of Kilravock Muniments).

PRINTED: *Family of Rose*, 131-2.

DESCRIPTION: 28.2 × 10.6cm; 24.6 × 6.4cm; one tag and seal.

SEAL: Style 1.

COMMENT: This version of the charter without the reddendo clause is repeated in a notarial instrument dated 9 September 1443 (SRO, GD 125, box 2). Of the two dated on this date the second (no.35a) includes a clause of warrandice and has as witness John Williamson of Arde instead of Fothnes.

35a

Duplicate of no.35 but including a clause of warrandice. Inverness, 20 July 1440.

Omnibus hanc cartam visuris vel audituris Alexander de Ile comes Rossie eternam in Domino salutem. Noveritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Hugoni de Roos filio Johannis de Roos de Kylrawak pro suo fideli servicio nobis impenso omnes et singulas terras baronie de Kylrawak cum pertinenciis iacentes in vicecomitatu de Narn. Quequidem baronia cum pertinenciis fuit dicti Johannis hereditarie et quam idem Johannes non vi aut metu ductus nec errore lapsus sed mera et spontanea voluntate in manus nostras fustem et baclum (sic) coram testibus subscriptis sursum reddidit pureque simpliciter resignavit ac totum jus et clameum que in dicta baronia cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quietum clamavit imperpetuum salvis dicto Johanni pro termino vite sue le franktenement dictarum terrarum cum pertinenciis et sponse sue tertia parte ei debita post mortem dicti Johannis ac si de eisdem terris obierit vestitus et saisitus ut de feodo. Tenendam et habendam dictam baroniam cum pertinenciis prefato Hugoni et heredibus suis de nobis et heredibus nostris comitibus Rossie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas cum omnibus commoditatibus libertatibus et aisiamentis ac iustis suis pertinenciis quibuscumque tam non nominatis quam nominatis ad dictam baroniam cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum, adeo libere quiete integre plenarie honorifice bene et in pace in omnibus et per omnia sicut dictus Johannes aut aliquis predecessorum suorum prenominatam baroniam cum pertinenciis de nobis et predecessoribus nostris ante dictam resignationem inde nobis factam liberius tenuit seu possedit. Et nos vero Alexander de Ile comes prefatus et heredes nostri predictam baroniam cum pertinenciis Hugoni et heredibus suis contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum appendi fecimus. Apud Invernys vicesimo die mensis Julii

anno Domini millesimo quadringentesimo quadragesimo. Hiis testibus Thoma Fraser domino de Lovet, domino Waltero Ogilvy milite, Willelmo Lesly vicecomite de Invernys, Donald de Caldor, Willelmo de Urcharde, Willelmo de Caldor, Georgeo de Munroo, Alexandro M^ccullach, Roberto Cheshelme, Johanne Grant, et Johanne Willelmi de Arde et pluribus aliis.

SOURCE: Original. SRO, GD 125 box 2 (Rose of Kilravock Muniments).

DESCRIPTION: 30.4 × 18.2cm; 25.8 × 8cm; slit for one tag.

36

Precept by Alexander, earl of Ross, addressed to Donald of Cawdor, sheriff of Nairn and his bailies to give sasine to Hugh Rose following charter (no.35). Inverness, 20 July 1440.

Alexander de Ile comes Rossie dilectis nostris Donaldo de Caldor vicecomiti de Narn et ballivis suis salutem . . .^a vobis precipimus et mandamus quatenus Hugoni . . .^a statum hereditarium . . .^a tribuatis indilate . . .^a et salvis Johanni de Roos patri Hugonis le franktenement dictarum terrarum pro termino vite et sponse dicti Johannis tertia parte ei debita post mortem Johannis . . .^a Et in signum dicte saisine per vos tradite sigillum vestrum in secunda cauda post nostrum apponatis. Datum sub sigillo nostro apud Invernys vicesimo die mensis Julii anno Domini millesimo quadringentesimo quadragesimo.

SOURCE: *Family of Rose*, 132 from the original (not found in SRO, GD 125).

SEAL: Illustration of seal from above precept in *Family of Rose* showing fine example of style 1, and of the seal of Donald of Cawdor.

NOTE: *a.* gaps as in printed text.

Bond of Manrent by Thomas Fraser, lord of Lovat, to Alexander, earl of Ross, lord of the Isles and justiciar north of Forth. Lovat, 18 January 1441/2.

In dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno a nativitate Domini millesimo quadringentesimo quadragesimo primo secundum computationem ecclesie Scoticane mensis vero Februarii die xxii^o indictione quinta pontificatus sanctissimi in Christo patris ac domini nostri domini Eugenii divina providencia pape quarti anno xj^{mo}. In mei notarii publici et testium subscriptorum presencia personaliter constitutus magnificus et potens dominus dominus Alexander comes Rossie Insularum dominus ac domini nostri regis ex parte boriali aque de Forth justiciarius quamdam litteram papiriam patentem sigillo honorabilis domini Thome Frasar domini de Lovet ut mihi prima facie clare apparuit sigillatam et roboratam non rasam non cancellatam nec in aliqua parte sue viciatam omni prorsus (sic) vicio et suspicione carentem in medio produxit ac me notario infrascripto perlegendam presentavit quam clare intuens perlegi suisque iustis precibus et instancia requisitus sub hac que sequitur forma nil addendo nec minuendo per modum transumpti publicau cuius quidem tenor de verbo in verbum sequitur et est talis.

Be it made kende till all men be thir present letteris me Thomas Frasar lorde of the Lovet to haf becummyn ande becummys lele man ande trew to a rycht he ande mychty lorde my lorde Sir Alexander of Ila erle of Ross ande lorde of the Ilis ande justice of the north half of the watter of Forth ande that I sall mak to my saide lorde lele and trew service at all my gudely powar quhat tyme I be chargit thar to ande assiste to him in contrar of all man ande men that lyffis or lyff may or de may myne allegance to my soverine lorde the kinge owtane ande my fewte to the ryghtwise erle of Murray that beis for the tyme. Ande giff it happin me the forsaide Thomas Frasar to brek my manrent ande obelysinge made to my forsaide lorde the erle I obeliss me lely and treuly but fraude gile exceptioun or ony cavillacioun to pay to my saide lorde but forthir delay als sone as

I breke or cummis aganis him fyfetene hundir markis of gude ande usuale monay of the kinrike of Scotlande in all forme ande maner lyke as all evidentis and oblygaciounis of my borowis that I fandē to my forsaide lorde in his castale of Dingvale proportis ande beris wytnes thar apoune na remede of law canoun or civile to avalze or stande me instede in the contrar of this myne obligacioun. Ande I obelyss me straitly to ger the forsaid evidentis of my borowis be selyt ande delyverit in possibill haste to my forsaide lorde as was concordit ande forspokin betuix my forsaide lorde and me in Dingvale. In the forthir wytnes of all ande sindry thingis befor writtin I haff put my sele to thir present letteris of myne oblygacioun at the Lovet one the thurisdai the aughtene day of the moneth of Januar the yher of Gode a thowsande four hundir fourty and ane yher.

Post cuius quidem littere lecturam et inspectionem per predictum dominum comitem requisitus ut sibi super contentis in eadem presens publicum conficerem instrumentum seu publica instrumenta eundem tenorem in se continens aut continentia. Acta erant hec in villa de Inverness in domo habitacionis Andree Rede eiusdem ville aldermanni hora decima ante meridiem sub anno die mense indictione et pontificatu ut supra, presentibus ibidem honorabilibus viris Johanne de Rosse domino de Ballenagown, Georgeo de Monro domino de Fowlis, Alexandro Makcowlach de Pladdis, Negello M^cloyde et Negello Flemyng cum multis aliis testibus ad premissa vocatis specialiter et rogatis.

SOURCE: SRO, GD 93/18 (Munro of Foulis Muniments). Notarial instrument upon the above dated 22 February 1441/2 at Inverness.

PRINTED: *Munro Writs*, no.18.

COMMENT: This has been described as the earliest surviving bond of manrent (Wormald, *Lords and Men*, 17).

Precept by Alexander, earl of Ross, lord of the Isles and justiciar north of Forth, addressed to John Grant, sheriff depute of

Inverness, to give sasine to William son of the late Donald of Cawdor of the lands of the thanage of Cawdor and the offices of sheriff and constable of Nairn with assize of ale and fish, annual rent from the lands of Balmakeith, and the lands of Boath, Banchor, and half the lands of Rait in the earldom of Moray and sheriffdom of Nairn, following a retour. Inverness, 17 August 1442.

Alexander de Ile comes Rossie dominus Insularum ac justiciarius ex parte boreali aque de Forth Johanni Grant vicecomitati deputato de Invernys ballivo nostro in hac parte salutem. Quia per inquisitionem de mandato nostro factam et ad capellam nostram retornatam compertum est quod Donaldus de Caldor pater Willelmi de Caldor latoris presentium obiit ultimo vestitus et saisitus ut de feodo ad pacem et fidem domini nostri regis de terris thanagii de Caldor cum pertinenciis et officiis vicecomitatus de Narn ac constabularie eiusdem cum cervisia et piscibus assise una cum annuo reddito sex marcarum de Balmaky[th]^o ac de terris de Both et Banchre cum pertinenciis et de terris dimidietatis de Rate una cum molendino eiusdem cum pertinenciis iacentibus in comitatu Moravie infra vicecomitatum de Narn. Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam patris sui de dictis terris annuo reddito et molendino cum pertinenciis et est legitime etatis et quod de nobis tenentur in capite. Vobis igitur precipimus et mandamus quatinus prefato Willelmo vel suo certo actornato latori presentium saisinum et statum hereditarium dictarum terrarum annui redditus et molendini cum pertinenciis indilate visis presentibus tribuatis salvo jure cuiuslibet ut est moris. Ad quod faciendum vobis in hac parte nostram plenariam committimus potestatem et mandatum speciale per presentes et in signum de saisine per vos tradite sigillum vestrum in secunda cauda post nostrum apponatis. Datum sub sigillo nostro. Apud burgum de Invernys decimo septimo die mensis Augusti anno Domini millesimo quadringentesimo quadragesimo secundo.

SOURCE: Original. Cawdor Castle, Bundle 138.

PRINTED: *Cawdor Book*, 14; *Invernessiana*, III (translation).

DESCRIPTION: 28·2 × 8·6cm; 24·5 × 4·3cm; one tag only, no seal remains.

NOTE: a. fold in document.

COMMENT: The office of sheriff of Nairn was confirmed to Donald of Cawdor as heir to his father Andrew on 11 July 1405 by Robert, duke of Albany, calling himself lord of the ward of Ross (*Cawdor Book*, 5). Both or Boith from the context seems more likely to be 'Highland Boath' near Clunas than Boath near Auldearn.

39

Charter by Alexander, earl of Ross, lord of the Isles and justiciar north of Forth, to Alexander Seton, lord of Gordon, of liferent of the barony of Kingedward in the earldom of Buchan. Inverness, 5 October 1442.

Omnibus hoc scriptum visuris vel audituris Alexander de Yle comes Rossie et dominus Insularum ac justiciarius citra Forth eternam in Domino salutem. Noveritis nos dedisse concessisse et presenti nostro scripto assignasse dilecto nostro Alexandro de Setoun militi domino de Gordoun pro tempore vite sue totam et integram baroniam nostram de Kynedward cum pertinenciis jacentem in comitatu de Buchan infra vicecomitatum de Banfe Aberdein una cum jure patronatus ac donationis beneficiorum nobis in episcopatu Aberdonensi spectantium pro suo homagio et servicio nobis impensis et impendendis. Tenendas et habendas dictas terras dicte baronie cum pertinenciis una cum jure patronatus et donationis beneficiorum dicto Alexandro de Setoun militi cum curiis escaetis suis redditibus que nobis pertinere dinescuntur quibusque temporibus ac cum omnibus aliis commoditatibus libertatibus et aisiamentis ac suis justis pertinenciis quibuscumque tam non nominatis quam nominatis ad dictam baroniam spectantibus seu spectare valentibus quomodolibet in futurum durante tempore vite dicti domini

Alexandri militis ut prefatur. In super volumus et concedimus quod omnes tenentes nostre dicte baronie obediant respondiant et intendant prefato domino Alexandro de Setoun durante dicte tempore sicut presenciam nostram [*illegible*] et sicut nobis facere deberent. In cuius rei testimonium sigillum nostrum presentibus appendi fecimus. Apud Invernys quinto die mensis Octobris anno Domini m^o quodringentesimo secundo (sic).

SOURCE: NLS, Adv. MS. 16.1.10, f.4 (Register of Aberdeen).

PRINTED: *Abdn. Reg.*, i, 241; *Clan Donald*, i, 532-3.

SEAL: Description in MS. Register indicates style 2.

COMMENT: Alexander Seton, lord of Gordon, became the first earl of Huntly. See also no.41 comment. On the barony of Kingedward see Introduction, p.xxxv.

40

Charter by Alexander, earl of Ross, lord of the Isles and justiciar north of Forth, to Walter Ogilvy of Beaufort of the lands of Thaneston in the sheriffdom of Kincardine. Dingwall, 24 October 1443.

Omnibus hanc cartam visuris vel auditoris Alexander de Ile comes Rossi dominus Insularum ac justiciarius ex parte boreali aque de Forth eternam in Domino salutem. Noveritis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Waltero Ogilwy de Bewford omnes et singulas terras nostras de Thanistoun cum pertinenciis iacentes infra vicecomitatum de Kincardin. Tenendas et habendas omnes prefatas terras cum pertinenciis predicto Waltero de Ogilwy et omnibus heredibus suis de nobis et omnibus nostris heredibus in feodo et hereditate imperpetuum per omnes rectas metas antiquas et divisas in moris marresiis pratis pascuis et pasturis in planis silvis nemoribus et montibus aquis stagnis molendinis multuris et eorum sequelis in petariis et turbariis in aucupacionibus venacionibus et piscatoribus cum curiis et

earum exitibus cum herizeldis et merchetis mulierum ac cum omnibus aliis et singulis libertatibus commoditatibus asiamentis et iustis pertinentiis suis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad predictas terras spectantibus seu de iure spectare valentibus quomodolibet in futurum, et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut quondam Walterus Lindesay prenominatas terras cum pertinentiis liberius quocius integrus et honorificentius de predecessoribus nostris tenuit seu possedit. Reddendo inde annuatim predictus Walterus de Ogilwy et heredes sui nobis et heredibus nostris tantum quantum prefatus Walterus de Lindesay ad terminos annui consuetos nostris predecessoribus tradere solebat super solum dictarum terrarum si petierint tantum pro omni alio onere exactione seu servicio seculari warda relevio maritagio sectis curiarum et annuis redditibus que de dictis terris cum pertinentiis aliquantulum exigi poterunt seu requiri salvo servicio domini nostri regis. Et nos vero dictus Alexander et heredes nostri predicto Waltero Ogiluy et heredibus suis antedictas terras de Thanistoun cum pertinentiis contra omnes mortales warrantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presentibus est appensum. Apud castrum nostrum de Dyngwele vicesimo quarto die mensis Octobris anno Domini millesimo quadringentesimo quadragesimo tercio. Presentibus viris Alexandro M^ccowlach de Pladdis, Georgeo Munro de Foulis, Wilando de Cheisholme, Nigello M^cleoid, et Nigello Flemyng nostro secretario, cum aliis diversis.

SOURCE: SRO, C2/vii/345 (Great Seal Register) (confirmation of 4 August 1476).

PRINTED: *RMS*, ii, 1252.

COMMENT: Three thanages, granted by David II to Sir Walter Leslie in 1370, were Kincardine, Arbuthnott and Fettercairn (*RMS*, i, 316, 338). Upper and Nether Thaneston lie about 2½ miles west of Kincardine castle, and 1½ miles north west of Fettercairn. For Kincardine see Introduction.

41

Note of a discharge by Elizabeth Haliburton, countess of Ross to Sir John Scrymgeour. 10 December 1443.

'Dischairge grantit be Dame Elizabeth Haliburton, countess of Ros, of xij markis as ane pairt of the soume of fiftie-twa pundis addettit be Schir Johnne Scrymgeour, for Alexander, erle of Ros, daitit 10 December anno j^m iiiij^c xliij.'

SOURCE: *Scrymgeour Inventory*, no. 145.

COMMENT: Elizabeth Seton, daughter of Sir Alexander Seton and Elizabeth Gordon, and sister of the first earl of Huntly, has been accepted as the wife of Alexander, lord of the Isles, and mother of his successor John. The above seems to be the only notice of a contemporary document in which Elizabeth is given a surname, and it casts doubt on the supposed Seton marriage, as does the fact that no relationship is mentioned in no. 39. See app. D, pp. 302-3.

42

Charter by Alexander, earl of Ross and lord of the Isles and of Lochaber, with consent of his council, to Malcolm Mackintosh of lands in Lochaber, viz: Dail an Duin Deirg, Brunachan, Tulloch, 'Invercam', Murlaggan, Glen Glas Dhoire, Cille Choiril, Bohenie, Bohasky, Auchaderry, Coille Chaoruinn, Bohuntine, 'Blairnafyngon', Bohuntine mor, Cranachan, Kep-poch, Achavady, Acha na Croise, (Allt) Bhreac Achaidh, Inverroybeg, Bo-loin, and Inverroymor in the sheriffdom of Inverness. Inverness, 11 February 1443/4.

Omnibus hanc cartam visuris vel auditoris Alexander de Yle comes Rossie et dominus Insularum et Lochaber eternam in Domino salutem. Noveritis nos ex matura deliberatione consilii nostri dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro Malcolmo M^cKintosh totas et integras terras nostras quadraginta marcarum infra scriptas videlicet de

Daliemeleg Braenuchan Tullochairder Invercam Murbalgane Glenglastour Kilkaraith Bothsyny Bothasky Achadoire Collicharam Bothynton Blairnafyngon Bothynton moir Tranothan Keppach Achadmaddy Achadnacrose Breagach Inverrowaybeg Bothlan Inverroymoire pro dimidia parte cum pertinenciis jacentes in dominio nostro de Lochaber infra vicecomitatum de Invernys pro suo fideli servitio nobis gratanter impenso et impendendo. Tenendas et habendas totas et integras prenomi-
natas terras ac pertinenciis prefato Malcolmo et heredibus suis masculis de nobis et heredibus nostris et successoribus in feodo et hereditate in perpetuum per omnes rectas metas suas antiquas et divisas in moris maresiis toftis planis viis semitis aquis stagnis pratis pascuis et pasturis molendinis multuris et eorum sequelis acupationibus venationibus piscariis petariis turbariis carbonariis farbrilibus et brasinis ac curiis et curiarum [exitibus] eschetis et bludwitis herezeldis mulierum merchetis arriagiis et carriagiis omnibusque aliis commoditatibus libertatibus et asiamentis ac justis suis pertinenciis quibuscumque tam subtus terram (sic) quam supra terram tam non nominatis quam nominatis ad dictas terras cum pertinenciis spectantibus seu quomodolibet spectare valentibus in futurum, adeo libere quiete integre honorifice bene et in pace sicut aliqua terra de dominio nostro Insularum datur et conceditur. Faciendo inde nobis heredibus nostris et successoribus dictus Malcolmus et heredes sui masculi servitium warde et relevii. Et nos Alexander de Yle comes ac dominus prefatus heredes nostri et successores predictas terras cum pertinenciis prefato Malcolmo et heredibus suis masculis ut prefetur in omnibus et per omnia ut predictum est contra omnes mortales homines et feminas warrantizabimus acquietabimus et pro perpetuo defendemus. In cuius rei testimonium sigillum nostrum appendi fecimus. Apud Innernys undecimo die mensis Februarii anno Domini millesimo quadringentesimo quadragesimo tertio. Presentibus ibidem Lachlano M^cGilleon domino de Dowart, Joanne (sic) Murchardi M^cGilleon domino de Canlochbouye, Joanne (sic) Lachlani M^cGilleon domino de Colla, Vylando de Cheshelm, Georgio Munro domino de Foulis, et Nigello M^cLoyd, consiliariis nostris et pluribus aliis.

SOURCE: SRO, GD 103/2/13/109 (Society of Antiquaries Collection). Nineteenth century transcript said to be copied from the original penes Mackintosh, lent by C. Fraser-Mackintosh not in GD 176.

PRINTED: *Clan Donald*, i, 533-4.

COMMENT: This is the only grant made by the lord of the Isles specifically as lord of Lochaber, but the same lands appear in no.88 described as being in that lordship. Malcolm Mackintosh was captain of clan Chattan (see app. C); in 1447 he obtained a grant of the office of bailie or steward of the lands of 'our lordship of Lochaber' (no.47). This charter contains the earliest reference to the consent of the council being given, and the witnesses are described as 'our councillors' (see Introduction, p.xlvi). Some of the places named are in Glenspean and some in Glenroy, both in Brae Lochaber, but they are not grouped separately; the important church site of Cille Choiril is one which is named on OS 6" but not on 1" maps. Identification can be difficult, but is sometimes helped by repetition in no.88 and no.A23 (e.g. Daliemeleg/Dailedonerderg/Daldundarg, opposite Inverlair on the Spean). Invercam, probably in Glenspean, is apparently Inverany of no.A23. Blairnafyngon, in Glenroy, is mentioned in *Mackintosh Muniments*, 586, as being in Kilmornaig parish; Thomson's *Atlas* sheet 24/6 shows Blarahinin on left bank of River Roy below Buchasie (Bohaskey).

43

Charter by Alexander, earl of Ross, lord of the Isles and baron of Kincardine, to Sir John Scrymgeour, constable of Dundee, of the Bordland and castle of Kincardine, reserving the green hill, Westmoston, Phesdo, Auchcaimie, Balmakewan with the mill reserving the annual rent, Pitgarvie reserving the annual rent of the cathedral of Brechin, 'Muirton', and the annual rent of 'Kirkhill' all in the sheriffdom of Kincardine. Inverness, 10 October 1444.

Omnibus hanc cartam visuris vel audituris Alexander comes Rossie dominus Insularum ac baro de Kincardin salutem in

Domino sempiternam. Noverit (sic) universitas vestra nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto et fideli nostro Johanni Skrimgeoure militi constabulario de Dunde nostro consanguineo carissimo pro suo fideli homagio et servicio nobis impensi et impendendis totas et integras terras et villas nostras cum annuo reddito et molendino subscriptis videlicet le Bordland cum duabus parkis muris circumdatis et castro eiusdem salvo nobis et heredibus nostris viridi monte infra dictum Bordland pro curiis nostris super eodem tenendis Wistmanstoun Fasdawach Achkarny Balma-kewin cum molendino eiusdem salvo jure annui redditus in quantum tenetur domino Roberto de Levingstoun et heredibus suis de eadem villa de Balm^cewin et molendino eiusdem Petgervy salvo jure annui redditus in quantum tenetur ecclesie cathedrali de Brechin le Muretoun et annum redditum viginti solidorum de Kirkhill cum pertinenciis omnium et singularum terrarum predictarum jacentium infra vicecomitatum de Kin-cardine. Tenendas et habendas totas et integras predictas terras cum pertinenciis predicto Johanne heredibus suis et assignatis a nobis^d et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis moris marresiis viis semitis aquis stagnis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupacionibus venacionibus et piscariis cum curiis et earum exitibus eschaetis merchetis et heriheldis (sic) cum bondis bondagiis nativis et eorum sequelis ac omnibus aliis et singulis libertatibus commoditatibus et aysiamentis ac justis pertinenciis suis quibuscumque tam non nominatis quam nominatis tam sub terra quam supra terram procul et prope ad predictas terras cum pertinenciis annum redditum et molendinum spectantibus seu juste spectare valentibus quomodolibet in futurum, adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut nos dominus Alexander aut predecessores nostri dictas terras annum redditum et molendinum pertinentes tenuimus seu possedit tenuerint seu possederint. Reddendo inde dictus Johannes heredes sui et assignati nobis et heredibus nostris wardam et relevium dictarum terrarum cum contigerit tam pro omni alio onere exactione seculari seu demanda que de dictis

terris cum pertinenciis per quoscumque exigi poterint quomodolibet vel requiri. Et nos vero dictus Alexander et heredes nostri totas et integras predictas terras anuum redditum et molendinum cum pertinenciis predicto domino Johanni heredibus suis et assignatis in omnibus et per omnia ut premissum est contra omnes mortales warantizabimus acquietabimus et imperpetuum sine fraude defendemus. In cuius rei testimonium sigillum nostrum presenti carte nostre est appensum. Apud Invernys decimo die mensis Octobris anno Domini millesimo quadringentesimo quadragesimo quarto. Coram hiis testibus reverendo in Christo patre ac domino Roberto episcopo Cathaniense, Alexandro de Suthirland magistro eiusdem, venerabili patre Finlao abbate de Fern, et Malcolmo M^ckintosch cum multis aliis.

SOURCE: SRO, C2/ii/133 (Great Seal Register) (confirmation of 3 November 1444).

PRINTED: RMS, ii, 281; *Clan Donald*, i, 534-5.

NOTE: *a.* RMS, ii, 281 has 'tenend a dicto comite de rege' but this is not in the MS. version.

COMMENT: The only grant made as baron of Kincardine, and also unusual in being confirmed by the king within a month. For Bordland see no.25 comment.

44

Precept of sasine addressed to Alexander Ogilvy of Inverquharity and Alexander Strachan of Thornton following no.43. Inverness, 10 October 1444.

Alexander de Ile comes Rossie dominus Insularum ac baro de Kyncardyn Alexandro de Ogiluy de Inourecharady et Alexandro Strathachyn de Thorntoun ballivis nostris in hac parte coniunctim et divisim salutem. Quia dedimus et hereditarie concessimus dilecto et fideli consanguinio nostro Johanni Scrymgeoure militi constabulario de Dundee totas et integras terras nostras et villas subscriptas cum molendino et annuo redditu viginti solidorum videlicet le Bordlande Wysmanstoun

Fastdawach Achcarny Balmakewyn cum molendino eiusdem Petgervy le Murtoun et annuo reddito vigenti solidorum de Kyrkhyl iacentes in baronia de Kyncardyn infra vicecomitatum eiusdem prout in tenore carte nostre inde sibi confecit clare potuit aparetur. Vobis igitur et vestrum cuilibet firmiter precepimus et mandamus quatinus dicto domino Johanni vel suo certo actornato latori presentium sasinam hereditariam et statum dictarum terrarum annuque redditus et molendini predictorum cum pertinenciis iuxta tenorem carte predictae visis presentibus tribuatis seu alter vestrum tribuat indilate. Ad quod faciendum vobis coniunctim et divisim nostram plenariam et liberam potestatem ac mandatum speciale committimus per presentes. In cuius sasine testimonium sigillum vestrum post nostrum seu sigilla vestra in secunda cauda salvo jure cuiuslibet ut est moris presentibus appendatis seu alter vestrum appendat. Datum sub sigillo nostro. Apud Invernys decimo die mensis Octobris anno Domini millesimo quadringentesimo quadragesimo quarto.

SOURCE: Original. SRO, GD 137/372I (Scrymgeour-Wedderburn Muniments).

DESCRIPTION: 20.3 × 13.4cm; 16.8 × 9.5cm; two tags, earl's seal only remains.

SEAL: style 2.

Note of a bond subscribed by the earl of Douglas with the earl of Crawford and Donald (sic), lord of the Isles. 7 March 1445.

'This zeire 1445 the Earle of Douglas Layes the Certaine fundatione of his auen destructione, wich was in solemly suering ane offensiu and defensiu Leauge & Combinatione against all none excepted (not the king him selue) with the Earle of Craufurd & Donald Lord of the Iles. wich wes mutually sealed and subscriued by them three the 7 day of Marche.'

SOURCE: NLS, Adv. MS. 33.2.15, i, p.157.

PRINTED: Balfour, *Annales*, i, 173.

COMMENT: Although all authorities agree on the importance of this alliance, they usually conclude that there was no written league. It is impossible to prove whether Balfour saw a document, but Gregory accepted his date (*History*, 40n), and a recent historian has commented that the political circumstances of 1445 make that a likely time for such an alliance to have been formed (Grant, 'Revolt', 172n). The date should probably be March 1445/6.

46

Precept by Alexander, earl of Ross, lord of the Isles and justiciar north of Forth, addressed to George Munro to give sasine to Alexander Marshall of the lands of Dochcarty in the earldom of Ross and sheriffdom of Inverness. Dingwall, 22 January 1446/7.

Alexander de Yle comes Rossie dominus Insularum ac justiciarius ex parte boreali aque de Forth dilecto nostro Georgeo de Monro ballivo nostro in hac parte salutem. Quia concessimus et hereditarie assignavimus dilecto armigero nostro Alexandro Marschael omnes et singulas terras de Davochcorty cum pertinentiis iacentes in comitatu nostro Rossie infra vicecomitatum de Invernys. Vobis igitur precipimus et mandamus quatinus dicto Alexandro vel suo certo actornato saisinam et statum hereditarium dictarum terrarum cum pertinentiis secundum tenorem carte sue quam inde habet de nobis factam visis presentibus iuste et sine dilacione tribuatis. Super qua saisina sic ut prenottitur per vos liberanda nostram plenariam vobis committimus potestatem per presentes quibus in testimonium saisine et possessionis per vos traditarum sigillum vestrum juxta nostrum appendatis. Datum apud Dingvale vicesimo secundo die mensis Januarii anno Domini millesimo quadringentesimo quadragesimo sexto.

SOURCE: Original. University of Western Australia (our attention was drawn to this document by Mrs Isabel A. Durack).

DESCRIPTION: 35 × 5·8cm; 32·4 × 2·8cm; two tags, no seal remains.

COMMENT: The Marshall family was important in Ross before the mid fourteenth century, but later apparently died out completely and are largely forgotten. In January 1350/1 Hugh Ross confirmed grants made by his father and brother earls Hugh and William of Ross of the lands of Balnagown to William Marshall and his wife Marion who was called the lady of Herdmanston and was apparently a Sinclair (SRO, GD 297/169), but in 1368 Marion, now a widow, returned them in an indenture (*ibid.* 170). After 1446/7 John Marshall of Dochcarty appears in a charter granted to the collegiate church of Tain on 3 December 1487 (*RMS*, ii, 1694) where he undertakes to provide 3 merks annually to support one of the three choristers. Dochcarty, resigned by Alexander Marshall, was given by the king to Andrew Monro of Milntown in 1505 (*RMS*, ii, 2830). Macgill (*Ross-shire*, ii, 1050) has a tradition in an eighteenth-century genealogy compiled by David Ross of Balnagown of the marriage (contract dated 1336) of Hugh Ross of Rarichies to Jean, daughter of William Marshall, although most sources mention only his marriage to Margaret Barclay of Urie.

47

Charter by Alexander, earl of Ross and lord of the Isles, to Malcolm Mackintosh of the office of bailie or steward of all the lands of the lordship of Lochaber. Dingwall, 13 November 1447.

Omnibus hanc cartam visuris vel auditoris Alexander de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos dedisse concessisse et hoc presenti scripto nostro confirmasse confidentissimo nostro consanguineo Malcolmo MacIntosche presentium conservatori totum et integrum officium balliatus seu senescallie omnium et singularum terrarum domini nostri de Lochaber. Tenendum et

habendum dictum officium cum omnibus et singulis pertinentiis ad dictum officium spectantibus seu juste spectare valentibus quomodolibet in futurum dicto Malcolmo MacIntosche ac omnibus suis heredibus masculis genitis seu generandis de nobis et omnibus heredibus nostris in feodo et hereditate in perpetuum, adeo libere pacifice bene et in pace sicut aliquod officium balliatus vel senescallie in toto regno Scotie alicui ballivo conceditur seu pro perpetuo in carta confirmatur. Quod quidem officium ut prefertur nos Alexander comes et dominus antedictus et heredes nostri antedicto Malcolmo et heredibus suis ut predicatur contra quoscumque mortales warrantizabimus acquietabimus et in perpetuum defendemus. In omnium premissorum testimonium sigillum nostrum presentibus appendi fecimus. Apud castrum nostrum de Dingvale decimo tertio die mensis Novembris anno Domini millesimo quadringentesimo quadragesimo septimo. His testibus Torquello MacLeoid domino de Leoghos, Johanni MacLeoid domino de Glenelg, Celestino de Insulis filio nostro naturali, Nigello Flemyng secretario nostro, et Donaldo Judice, cum diversis aliis presentibus.

SOURCE: NLS, MS. 2131, f.69 (copied by Donald Gregory from a notarial copy in the collection of Alexander Sinclair); SRO, RD 2/230²/1104 where the charter was registered on 23 August 1781. Not now in SRO, GD 176.

PRINTED: *Clan Donald*, i, 535. Abstract in *Mackintosh Muniments*, no.2.

COMMENT: For Malcolm Mackintosh see no.42 comment. In a Rose document of 22 June 1440 (see no.34 comment) Malcolm is described as bailie of Badenoch. For the witness Donald Judex, see app. C, under Brieve.

Note of a charter by Alexander, earl of Ross and lord of the Isles, to the abbey of Saddell confirming earlier grants by Reginald son of Somerled and John son of Angus and granting

the lands of Creag Bhan in Gigha and the island of Davaar. 1436(?) × 1449.

Royal charter of 1498 was to confirm to the abbey of Saddell in Kintyre . . . 'illas cartas confirmaciones et donaciones factas per quondam Alexandrum de Illis comitem Rossie et dominum Insularum prefate gloriosissimi virgine Marie et monasterio antedicto necnon abbacie et monachis in eadem Deo servientibus et imperpetuum servituris pro salute animarum in dicta carta specificatarum de omnibus et singulis terris vallis de Sagadull et vallis de Torsasdull et Ugladull duodecem mercatis terrarum de Baltebeani et viginti mercatis terrarum de Seskan in insula de Arane datis dicto monasterio per quondam Reginaldo Somerleti et de duabus mercatis terrarum nuncupat[is] Lesenmarg datum per quondam Johannem Angusii dominum Insularum et de duabus mercatis terrarum nuncupat[is] Cregban in insula de Giga et de insula de Sanctbaure situata prope ecclesiam sancti Kerani in Kintyre cum omnibus suis juribus pertinenciis et profitiis quibuscumque prout in carta Alexandri de Illis desuper confecit plenius continetur'.

Royal confirmation of 1507/8 confirms . . . 'evidencia factam per Alexandrum dominum Insularum de duabus mercatis terrarum nuncupat[is] Cragvane cum pertinenciis jacentes in insula de Giga et de insula de Sanctbarre cum pertinenciis jacentes apud loch Kilkerrane'.

SOURCE: SRO, RH6/64IB (Register House Charters); C2/xiv/408 (Great Seal Register) (confirmation dated 1 January 1507/8).

PRINTED: *RMS*, ii, 3170 (6).

COMMENT: The document dated 14 July 1498 is a precept under the signet addressed to William Elphinstone, bishop of Aberdeen, for a warrant under the privy seal for expediting a charter under the great seal, but it appears not to have gone beyond this stage until 1 Jan. 1507/8. But a Vatican confirmation dated 27 June 1393 (*HP*, iv, 147; *Clement VII Letters*, 193-4) states that Davaar had been given to Saddell by Christina daughter of Alan (see app. D, table 1/13, and

no.10). Davaar is Eilean Da-Bhaar (Watson, *CPNS*, 272), island of St Barr. Although not stated, it has been suggested that this grant may have brought the parish church of Kilchattan in Gigha to Saddell Abbey (Cowan, *Parishes*, 97; Brown, 'Saddell', 134).

49

Note of a charter by Alexander, earl of Ross, of the lands of Fingask, Aberdeenshire. 1438 × 1449.

4 November 1490: 'Thare was a charter productit on the behalf of our soverane lorde under the sele of Alexander of the Ilis erle of Ross [maid to umquhile Johne of Ogstoun of the Ilk]^a sumtime schewand that the said lands of Fingask with the pertinents were a tennandry of the said erledom of Ross.'

On 6 November 1490 James, earl of Buchan, protested that, although John Dempster of Ochterless produced a charter showing that the lands of Fingask were held of the earl of Ross and a decret was given upon it, nevertheless this should not prejudice his alleged right to half the superiority as 'ane tennandry of Kynedward'.

SOURCE: SRO, CS 5/2 ff.144, 152 (*Acta Dominorum Concilii*) (23 February 1489/90).

PRINTED: *ADC*, i, 161, 165.

NOTE: *a*. crossed out in the original.

COMMENT: The case before the lords of council in 1490 was brought by the king as tutor to James, duke of Ross, against William Keith, son and heir of Gilbert Keith of Inverugie, as bailie to Elizabeth, countess of Ross, for withholding part of the mails of Fingask. Kingedward was retained by John, lord of the Isles, in 1476 (no.A24) and Elizabeth's interests were safeguarded by charter (nos.A19, A27, A30). James, earl of Buchan, on 27 July 1490 received a charter of the baronial lands of Kingedward, resigned by John (no.A39), and though not concerned in this case he evidently wanted to press his rights.

John Ogstoun of Ogstoun died between 1438 and 1442 (*Aberdeen-Banff Ill.*, iv, 188; Douglas, *Baronage*, 187), which makes it possible to narrow slightly the dating limits of this charter; his son and heir Alexander sold Ogstoun in 1473 but still owned lands in Aberdeenshire near Tarves. Fingask lies about two miles west of Old Meldrum, and there is another place of the same name between Fraserburgh and Inverallochy.

50

Charter of confirmation by Alexander, earl of Ross, of two charters by the late William, earl of Ross, to Malmoran of Glencarnie: (1) of the lands of Dalnavert and Kinrara in Badenoch reserving one acre of land beside 'le stychan' where Scayth son of Farquhar had his manor house, undated; (2) the whole lands of Dalnavert, namely the acre formerly reserved, dated at Nairn 22 November 1338. Kessoek, 1439 × 1449.

Omnibus hanc cartam visuris vel audituris Alexander de Yla comes Rossie eternam in Domino salutem. Noveritis nos cartas Willelmi quondam comitis Rossie predicesoris nostri factas cuidam Malmorano de Glencharny non rasas non abollitas non cancellatas nec in aliqua sue parte suspectas vidisse inspexisse et ad plenum intellexisse quarum tenor sequitur in hec verba: Omnibus hanc cartam visuris vel audituris Willelmus comes de Ross salutem in Domino. Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Malmorano de Glencharny duas davatas terre nostre in Badenach videlicet davatam de Dalnafert et davatam de Kynrorayth cum omnibus suis pertinentiis et rectis divisio pro homagio et servicio suo. Reservata nobis et heredibus nostris nomine capitalis manerii una acra terre iacentis iuxta le stychan predicte ville de Dalnafert ex australi parte in qua situm fuit manerium quondam Scayth filii Ferchardi. Tenendas et habendas dicto Malmorano et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum in pratis et pascuis moris marresiis boscis et planis molendinis et brasinis et cum omnibus aliis libertatibus commoditatibus et asiamentis tam non nominatis quam nominatis, adeo libere quiete integre et honorifice sicut nos vel predicesores nostri

dictas duas davatas terre tenuimus vel aliquo tempore tenere potuimus. Reddendo inde nobis et heredibus nostris ipse et heredes sui duas marcas usualis monete annuatim scilicet medietatem ad festum Penthecoste et aliam medietatem ad festum sancti Martini in yeme et faciendo nobis et heredibus nostris ipse et heredes sui tres sectas curie nostre infra dictum manerium terre ad tria placita capitalia nostra ibidem tenenda cum nos ibidem sederemus et forinsecum servicium domini nostri regis quantum ad predictas duas davatas terre pertinet pro omnibus aliis serviciis exactionibus et secularibus demandis. Nos vero Willelmus comes de Ross et heredes nostri predicto Malmorano et heredibus suis predictas duas davatas terre in omnibus ut predicatur contra omnes homines et feminas warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium huic carta sigillum nostrum apposuimus. Hiis testibus domino Marco Dei gratia abbate Nove Firme, dompno Mauricio de Belliloco monacho, domino Willelmo de Mwbray milite, Johanne de Berclay, Willelmo thano de Caldor, Archibaldo de Clunace, et multis aliis. Tenor secunde carte talis est: Universis presentes litteras inspecturis Willemus comes de Ross salutem in Domino. Sciatis nos concessisse et ad feofirmam (sic) dimisisse Malmorano de Glencharny tota terram nostram de Dalnafert in le Badenach scilicet illam acram terre quam nos reservamus in carta infeodacionis dicti Malmorani de eadem prout plenius in dicta carta continetur. Tenendam et habendam inde sibi et heredibus suis de nobis et heredibus nostris ad feodofirmam imperpetuum. Reddendo ipse et heredes sui pro nobis et heredibus nostris duas marcas per nos debitas superiori domino de le Badenach quas nobis et heredibus nostris in carta infeodacionis dicti Malmorani reservamus et solvendo ipse et heredes sui sectatori nostro terrarum nostrarum scilicet de Kynroraich et Dalnafert pro tribus sectis per nos debitis ad tria capitalia placita de le Badenach per annum dimidiam marcam pro omnibus exacionibus et secularibus demandis. In cuius rei testimonium presentibus sigillum nostrum apposuimus. Datum apud Narn vicesimo secundo die mensis Novembris anno Domini millesimo tricentesimo tricesimo octavo. Quas quidem cartas in omnibus punctis suis et articulis clausis condicionibus et

circumstanciis universis forma pariter et effectu nos Alexander comes Rossie pro nobis heredibus nostris et successoribus comitibus Rossie approbamus ratificamus et per presentes imperpetuum confirmamus salvis nobis serviciis debitis et consuetis et faciendo domino nostro regi forinsecum servicium quantum ad dictas terras pertinet. In cuius confirmacionis nostre testimonium sigillum nostrum appendi fecimus. Apud Kessok. Hiis testibus Celestino de Insulis nostro filio, Johanne M^Cleoid de Glenelg, Torquello M^Cleoid de Leohos, Johanne de Ross de Balnagowin, Georgio de Monro de Fowlis, Negello M^Cleoid senescallo nostro, et Negello Flemyng secretario nostro, cum multis aliis.

SOURCE: Original. SRO, GD 44/10/1/1 (Gordon Castle Muniments).

PRINTED: *Spalding Misc.*, iv, 125; *Clan Donald*, i, 530-1.

DESCRIPTION: 27.6 × 22.6cm; 24.8 × 15.9cm; one tag and seal.

SEAL: style 2.

NOTE: The appearance of John Ross of Balnagown as a witness suggests a date later than 20 April 1439 when his father was still alive (nos.28, 31).

COMMENT: Badenoch was included within the Randolphs' earldom of Moray, and it appears that William, earl of Ross, was their tenant in the lands of Dalnavert and Kinrara. His sister Euphemia was the wife of the third earl of Moray who died at Neville's Cross in 1346 (*SP*, vi, 296-7). Glencarnie, now obsolete, was the name of a barony or lordship which lay mostly in the parish of Duthil, with a castle on the west bank of the Spey near the crossing at Boat of Garten (Fraser, *Grants*, i, xlv-viii). Matilda of Glencarnie was mother of Duncan Grant, later designated of Freuchie, who in January 1434/5 was her heir in certain lands (*ibid.*, iii, 18); in 1478 Duncan's son John Grant was given Kinrara and other lands in liferent by George, earl of Huntly (*ibid.*, i, 69). The name Scayth has been taken to indicate a Shaw, but A. M. Mackintosh (*M and CC*, 407, 424) thought he was probably a Mackintosh designated by his forename. Professor Barrow suggests that 'stychan' may be for Gaelic *stùcan*, a hillock or conical hill.

JOHN
1449-1493

Charter by John, earl of Ross and lord of the Isles, to Alexander Sutherland of Dunbeath of the lands of Easter Kindeace in the earldom of Ross, sheriffdom of Inverness, resigned by Thomas Fenton of Ogil. Inverness, 13 August 1449.

Omnibus hanc cartam visuris vel auditoris Johannes de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Noverit (sic) universitas vestra nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro consanguineo Alexandro de Suthirlande de Dunbeth omnes et singulas terras de Estyrkyndeis cum pertinenciis iacentes in comitatu nostro Rossie infra vicecomitatum de Invernys pro suo homagio et fidei servicio. Quequidem terre fuerunt quondam Thome de Fentoune de Ogil et quas idem Thomas non vi aut metu ductus nec errore lapsus sed mera et spontanea voluntate in manus nostras per fustem et baculum resignavit puere et simpliciter ac totum jus et clameum quod habet habuit vel habere potuit pro se et heredibus suis omnino quitclamavit. Tenendas et habendas dictas terras de Estirkyndeis cum pertinenciis prefato Alexandro de Suthirlande heredibus suis et suis assignatis de nobis et successoribus nostris comitibus Rossie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis et planis moris et maresiis aquis et staugnis (sic) viis semitis pratis pascuis et pasturis venacionibus aucupacionibus piscariis et falconibus molendinis brasinis curiis et earum exitibus placuis et querelis herezeldis bludwitis et marchetis mulierum et cum omnibus aliis commoditatibus libertatibus et aysiamentis ac justis suis pertinenciis quibuscumque tam non nominatis quam nominatis ad dictas terras de Estirkyndes cum pertinenciis spectantibus seu quoquomodo spectare valentibus in futurum, adeo libere quiete plenarie et honorifice bene et in

pace sicut nos vel antecessores nostri dictas terras de Estirkyndes cum pertinenciis liberius quietius plenius et honorificencius tenuimus vel possidere potuimus faciendo inde prefatus Alexander heredes sui et assignati forinsecum servicium domini nostri regis quantum ad dictas terras cum pertinenciis pertinet. Et reddendo nobis et successoribus nostris comitibus Rossie tres sectas curie annuatim ad curias nostras de Kynnardy pro omni alio onere servicio exactione seu demanda seculari que de dictis terris cum pertinenciis exigi poterunt vel requiri. Et nos vero Johannes comes Rossie et successores nostri comites Rossie predictas terras de Estyrkyndeis cum pertinenciis in omnibus et per omnia ut predictum est prefato Alexandro de Suthirlande heredibus suis et suis assignatis contra omnes homines et feminas mortales warandizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre sigillum nostrum appendi fecimus. Apud Invernys decimo tercio die mensis Augusti anno Domini millesimo quadringentesimo quadragesimo nono. Presentibus ibidem Johanne Stewart domino de Lorn, Lachlanno M^cgilleoin de Dowarde, Johanne Murchardi M^cgilleoin de Fynschenys, Johanne Lachlanni M^cgilleoin de Colla, Willelmo thano de Caldor, magistro Thoma Lochmalony cancellario ecclesie Rossensis, Andrea Rede preposito burgi de Invernys, et Alexandro Flemyng de Perth, cum diversis aliis in testimonium vocatis.

SOURCE: Original. Cawdor Castle, Bundle 139.

PRINTED: *Cawdor Book*, 16; *Invernessiana*, (translation only) 116; *Clan Donald* i, 535-6, from *Invernessiana*.

DESCRIPTION: 32.5 × 14.5cm; 27.9 × 10.5cm; one tag and seal.
SEAL: style 1.

COMMENT: This grant may be connected with the agreement of 1439 (no.29). Thomas Fenton of Ogil owned lands in Tannadice parish in Angus, and was a relative of William Fenton of that ilk whose sister Janet married Hugh Fraser of Lovat in 1415 (*RMS*, ii, 178). Easter or Little Kindeace in Nigg parish was later renamed Ankerville, and Wester or Meikle Kindeace became Bayfield (Watson, *PNRC*, 53; see also no.77 comment). For Kinnairdie see no.23. This is the only charter in which John

Stewart, lord of Lorn, appears as a witness, but he sat on the earl's council at Dingwall on 28 May 1450 (no. 54).

52

Precept of sasine addressed to George Munro of Foulis following charter no. 51. Inverness, 13 August 1449.

Johannes de Yle comes Rossie et dominus Insularum Georgeo de Monro de Fowlis ballivo nostro in hac parte salutem. Quia per resignacionem Thome de Fentoune de Ogil concessimus per cartam nostram dilecto nostro consanguineo Alexandro de Suthirlande de Dunbeth heredibus suis et suis assignatis omnes et singulas terras nostras de Estirkyndes cum pertinenciis jacentes in comitatu nostro Rossie infra vicecomitatum de Invernys prout tenore carte sue eidem inde confecte clare poterit appetur. Vobis igitur mandamus et firmiter precipimus quatinus eodem Alexandro de Suthirlande vel suo certo actornato latori presentium saisinam et statum hereditarium dictarum terrarum de Estirkyndeis cum pertinenciis visis presentibus deliberetis indilate salvo jure cuiuslibet ut moris est. Ad quod faciendum vobis nostram plenariam et liberam potestatem ac mandatum speciale committimus per presentes. Et in signum dicte saisine per vos tradite sigillum vestrum in secunda cauda post nostrum apponatis. Datum sub sigillo nostro apud Invernys decimo tercio die mensis Augusti anno Domini millesimo quadringentesimo quadragesimo nono.

SOURCE: Original. Cawdor Castle, bundle 139.

DESCRIPTION: 31 × 7.5cm; 27.8 × 3.8cm; two tags and seals.

SEAL: Earl's seal style 1 and seal of George Munro of Foulis.

53

Note of a charter by John, earl of Ross and lord of the Isles, to Andrew Ostillar, burgess of Forres, of the lands of Kinnudie in the sheriffdom of Nairn. 1449/50.

'William thane of Caldor sheriff of Narn and bailie in that part of John de Ile earl of Ross and lord of the Isles makes known that, in terms of letters patent of the said earl for giving sasine to Andrew Ostillar burgess of Fores of the lands of Kinowdy with the pertinents in the said sheriffdom of Narn, he has delivered to the said Andrew sasine of the said lands by earth and stone on the ground thereof according to the tenor of a charter of new investiture granted to him by the said earl. At Kinowdy on the 16th of March 1449. Witnesses William Fleming burgess of Narn, William Caldor, Donald Kannyth, Robert Anderson, Gillebryde Beg, John McGillemachale and many others.'

SOURCE: SRO, RH6/322, original certificate of sasine, following letters patent by John. Original text is poor and the SRO summary is given here.

SEAL: The seal of William of Cawdor illustrated in *Cawdor Book*, 15, is said to have come from this document but is no longer on it.

COMMENT: For Andrew Ostillar see app. C.

54

Notarial Instrument narrating that John Ross of Balnagown with Alexander MacCulloch of Plaids, Henry Gray vicar of Kilmuir and Christian Foras burgess of Tain, appeared before John, earl of Ross and lord of the Isles, and his council in the earl's chamber of the castle of Dingwall, and deponed that a charter by the late William, earl of Ross, son and heir of Hugh, earl of Ross, of the lands of Ospisdale and Invercassly in Ferincoskry in the earldom of Sutherland to the predecessors of John Ross was not cancelled and had been in the custody of Christian Foras for 24 years and of Henry Gray for 4 years. Dingwall, 28 May 1450.

In Dei nomine Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno ab incarnatione Domini millesimo quadringentesimo quinquagesimo indictione decima tertia pontificatus sanctissimi in Christo patris ac domini nostri

domini Nicholai divina providencia pape quinti anno quarto die verso mensis Maii vicesimo octavo in camera vulgariter dicta camera comitis infra clausuram castris de Dingvale Rossensis diocesis sicutuata hora quasi undecima ante meridiem in magnifici ac potentis domini Johannis comitis Rossie Insularumque domini mei notarii publici et testium subscriptorum presencia specialiter ad hoc vocatorum personaliter constitutus nobilis vir Johannes Ross dominus de Balnagowine palam et publice secum importavit honorabiles ac discretos viros Alexandrum McCulloch dominum de Pladdis, dominum Henricum Graa vicarium de Kilmuir, et Cristinum Foras burgensem ville de Tayne, seriatim examinatos per dictum magnificum et potentem dominum Johannem comitem Rossie et consilium suum deponentes de et super quadam carta nomine albe firme predecessoribus dicti Johannis Ross et sibi tamquam uni heredi illorum data concessa confecta necnon et sigillo sigillata per magnificum dominum Willelmum olim comitem Rossie filium et heredem Hugonis predecessoris sui dudum comitis Rossie militis de omnibus et singulis terris de Olsbustule et Innerwyrastelaye cum pertinenciis iacentibus in Farnacoskyre in comitatu Suthirlandie infra vicecomitatum de Invernys. Qui quidem deponentes de speciali mandato antedicti Johannis comitis Rossie tactis per ipsos sacris Dei ewangelis unanimiter deposuerunt videlicet quod ipsi dictam cartam sigillatam modo et forma quibus recitatur supra non rasam non cancellatam nec in aliqua sui parte suspectam sed omni prorsus vicio et suspitione carente sanam et integram viderunt palparunt et inspexerunt necnon quod dicta carta in custodia dicti Christini Foras per viginti quatuor annos remanebat et fere per quatuor annos in custodia dicti domini Henrici vicarii de Kilmuir super quibus examinatione et deposicione factis et per predictum magnificum dominum Johannem comitem Rossie receptis et admissis pretactus Johannes Ross a me notario subscripto petiit sibi fieri instrumentum seu instrumenta publicum seu publica acta fuerunt hec omnia prout suprascibuntur et recitantur sub anno Domini indictione pontificatu mense die loco et hora supradictis. Presentibus tunc ibidem honorabilibus dominis ac circumspectis viris Johanne Steuart domino de Lorne, Lachlano

M^cgilleoin domino de Douarte, Willelmo thano de Caldore, et Johanne M^cgillione de Colla, Rollando filio Alexandri, cum diversis aliis testibus ad premissa vocatis specialiter que rogatis.

Et ego Thomas White clericus Sanctiandree diocesis publicus autoritatibus et imperiali notarius (etc.).

SOURCE: SRO, GD 297/191 (J. & F. Anderson Collection).

COMMENT: This is the only known record of a meeting of the council. Because of the place of meeting and the lands involved, it may be an earl's council for Ross rather than an island one, but apart from William of Cawdor the witnesses are from the lordship – Rolland (i.e. Lachlan) son of Alexander has not been identified but looks like a westerner. See no.31, and for Ferincoskry see comments on nos.19, 82.

55

Retour before Celestine of the Isles, deputy sheriff of Inverness and lieutenant of John earl of Ross and lord of the Isles, finding John MacCulloch heir to Alexander his father in the lands of Scardy, Pithogarty, Balkeith, Pitnellies, and Balcherry and in the office of bailie of Tain and of the sanctuary of St Duthac in the earldom of Ross, sheriffdom of Inverness. Dingwall, 10 November 1450.

Hec inquisitio facta fuit apud Dyngwall decimo die mensis Novembris [anno]^a Domini millesimo quadringentesimo quinquagesimo coram Celestino de In[sulis]^a vicecomite deputato de Invernes ac locum tenentem magnifici et pot[enti]^a domini Johannis de Ila comitis Rossie domini Insularum per person[as in]^afrascriptos videlicet Johannem Ross dominum de Rariches, Johannem M^cloid, Johannem Tulloch dominum de Ester Ard, Johannem de Munro, Thomam Man, Robertum Patrici Tenand de Petfuir, dominum de Caldell, Alexandrum M^cmicHELL de Lytill Allan, Georgium M^cCulloch, Johannem Steinsoun, Gulielmum Gibsoun, Malcolmum Mabrici, Henericum Bean, Andream Rogeri, Gillichrist M^cmiren, qui jurati inter se inveniunt quod quondam Alexander M^cCulloch pater Johannis

M^cCulloch latoris presentium obiit ultimo vestitus et sasitus ut de feodo ad pacem et fidem supremi domini nostri regis de omnibus et singulis terris de Skardie de Plaidis de Pittogartes de Ballacuth de Petnellis et de Ballagerie cum pertinenciis una cum officio ballivatus ville de Tayne et immunitas sancti Duthaci eiusdem jacentibus in comitatu Rossie et infra vicecomitatum de Invernes. Et quod dictus Johannes est legitimus et propinquior heres dicti quondam Alexandri M^cCulloch sui patris de dictis terris et officio et quod est legitime etatis et quod dicte terre cum dicto officio ballivatus tenentur in capite de comite Rossie in fewdifirma. Reddendo ex supradictis terris et officio antedicto cum pertinenciis quinque marcas monete regni Scotie annuatim capellano in ecclesia sancti Bonifacii Rossensis Deo servienti tantum ad duos anni terminos videlicet festo Penthecostes et sancti Martini in hieme per equales portiones et quod dicte terre cum dicto officio cum pertinenciis valent nunc per annum summa viginti quatuor marcarum regni Scotie et tempore pacis summa duodecim marcarum monete predicte. In cuius inquisitionis testimonium sigilla antedictorum qui dicti inquisitioni intererant fuit appensa una cum sigillo Georgii Monro notarii publici ballivi in hac parte. Clausa est anno die mensis loco quibus supra.

SOURCE: SRO, SC 29/1, f.1 (Inverness Sheriff Court Book); a copy is in the John MacGregor Collection (GD 50/71).

NOTE: a. Words in brackets are missing owing to a tear at the edge of the page of the book.

COMMENT: This is one of two retours held in Dingwall before John's half-brother Celestine (for whom see app. D, table 6/2), the other being in 1461 as sheriff (no.71). Three members of the inquest are common to both – John Ross of Rarichies/Balnagown (see no.31), John Tulloch of Easter Ard, and Thomas Man. For MacCulloch and his office see nos.23, 28, 69. The church of St Boniface was almost certainly Rosemarkie; in 1380 a grant was made by Euphemia and Walter Leslie to support a chaplain in the chapel of St Boniface near the town of Rosemarkie (SRO, GD 93/12). For place-names cf. no.23.

Precept by John, earl of Ross and lord of the Isles, addressed to Hugh Munro to give sasine to John, son and heir of George Munro of Foulis, of the lands of Easter and Wester Foulis, Katewell, Logie, Contullich, Meikle(?) Daan, Carbisdale, and Inverlael in the earldom of Ross and sheriffdom of Inverness, following an inquest. Dingwall, 4 August 1453.

Johannes de Yle comes Rossie et dominus Insularum Hugoni de Monro ballivo nostro in hac parte salutem. Quia per nostram inquisitionem alias apud pontem de Alnes factam per vos de mandato nostro noster consanguineus Johannes de Monro filius quondam nostri consanguinei Georgei de Monro de Foulis inventus est legitimus et propinquior heres dicti quondam patris suis ut in litteras dicte inquisitionis plenius continetur de et super omnibus et singulis de Estir et Vester Fowlis Cachoil Logy Contolich Dachane Carbistil et Innerlayoun cum pertinenciis iacentibus in comitatu nostro Rossie infra vicecomitatum de Invernys et quod dictus Johannes de Monro est legitimus etatis cuius ut in forma capelle nostre. Vobis igitur firmiter precipiendo mandamus quatinus visis presentibus saisinam et statum hereditarium dicto Johanni de Monro de omnibus et singulis terris antedictis cum pertinenciis salvo jure cuiuslibet ut moris est tribuatis. Ad quod vero faciendum vobis in hac parte nostram plenariam committimus potestatem. Et in signum dicte saisine per vos tradere sigillum vestrum in secunda cauda post nostrum appendatis. Datum sub sigillo nostro apud Dingvale quarto die mensis Augusti anno Domini millesimo quadringentesimo quinquagesimo tercio.

SOURCE: Original. SRO, GD 93/19 (Munro of Foulis Muniments).

PRINTED: *Munro Writs*, no.19 (abstract).

DESCRIPTION: 28 × 7.8cm; 25.6 × 4.4cm; two tags, one with seal of Hugh Munro.

SEAL: Earl's seal style 2.

COMMENT: George Munro of Foulis is said to have been killed in a skirmish at Bealach nam Broig (or Bealach na Broige) near

Ben Wyvis in 1452 (*The Munro Tree*, ed. R. W. Munro (Edinburgh, 1978), 9), but the details have been disputed and the event dated much earlier (Matheson, 'Mackenzies', 204-5). The bridge of Alness was evidently an important landmark (see no.30); one version of the *Chron. Ross* says that William, earl of Ross, built the brig of Alness, but another amends this to kirk. Regarding Dachane, Dachynmore and Dachynbeg in Vestray (Edderton parish) were in 1350 the subject of charters granted by William, earl of Ross, and his brother Hugh respectively (*Munro Writs*, no.4; Balnagown charters per *OPS*, ii, 415); Dachynmore was granted by the same earl to Hugh Munro in 1371 (*Munro Writs*, no.8), so it is probably the place referred to here. Innerlayoun, also in the 1371 grant, is Inverlael in Lochbroom parish (*Munro Writs*, nos.10, 53, etc; Watson, *PNRC*, 253).

57

Note of a charter by John, earl of Ross, to John Ross of Balnagown of the lands of Mudh-a-Blair and Greenyards in Strathcarron, and of Tuiteam Tarbhach, Langwell, and Amat in Strathoykell. 6 September 1454.

'Charter by John of the Isle Earle of Ross to John Ross of Balnagown of the lands of Moyblaire Grunzards in Strathcarron and Tutuntavoch Langwell and Amat or Amond in Strathoikel.'

SOURCE: SRO, GD 297/217 (J. & F. Anderson Collection). Inventory of writs of the lands of Rarichies, etc., 1333-1687.

COMMENT: The inventory was compiled in the late seventeenth century and has place-name forms of that period. This must be the document cited in Laing, *Seals*, i, no.452, as 'charter by John earl of Ross, lord of the Isles, to John Ross lord of Balnagown of the lands of Daynbeg, Memblayne, etc., A.D. 1454 - Balnagown Charters'. The lands of Daane were included with 'Moyzeblary, Croinzneorth, Tittumtarwauch, Langort And Amayde' in a charter of James I on 20 March 1429/30 (*RMS*, ii,

147), and were probably omitted in error in the inventory. The original charter is no longer with either SRO collection of Balnagown papers.

58

Demission by John, earl of Ross and lord of the Isles, of grants made by his predecessors to the abbot and abbey of Paisley of the rectories of the churches of Kilkerran and Kilcalmonell in Kintyre and Knapdale in the diocese of Argyll. Eilean da Ghallagan, 21 May 1455.

Johannes de Yle comes Rossie et dominus Insularum universis et singulis ad quorum noticias presentes littere pervenerint salutem in omnium salvatore. Noverit universitas vestra nos dimisisse necnon per presentes libere quiete et pacifice dimittimus venerabilibus et religiosis viris abbati et conventui de Pasleto presentibus conservatoribus ob reverentiam gloriam et honorem omnipotentis Dei ac beatissime virginis Marie matris eius et sancti Mirini omniumque sanctorum rectorias ecclesiarum sancti Kylkeran et Colmaneli in Kyntire et Knapdal Ergadiensis diocesis per predecessores nostros eisdem pro salute animarum ipsarum et nostra concessas temporibus retroactis sicut in cartis super hoc confectis plenius continetur permittentes eisdem abbati et conventui dictas rectorias assedare et de eisdem libere disponere et providere futuris temporibus sicut eis melius videbitur expedire atque mandantes firmiter et districte universis et singulis nostris hominibus quatenus prefatis domino abbati et conventui aut eorum procuratoribus in hac parte in assedatione dictarum ecclesiarum nullum impedimentum prestare presumant sub pena omnique erga nostram donationem amittere poterint quouismodo. In cuius rei testimonium nostrum sigillum presentibus est affixum. Datis apud Cleandaghallagan^a in Knapadal xxi^o die mensis Maii anno Domini millesimo quadringentesimo quinquagesimo quinto.

SOURCE: NLS, Adv. MS. 34.4.14, ff.109v.-110 (Paisley cartulary).

PRINTED: *Paisley Reg.*, 156; *Clan Donald*, i, 536-7.

NOTE: *a.* Initial letter 'C' making 'Cleandaghallagan' in Paisley cartulary is clearly a misreading.

COMMENT: The grant of Kilkerran was made by Angus, son of Donald of the Isles, confirmed by the bishop of Argyll in 1253 and by Pope Clement IV in 1265 (*OPS*, ii, 13). Kilcalmonell was first granted by Dougal, son of Sween, and confirmed by Pope Innocent IV in 1247, a later grant by the same Dougal being confirmed by the bishop and by Walter Stewart, earl of Menteith, in 1262 (*ibid.* 27-28). Disputes arose over both churches with the bishop of Argyll, both before and after this confirmation (*ibid.*, 14-15, 28). There can be no doubt about the identification of this island in West Loch Tarbert, where some foundations of buildings still remain (*PSAS*, xxviii, 16-18; information from Mr Ian Fisher).

59

Precept by John, earl of Ross and lord of the Isles, addressed to Walter Stewart to give sasine to Elizabeth, wife of the granter, of joint infestment of the lands of Kingedward in the earldom of Buchan, sheriffdom of Aberdeen. Inverness, 2 September 1455.

John of Ile erle of Ross and lorde of the Ilis to our luffyd Walter Stewart our bailze of our landis of Kynedwart gretyng. Forthy that we have gevyn and grantyd be our letteris to our derraist spouse Elizabeth joynt feftment of our forsaid landis of Kynedwart liande in the erldome of Buchane within the shiradome of Aberdein as be the tenor of our letteris made therapoun mayr fulleli is contenynt. To zou we bid and commawndis thir letteris sene withoutyn delay ze gif saisin and state as of joynt feftment of our forsaid landis of Kynedwart with the pertinentes to our forsaid spouse or to hir procuratouris or attorneyis beraris of thir letteris eftir the tenor of our evident made therapoun. To the quhilk thing to be done we commit to zou full power and speciale mawndment. And in taykyn of saisin be zou gevyn your seile in the seconde taill eftir ouris for our forsaid spouse perpetually to endure ze toput. Gevyn under our seile at the

burgh of Invernys the second day September the zer of our Lorde jm foure hundreth fifty and fyve zer.

SOURCE: Original. Cawdor Castle, bundle 8.

DESCRIPTION: 22·8 × 11·8cm; 19·4 × 6·8cm; two tags, only one seal remains.

SEAL: Earl's seal style 2.

COMMENT: Kingedward was in ward of the crown while John was a minor (*ER*, v, 462, 516; vi, 158); for its history see Introduction, pp. xxxv-xxxvi.

60

Note of a charter by John, earl of Ross and lord of the Isles, to Niall MacTorquil Vc Neill, constable of Castle Sween, of parts of the lands of Ardaily, Ardacha, Druimyeon more, 'Aryduirmegynche', 'Foiryfown', and Ardlamey in the island of Gigha. November 1455.

Inventory: '— Nov 1455 Charter of above lands (24 June 1440) and offices by John of Ilay to Niall McTorquil VcNeill.'

OPS: 'In 1455 John of Yle, Earl of Ross and Lord of the Isles, confirmed to Neill McTorquell McNeill, his constable of Castle Ssyn one eighth part of Arydalych, an eighth of Arydagh, two eighths of Drumyhaynvoir, an eighth of Aryduirmegynche, an eighth of Foiryfown and an eighth of Arydglannich, all in Gigha which had been granted to Neill's father Torquell Macneill by John's father Alexander of Yle, Earl of Ross and Lord of the Isles.'

SOURCE: Campbell, 'MacNeill Inventory', 122; OPS, ii, 258 n12 cites MacNeill charters.

COMMENT: For the source see no. 33 comment; here there is also confirmation from OPS. For Gigha place-names cf. Anderson, *Gigha*. The site of Ardacha is named on OS 6" 1st edn. Argyll sheet ccxxxiv. 'Aryduirmegynche' may be later Garbachadh,

near the N end of the island (Anderson, 75); 'Foiryfown' unknown (*ibid.*) Ardlamey is Ardaglammy in Langlands 1801 map. For Sween cf. nos. 33, A35.

61

Charter by John, earl of Ross and lord of the Isles, to Somerled, son of John son of Somerled, of the davach land of Glen Nevis and the office of Toiseachdeor of all lands in Lochaber except those owned by Lachlan MacLean of Duart. Dingwall, 20 April 1456.

Universis pateat per presentes nos Johannem de Yla comitem Rossie et dominum Insularum dedisse et concessisse necnon damus et concedimus per presentes dilecto armigero nostro Somerledo Johannis Somerledi presencium conseruatori davatam terrarum nostrarum de Glenyves cum pertinenciis unacum officio quod vulgariter dicitur tocheachdeora omnium terrarum nostrarum de Lochabria quarumcumque exceptis terris alumpno nostro Lachlano Makgilleoni de Doward in Lochabria pertinentibus. Tenendas et habendas predictas terras et officium predicto Somerledo cum omnibus pertinenciis et fertilitatibus quibuscumque et per omnes suas rectas metas et divisas antiquas vite temporibus ipsius Somerledi duraturis. Et post eius decessum dictam davatam de Glenyves et officium cum pertinenciis filio seniori ipsius Somerledi qui pro tempore fuerit ad quinquennium immediate inde sequens eisdem modo forma et effectu. Quibus supra concedimus per presentes pro suis homagiis et fidelibus serviciis nobis et heredibus nostris contra quoscumque mortales bene et fideliter impendentibus durante tempore prenotato. In cuius rei testimonium sigillum nostrum presentibus affigi fecimus. Apud Dyngvale vicesimo die mensis Aprilis anno Domini millesimo quadringentesimo quinquagesimo sexto.

SOURCE: SRO, RHI/2/240 (nineteenth-century transcript from original in the possession of James Grant, W.S.); NLS, MS.

2135, f.285 (reference only, which Donald Gregory cites from Glennevis Writ).

COMMENT: For the office of Toiseachdeor see Introduction, p.li. Referring to this charter, Cosmos Innes (*Legal Antiquities*, 81-82) mentions an agreement of 1552 in Scots between George, earl of Huntly, and Donald MacAlister MacSoirle of Glennyves, whereby the latter (probably a grandson of Somerled to whom this charter was granted) was to resign his lands into the Queen's hands in favour of Huntly, who then granted a feu charter in Latin to '*dilecto nostro Donaldo MacAlister McTosche*' and his heirs. The office bestowed by the lord of the Isles on Somerled had apparently not been forgotten.

62

Notarial instrument narrating that Gilbert, son of Bean, priest of Moray diocese procurator for Malcolm Mackintosh, lord of Moy and Keppoch in the lordship of Lochaber and perpetual steward of the same, appeared before John, earl of Ross and lord of the Isles, requesting that the lands of Keppoch and Moy and the office of steward recognised by John be set in pledge to Torquil MacLeod of Lewis and Alexander MacIain of Ardnamurchan on behalf of Malcolm. Torquil and Alexander are ready to receive the lands and office until it be discovered before King James (or other judge) how Malcolm had forfeited them. John refused and Gilbert requested the notary to take instruments. Finlaggan, 14 June 1456.

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno a nativitate Domini millesimo cccc^{mo} lvj quarta decima vero die mensis Junii indictione quarta pontificatus sanctissimi in Christo patris ac domini nostri domini Kalisti divina providencia pape tercii anno secundo. In presencia magnifici et potentis domini Johannis de Yle comitis Rossie et domini Insularum meique notarii publici et testium subscriptorum personaliter constitutus discretus vir dominus Gilbertus Beani presbiter Moraviensis diocesis procurator et procuratorio nomine honorabilis viri Macolmi Mcintoshich

domini de Moye et de Keppach cum suis pertinenciis infra dominium terrarum de Lochabria necnon seniscalli perpetui earundem produxit evidit et per me notarium infrascriptum perlegi fecit quoddam procuratorium papireum in anglico dictamine editum et formatum vero sigillo predicti Macolmi M^cinthosych sigillatum cuius procuratorii tenore et virtute ipse dictus dominus Gilbertus procurator et procuratorio nomine dictas terras de Keppach et de Moye cum pertinenciis ac officium seniscallatus predictarum terrarum de Lochabria a prefato domino comite aliter per ipsum in suis manibus recognitas suo more secundum vim formam communem legum regni Scotie ex et pro parte predicti Macolmi M^cinthosych instanter in forma debita post secundo et tercio ad plegium humiliter dimitti peciit et requisivit plegiis quibusdam tanquam procuratoribus in predicto procuratorio expresse nominatis videlicet honorabilibus viris dominis Torkello M^cLoyd de Leows et Alexandro M^caine de Ardnamurchyn quosquidem dominos ipse dictus dominus Gilbertus procuratorio nomine predicto domino comiti nomine et ex parte dicti Macolmi M^cinthosych pro predictis terris plegios devenire offerebat. Quiquidem domini Torkellus et Alexander dictas terras cum pertinenciis et officium supradictum nomine dicti Macolmi a dicto domino comite ad plegium prompti et parati recipere fuerunt dum et quousque imposterum cognitum et inventum foret coram excellentissimo principe domino nostro Jacobo Scotorum rege aut alio quocumque legali iudice non suspecto per partes ad hoc electo in forma communis legis regni Scocie ibidemque determinatum fuisset ubi quomodo quando aut in quibus ipse dictus Macolmus M^cinthosych deliquendus forisfecit aut transgressus fuit contra predictum dominum comitem suam dominacionem aut maiestatem in aliquo etc. Quasquidem terras et officium sic ut premittitur huiusmodi ad plegium petitas et petitum antedictus dominus comes quomodo ad plegium dimittere denegavit. Super quaquidem denegatione ipse dictus dominus Gilbertus procuratorio nomine quo supra a me notario publico sibi fieri peciit publicum instrumentum seu publica instrumenta. Acta fuerunt hec in capella sancti Finlacani in Yle sub anno die mense indicione et

pontificatu supradictis. Presentibus ibidem honorabilibus viris Alexandro Flemyng armigero, Duncano M^cohanak, Jacobo Wyke clerico dicti domini comitis, et domino Duncano Obrolchan notario publico, testibus cum multis aliis ad premissa vocatis specialiter et rogatis.

Et ego Beanus Patricii presbiter Moraviensis diocesis auctoritate imperiale notarius (etc.).

SOURCE: Original instrument. SRO, GD 176/4 (Mackintosh of Mackintosh Muniments).

PRINTED: Abstract in *Mackintosh Muniments*, no.4 (see below).

COMMENT: The editor of *Mackintosh Muniments* has confused both place and date of this document and the two following. His no.3, which he dates 9 June and places first in the series, should be dated 19 June and placed last. Nothing more is heard of this case in the Mackintosh muniments, but according to Mackintosh, *M and CC*, 77n, infeftment was given on 18 July 1456; the office of bailie was confirmed to Malcolm's son Duncan by November 1466 (no.88). The appointment of a Toiseachdeor of lands in Lochaber (no.61) may have some bearing on Mackintosh's plea; he was more successful in an appeal to the earl of Huntly a year later regarding lands in the sheriffdom of Nairn (*Mackintosh Muniments*, no.6).

63

Notarial instrument as No. 62. Cara, 18 June 1456.

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno a nativitate Domino millesimo quadringentesimo quinquagesimo sexto decimo vero octavo die mensis Junii indictione quarta pontificatus sanctissimi in Christo patris ac domini nostri domini Kalisti divina providencia pape tercii anno secundo. In presencia magnifici et potentis domini Johannis de Yle comitis Rossie ac domini Insularum meique notarii publici et testium subscriptorum

presencia personaliter constitutus discretus vir dominus Gilbertus Beani presbiter Moraviensis diocesis procurator et procuratorio nomine honorabilis viri Macolmi M^cinthosych domini de Moye et de Keppach cum pertinenciis infra dominium de Lochabria necnon seniscalli perpetui earundem produxit evidit et per me notarium infrascriptum perlegi fecit quoddam procuratorium papireum in anglico dictamine editum et formatum vero sigillo predicti Macolmi M^cinthosych sigillatum cuius procuratorii tenore et virtute ipse dictus dominus Gilbertus procurator et procuratorio nomine dictas terras de Moye et de Keppach cum suis pertinenciis ac officium seniscallatus predictarum terrarum de Lochabria a prefato domino comite aliter per ipsum in suis manibus recognitas suo more secundum vim formam communium legem regni Scocie ex et pro parte predicti Macolmi M^cinthosych instanter in forma debita post secundo et tercio ad plegium humiliter dimitti peciit et requisivit plegiis quibusdam tamquam procuratoribus in predicto procuratorio expresse nominatis videlicet Torkello M^cloyd de Leows et Alexandro M^caine de Ardnamurchyn quosquidem dominos ipse dictus dominus Gilbertus procuratorio nomine predicto domino comiti nomine et ex parte dicti Macolmi M^cinthosych pro predictis terris plegios devenire offerebat. Quiquidem domini Torkellus et Alexander dictas terras cum pertinenciis et officiumque supradictum nomine dicti Macolmi a dicto domino comite ad plegium prompti et parati recipere fuerunt dum et quousque imposterum cognitum et inventum foret coram excellentissimo principe domino nostro Jacobo Scotorum rege aut alio quocumque legali iudice non suspecto per partes ad hoc electo in forma communis legis regni Scocie ibidemque determinatum fuisset ubi quomodo quando aut in quibus ipse dictus Macolmus M^cinthosych deliquendus forisfecit aut transgressus fuit contra predictum dominum comitem suam dominacionem aut maiestatem in aliquo etc. Quasquidem terras et officium sic ut premittitur huiusmodi ad plegium petitas et petitum antedictus dominus comes quoquomodo ad plegium dimittere denegavit. Super quaquidem denegacionem ipse dictus dominus Gilbertus procuratorio nomine quo supra a me notario publico sibi fieri

peciit. Acta fuerunt hec in insula de Kara iuxta portum monachi sub anno die mense indicacione et pontificatu supra dictis. Presentibus ibidem nobilis viris dominis Donaldo ballach domino de Glinnis, Johanne M^cloyd domino de Glenelg, Lachlano iuvene filio et herede Lachlani M^cgyllaine, Macolmo M^cloyd de Mygnes, Donaldo breyff, et Alexandro Flemyng, testibus cum multis ad premissa vocatis specialiter et rogatis.

Et ego Beanus Patricii presbiter Moraviensis diocesis auctoritate imperiale notarius (etc.).

SOURCE: Original instrument. SRO, GD 176/5 (Mackintosh of Mackintosh Muniments).

PRINTED: Abstract in *Mackintosh Muniments*, no. 5.

COMMENT: Cara is a small island lying to the south of Gigha off the west coast of Kintyre, with the ruins of a chapel tentatively ascribed to the later Middle Ages (*Argyll Inv.*, i, 106-7). This document and no.64 are dated 'in the island of Cara near the Monkshaven', while the first of the series (no.62) is dated at Finlaggan in Islay, separated from Gigha by a channel about ten miles wide. A double misreading of the place of origin of no.62 as 'the chapel of St Finla in the island of Cana' (*Mackintosh Muniments*, no.4) led to this supposed dedication being accepted as applying to Cara by Anderson (*Gigha*, 109), and through him by RCAHMS in *Argyll Inv.*, i, 107.

64

Notarial instrument as No.62. Cara, 19 June 1456.

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno a nativitate Domini millesimo quadringentesimo quinquagesimo sexto mensis vero Junii die nona decima indicione quarta pontificatus sanctissimi in Christo patris ac domini nostri domini Kalisti divina providencia pape tercii anno secundo in presencia magnifici ac potentis domini Johannis de Yle comitis Rossie et domini Insularum meique notarii publici et testium subscriptorum presencia personaliter constitutus discretus vir dominus Gilbertus Beani

presbiter Moraviensis diocesis procurator et procuratorio nomine honorabilis vir Macolmi M^Cinthosych domini de Moye et de Keppach cum suis pertinenciis infra dominium terrarum de Lochabria ac perpetui seniscalli earundem produxit evidit et per me notarium infrascriptum perlegi fecit quoddam procuratorium papireum in anglico dictamine editum et formatum vero sigillo predicti Macolmi M^Cinthosych sigillatum cuius procuratorii tenore et virtute ipse dictus dominus Gilbertus procurator et procuratorio nomine dictas terras de Moye et de Keppach ac officium seniscallatus dictarum terrarum de Lochabria a prefato domino comite aliter per ipsum in suis manibus recognitas suo more secundum vim formam legum communem regni Scocie ex et pro parte predicti Macolmi M^Cinthosych instanter in forma debita post secundo et tercio ad plegium humiliter dimitti peciit et requisivit plegiis quibusdam tamquam procuratoribus in predicto procuratorio expresse nominatis videlicet honorabilibus viris dominis Torkello M^Cloyd de Leows et Alexander M^Cayne de Ardnamurchyn quosquidem dominos ipse dictus dominus Gilbertus procuratorio nomine predicto domino comite nomine et ex parte dicti Macolmi M^Cinthosych pro predictis terris plegios devenire offerebat. Quiquidem domini Torkellus et Alexander ut apparuit dictas terras ad plegium ex parte dicti Macolmi prompti et parati suscipere fuerunt dum et quousque imposterum cognitum et inventum foret coram excellentissimo principe domino nostro Jacobo Scotorum rege aut alio quocumque legali iudice non suspecto et per partes ad electo in forma communis legis regni Scocie determinatum fuisset ubi quomodo aut quando et in quibus ipse dictus Macolmus M^Cinthosych delinquendus forisfecit aut transgressus fuit contra predictum dominum comitem suarum dominacionem aut maiestatem in aliquo etc. Quasquidem terras et officium sic ut premittitur huiusmodi ad plegium petitas et petitum antedictus dominus comes quoquomodo ad plegium dimittere denegavit. Super quamquidem denegacionem ipse dictus Gilbertus procurator et procuratorio nomine quo supra a me notario publico sibi fieri peciit publicum instrumentum seu publica instrumenta. Acta fuerunt hec in insula de Kara juxta portum monachi sub

anno die mense indiccione et pontificatu supra dictis. Presentibus ibidem honorabilibus viris dominis Alexandro Muntgumbri domino Arddrostan, Donaldo ballach de Glennys, Lachlano M^cgyllane de Dowarde, Johanne M^cloyd de Glenelg, Lachlano iuvene filio et herede Lachlani M^cgyllane, Macolmo M^cloyd de Miganis, Donaldo brehiff, et Alexandro Flemyng armigero, testibus cum multis aliis ad premissa vocatis specialiter et rogatis.

Et ego Beanus Patricii presbiter Moraviensis diocesis auctoritate imperiale notarius (etc.).

SOURCE: Original instrument. SRO, GD 176/3 (Mackintosh of Mackintosh Muniments).

PRINTED: Abstract in *Mackintosh Muniments*, no.3, wrongly dated as 9 June.

COMMENT: The first witness appeared in *Mackintosh Muniments* as 'Alexander Mⁱnthosych of Gumbri Lord Arddrostan'. Montgomerie was related to the lord of the Isles through his mother (see app. D, table 4/3).

*For two additional acta dated 6 and 10 December 1457,
see nos.128, 129.*

65

Commission by William, thane of Cawdor, to Hugh Ostillar, provost of Inverness, and John Fleming to be his procurators to appear before John, earl of Ross and lord of the Isles, to receive the gift of the lands of Balmakeith in the sheriffdom of Nairn. Cawdor, 16 May 1458.

Universis pateat per presentes me Willelmum thanum de Caldor fecisse constituisse et per presentes ordinasse necnon facere constituere et per presentes ordinare providos viros Hugonem Ostillarium tunc temporis prepositum de Invernys et Johannem Flemyng et eorum quemlibet coniunctim et divisim meos veros legitimos procuratores actores et deputatos speciales dans et concedens dictis meis procuracionibus et eorum

altro coniunctim et divisim meam plenam liberam generalem et specialem potestatem ac mandatum speciale et generale ad comparandum coram magnifico et potente domino Johanne de Ile comite Rossie ac domino Insularum domino nostro singularissimo ad recipiendum pro me et nomine meo hereditariam donacionem omnium terrarum de Balmakayth cum pertinenciis jacentium infra vicecomitatum de Narne ac cartas litteras saisine et evidencias quascumque oportunas dictarum terrarum de Balmakayth cum pertinenciis et ad faciendum pro me et nomine meo quod michi incumbit facere pro dictis terris et ad omnia alia et singula faciendum gerendum et exercendum que in premissis et circa premissa necessaria fuerint seu quomodolibet oportuna et que ad officium procuratoris de jure seu consuetudine regni Scocie pertinere dinoscuntur ratum et gratum habentes et habituri totum et quicquid dicti mei procuratores aut eorum alter coniunctim et divisim fecerint seu fecerit in premissis vel aliquo premissorum. In cuius rei testimonium sigillum meum presenti procuratorio appendi feci. Apud Caldor decimo sexto die mensis Maii anno Domini millesimo quodringentesimo quinquagesimo octavo.

SOURCE: Original. Cawdor Castle, bundle 138.

DESCRIPTION: 22 × 10.6cm; 18.4 × 7.5cm; one tag.

SEAL: seal of William of Cawdor.

COMMENT: The annual rent of 6 merks from the lands of Balmakeith had been granted to William with the office of sheriff and constable of Nairn in 1442 (no.38).

66

Precept by John, earl of Ross and lord of the Isles, addressed to William Fleming, burgess of Nairn, to give sasine to William thane of Cawdor of the lands of Balmakeith in the sheriffdom of Nairn, following a charter. Dingwall, 19 July 1458.

Johannes de Ile comes Rossie ac dominus Insularum dilecto nostro Willelmo Flemyng burgensi de Narn ballivo nostro in

hac parte salutem. Quia concessimus per cartam nostram dilecto nostro Willelmo thano de Caldor omnes et singulas terras nostras de Balmakayth iacentes in vicecomitatu nostro de Narn ut tenore carte nostre inde eis confecte plenius continentur. Vobis precipimus et mandamus quatinus prefato Willelmo vel suo certo actornato latori presentium saisinam et statum hereditarium per terram et lapidem visis presentibus tribuatis indilate salvo jure cuiuslibet ut est moris. Ad quod faciendum vobis in hac parte nostram plenariam committimus potestatem et mandatum [speciale ac]^a in signum saisine per vos trad[ite]^a sigillum vestrum in secunda cauda post nostrum penes predictum Willelmum pro perpetuo remansurum apponatis. Datum sub sigillo nostro apud castrum nostrum de Dingvale decimo nono die mensis Julii anno Domini millesimo quadringentesimo quinquagesimo octavo.

SOURCE: Original. Cawdor Castle, bundle 10.

PRINTED: *Cawdor Book*, 46; *Clan Donald*, i, 537-8.

DESCRIPTION: 22.5 × 8.5cm; 20 × 5cm; two tags.

SEAL: Seal of William Fleming only remains.

NOTE: a. illegible in original.

COMMENT: Follows no.65.

67

Precept by John, earl of Ross and lord of the Isles, addressed to John Munro of Foulis to give sasine to Mariota Sutherland, daughter of the late Alexander Sutherland of Dunbeath, of the lands of Easter Kindeace in the earldom of Ross and sheriffdom of Inverness following an inquest. Dingwall, 19 September 1458.

Johannes de Ile comes Rossie ac dominus Insularum dilecto nostro Johanni de Munroo de Foulis ballivo in hac parte salutem. Quia per inquisitionem de mandato nostro per vos factam et ad capellam nostram retornatam compertum est quod quondam Alexander de Sutherland de Dunbeth pater Mariote

de Sutherland latoris presentium obiit ultimo vestitus et saisitus ut de feodo ad pacem et fidem domini nostri regis de terris de Esterkindyes cum pertinenciis iacentibus in dicto comitatu nostro infra vicecomitatum de Invernys et quod dicta Mariota est legitima et propinquior heres dicti quondam Alexandri patris sui de dictis terris cum pertinenciis et quod est legitime etatis et quod dicte terre de nobis tenentur in capite. Vobis igitur precipimus et mandamus quatinus prefate Mariote vel suo certo procuratori latoris presentium saisinam dictarum terrarum cum pertinenciis per terram et lapidem visis presentibus tribuatis indilate salvo jure cuiuslibet ut est moris. Ad quod faciendum vobis in hac parte nostram plenariam committimus potestatem et mandatum speciale et in signum saisine per vos tradite sigillum vestrum in secunda cauda post nostram apponatis penes predictam Mariotam pro perpetuo remansurum. Datum sub sigillo nostro apud castrum nostrum de Dingvale decimo nono die mensis Septembris anno Domini millesimo cccc^{mo} quinquagesimo octavo.

SOURCE: Original. Cawdor Castle, bundle 139.

DESCRIPTION: 22.5 × 9cm; 19 × 6.2cm; two tags, but no seal remains.

COMMENT: Alexander Sutherland of Dunbeath left a testament (*Bannatyne Misc.*, iii, 91) in which he gave his daughter Mariota, not yet married to William of Cawdor, all his lands not otherwise allocated. But he directed that the rent of 6 merks of Easter Kindeace (for which see no. 51) should be paid to a priest to sing masses for himself and his wife in Chanonry of Ross. Alexander left also a daughter Marjorie married to William, earl of Caithness and Orkney, and five sons and two other daughters mentioned in the testament. The sons were evidently illegitimate, and the eldest Alexander, archdeacon of Caithness, was described as son of a unmarried nobleman of royal race and an unmarried woman (Reg. Supp., 506, 109). The archdeacon acted as procurator for his half-sister on various occasions until 1476 (*Cawdor Book*, 56).

Precept by John, earl of Ross and lord of the Isles, addressed to John Munro of Foulis to give sasine to Mariota Sutherland and William younger of Cawdor of the lands of Easter Kindeace in the earldom of Ross and sheriffdom of Inverness following a charter. Dingwall, 21-September 1458.

Johannes de Ile comes Rossie ac dominus Insularum dilecto nostro Johanni de Munroo de Foulis ballivo nostro in hac parte salutem. Quia concessimus per cartam nostram dilectis nostris Mariote de Suthirlande et Willelmo de Caldor filio seu eorum alteri diutius viventi et eorum heredibus inter se de corporibus suis procreandis omnes et singulas terras nostras de Estirkyndess cum pertinenciis iacentes in comitatu nostro infra vicecomitatum de Invernys ut tenore carte nostre inde eis confecte plenius continetur. Vobis precipimus et mandamus quatinus prefate Mariote et Willelmo de Caldor vel suis certis procuratoribus latoribus presentium saisinam dictarum terrarum de Estirkyndess per terram et lapidem visis presentibus tribuatis indilate salvo jure cuiuslibet ut est moris. Ad quod faciendum vobis in hac parte nostram plenariam committimus potestatem et mandatum speciale et in signum saisine per vos tradite sigillum vestrum in secunda cauda post nostrum apponatis penes predictos imperpetuum remansurum. Datum sub sigillo nostro apud castrum nostrum de Dingvale vicesimo primo die mensis Septembris anno Domini millesimo quodringentesimo quinquagesimo octavo.

SOURCE: Original. Cawdor Castle, bundle 139.

PRINTED: *Cawdor Book*, 49; *Clan Donald*, i, 539 (where it is wrongly cited from *Family of Rose*).

DESCRIPTION: 22.5 × 8.5cm; 19.8 × 5.5cm; two tags.

SEAL: Earl's seal style 2, and seal of Munro of Foulis.

COMMENT: Further evidence of Mariota's part in the affairs of Kindeace will be found in *Cawdor Book*, 56-57, 68-69.

Note of a letter from John, earl of Ross, lord of the Isles and sheriff of Inverness, to John MacCulloch, bailie of the girth of St Duthac. 1458.

'... John of Ile, earl of Ross, Lord of the Isles and sheriff of Innernys to John M'Culloch, bailie of the girth of Sanct Duthowis . . . Forthi at is cumyn beto our heryng in maner of grewous complaynt be the aldirman, bailyeis and comunite of Innernys our nychtbouris, that sinder of the inhabitandis the toun of Tain and vtheris of the north partis of thar fredome of Innernys occupiis merchandis in buying, selling, cappyn and owthawng of merchandice and gudis langand thar fredome fra thar burgh in grete hindering, scaithe, and lak to thaim, and in lessyng of ladding of thar schippis - quharfor we stratly charge and commawndis all and sinder that sall be requiryt tharapon, and specialy our forsaid bailye, that, quhat person of the said burgh of Innernys sall happyn to cum quhair sic gudis is owthad be schippyn or vthirwayis, ye help, supple, mantene, and defend that nychtbur of Innernys togidder with the Kingis mayr, and that ye thole nocht impediment or let be made to thaim in the vsing of the autorite commyttyt to thaim be our Soveren Lord the Kyng for the inhalding of merchandis and gudis, bot erar ye assist to thaim as ye will do to us singular emplesance and undir all payn that ye may commit and inryn anent our Soveren Lord and vs.'

SOURCE: OPS, ii, 429 for styles of writer and recipient; 431 for text of letter, citing original in Inverness Burgh Charters.

COMMENT: Original not found. The background to this letter includes charters by James II dated at Inverness 10 and 12 October 1457 (*Fraser Papers*, 219; SRO, GD 297/199) to the church and town of Tain, in which he confirmed the liberties and privileges granted by his predecessors. On his return to Edinburgh, perhaps owing to alarm shown in Inverness, James wrote a letter dated 22 October saying that it was not his intention to prejudice the privileges of Inverness and instructing all to obey the laws (*Invernessiana*, 136). But the dispute between Inverness and Tain continued for many years.

Licence by John, earl of Ross and lord of the Isles, to Hugh Rose of Kilravock to build a defensive tower and barmekin wherever he likes within the barony of Kilravock. Inverness, 8 February 1460/61.

John of Yle erle of Ross ande lord of the Ilis to all ande sundry to quhais knaulagis thir our present letteris sall com greting. Wittis us to have gevyn ande grantit ande be thir present letteris gevis and grauntis our full power ande licence till our luffid cosing man ande tenand Hughone de Roos baron of Kylravok to fund big ande upmak a toure of fens with barmkin ande bataling wpon quhat place of strynth him best likis within the barony of Kilrawok without ony contradictioun or demaund questioun or ony obiECTION to put in contrar of him or his ayris be us or our ayris for the said toure and barmkyn making with the bataling now or or (sic) in tyme tocum. In witnes herof we haf gert our sele to thir letteris be affixt at Invernys the achtend day of Februar the zer of Godd a thousand four hundreth sextie zer.

SOURCE: Original. SRO, GD 125 box 2 (Rose of Kilravock Muniments).

PRINTED: *Family of Rose*, 135.

DESCRIPTION: 30.4 × 6.6cm; 26.4 × 3.9cm; tag with seal.

SEAL: style 2.

COMMENT: Royal licences of this kind were granted during the fifteenth century, but it is unusual for one to proceed from a subject. In 1424 James Dundas had permission to build a tower or fortalice (*RMS*, ii, 1), and six years later Sir William Borthwick received a licence to construct a castle and to fortify it (*RMS*, ii, 157). William of Cawdor also had royal authority to fortify his castle 'with walls and ditches and equip the summit with turrets and means of defence, with warlike provisions and strengths' in August 1454 (*Cawdor Book*, 20-21). Kilravock, described in 1440 as '*manerium meum*' (see no.34 comment) still stands with its early tower relatively unchanged, and still in the possession of the Rose family.

Retour before Celestine of the Isles, lord of Lochalsh, sheriff of Inverness and lieutenant of John, earl of Ross and lord of the Isles, of William of Clyne as heir to his grandfather the late William of Clyne in the lands of the two Cadbolls in the earldom of Ross and sheriffdom of Inverness. Dingwall, 22 April 1461.

Hec inquisitio facta apud Dingvale vicesimo secundo die mensis Aprilis anno Domini millesimo quadringentesimo sexagesimo primo per personas infrascriptas videlicet Celestinum de Insulis dominum de Lochailche vicecomitem de Invernys ac locum tenentem magnifici ac potentis domini Johannis de Yle comitis Rossie ac domini Insularum Johannem Ross dominum de Balnagowyn, Terlotum oge M^cranald, Alexandrum Forbes, Johannem Tullach dominum de Ester Arde, Andream Dunnowne, Laurencium de Monro, Donaldum M^cwonleve, Johannem Nycholai, Donaldum Walteri, Donaldum Hugonis, Doncanum de Monro, Donaldum Terleti Ferchardi, Donaldum Rodrici, Thomam Johanni Hugonis, Angussium Tormoti, Thomam Man, Ewarum Patricii Tenand de Petfur. Qui diligenter examinati et per sacra Dei ewangelia fideliter jurati inter se inveniunt quod quondam Willelmus de Clyne avus Willelmi de Clyne latoris presentium obiit ultimo vestitus et saisitus ut de feodo ad pacem et fidem domini nostri regis de terris de duabus Catbollis cum pertinenciis in comitatu Rossie infra vicecomitatum de Invernys. Et quod dictus Willelmus est legitimus et propinquior heres dicti quondam Willelmi avi sui de dictis terris cum pertinenciis et quod est legitime etatis et quod dicte terre cum pertinenciis valent nunc per annum vi libre et valuerunt tempore pacis x libre et quod dicte terre cum pertinenciis tenentur in capite de comite Rossie in alba firma. Reddendo unum denarium annuatim in manibus capellanorum ecclesie cathedralis Moraviensis omnes et singuli in ...^a per predictos capellanos super donacione quondam comitis Rossie. In cuius inquisitionis testimonium sigilla antedictorum qui dicte inquisitioni interfuerunt ...^a sunt appensa una cum sigillo

Johanni de Monro ballivo in hac parte clausa et quia Andreas de Dunnowne non habuit sigillum sigillum providi et discreti viri domini Thome de Dyngvale subdecani Rossense pro se huic inquisitioni appendi procuravit. Coram hiis testibus videlicet domino Ferquardo, Willelmo Squiar, Willelmo Clerk, cum multis aliis in testimonium vocatis.

SOURCE: Original. SRO, GD 103/1/9 (Society of Antiquaries Collection).

PRINTED: English abstract in *PSAS*, xli, 314.

DESCRIPTION: 38.5 × 14.3cm; 35.9 × 6.5cm; three sets slits and two tags.

SEAL: Celestine's seal only.

NOTE: *a.* illegible in original.

COMMENT: John's brother Celestine, who had appeared as deputy sheriff in 1450 (no.55), had charter of Lochalsh in 1463 (no.76). There is evidence of William of Clyne claiming to be a tenant of the bishop of Moray in 1375 (*Moray Reg.*, 180) in the town of Cadboll; he was also a witness at Dingwall of two charters of William, earl of Ross, in 1350 and 1371 (*Munro Writs*, nos.4, 8). There is a Clyne in Ross not far from Dingwall (Watson, *PNRC*, 91), but *OPS*, ii, 838 identifies William as being of the family of Clyne in Sutherland. Regarding the two Cadbolls, there are on record Cadboll, Wester Cadboll, Cadboll-abbot and Cadboll-fisher, but the last three may have been the same (*OPS*, ii, 442). None of the three witnesses has been identified; of members of the inquest, John Tulloch of Easter Aird was dead by 12 April 1463, when his wife Margaret's father Donald Corbett had a charter of these lands from John, earl of Ross (no.79); and '*Donaldus Terleti Ferchardi*' was probably the son of Tearlach Maclean of the Kingairloch family and father of Prioress Anna of Iona (see app. C).

Charter of confirmation by John, earl of Ross and baron of Kingedward, of a charter by Thomas Cumming of Pullane

dated 22 April 1460 in favour of William Cumming of Culter of two parts of the lands of Kindrocht and Adziel in the barony of Kingedward, sheriffdom of Aberdeen. Bute, 27 June 1461.

Omnibus hanc cartam visuris vel audituris Johannes de Ile comes Rossie et dominus Insularum ac baronie de Kynnedward salutem in Domino sempiternam. Noveritis nos quondam cartam Thome Cumyn' de Pullane factam dilecto et fideli armigero nostro Willelmo Cumyn' de Culter de duabus dimedietatibus terrarum de Kyndrocht et Audiale cum pertinentiis jacentibus in baronia nostra de Kynnedward antedicta infra vicecomitatum de Aberden per nos visam inscriptam et diligenter examinatum firmam et integram non rasam non cancellatam non abolitam nec in aliqua sui parte suspectam sed omnes prossus vicio et suspicione carentem intellexisse sub tenore. Omnibus hanc cartam visuris vel audituris Thomas Cummyng de Pullan salutem in Domino sempiternam. Noveritis me utilitate mea in hac parte undeque preuisa et diligenter considerata dedisse concessisse et assignasse preciseque et omnino vendidisse ac titulo vendicionis pro perpetuo alienasse ac presenti carta mea confirmasse dilecto consanguineo et assignato meo in hac parte Willelmo Cummyng domino de Culter totas et integras illas duas dimedietates meas terrarum de Kyndrocht et Audiale cum pertinentiis jacentes in baronia de Kynnedward infra vicecomitatum de Aberden pro quadam certa summa pecunie michi per eundem Willelmum tempore confectionis presentium gratanter et integre persoluta unde me teneo bene contentum et fideliter persolutum et predictum Willelmum assignatum heredes et assignatos suos pro me et heredibus et assignatis meis quitumclamo omnino et imperpetuum per presentes. Tenendas et habendas totas et integras supradictas duas dimedietates terrarum de Kyndrocht et Audiale cum pertinentiis prefato Willelmo assignato meo heredibus suis et suis assignatis de domino baronie de Kynedwart in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in moris marresiis viis semitis aquis stagnis pratis pascuis et pasturis silvis virgultis et culturis cum aucupacionibus piscacionibus et venationibus cum curiis eschaetis et curiarum

exitibus herieldis (sic) bludwētis et mulierum merchetis bondagiis averagiis et cariagiis molendinis multuris et eorum sequelis brasinis fabrilibus piscinis et carnificiis ac cum tenendriis et tenentium serviciis et cum omnibus aliis libertatibus commoditatibus aisiamentis ac ceteris pertinenciis quibuscumque tam subtus terra quam supra terram tam non nominatis quam nominatis tam procul quam prope ad supradictas duas dimidietates terrarum de Kyndroch et Audiale cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum libere quiete integre plenarie honorifice bene et in pace sine aliqua revocatione reclamacione aut contradicione mei vel heredum meorum aut aliorum quorumcumque nomine nostro vel ex parte nostra inde faciendis qualitercumque. Reddendo inde annuatim dictus Willelmus assignatus meus heredes et assignati sui capelle beate Marie virginis de Ratreff quinque libras et terciam partem unius libre cere ad terminos consuetos et reddendo etiam inde domino baronie de Kynedwarde unum denarium argenti apud manerium baronie de Kynedwarde ad festum Pentecosten nomine albe firme si petatur pro warda relevio maritagio averagio cariagio sectis curie aut aliquali alio servicio seculari exactione vel demanda que de dictis duabus dimidietatibus prelibatarum terrarum cum pertinenciis aliququaliter exigi poterit aut requiri. Et ego vero prefatus Thomas heredes mei et mei assignati totas et integras supradictas duas dimidietates prelibatarum terrarum de Kyndrocht et Audiale cum pertinenciis prefato Willelmo assignato meo heredibus suis vel suis assignatis contra omnes mortales warantzabimus acquietabimus et imperpetuum ut premittitur fideliter defendemus. In cuius rei testimonium sigillum meum presentibus est appensum apud monasterium de Deir vicesimo secundo die mensis Aprilis anno Domini millesimo cccc^{mo} sexagesimo. Testibus venerabilibus in Christo patre ac domino domino Willelmo abbate, Andrea Yonge subpriore monasterii supradicti, Ricardo de Kyntor preposito burgi de Aberden, magistro Johanne Levingstoun vicario de Inverugy, Alexandro Fergusoun, Johanne Scrogis, cum domino Thoma de Leis capellano notario publico. Quasquidem donacionem et concessionem assignacionem et vendicionem in eadem contentas in omnibus

suis punctis et articulis condicionibus et modis ac circumstanciis suis quibuscumque forma pariter et effectu in omnibus et per omnia ut premissum est approbamus ratificamus et pro nobis et heredibus et successoribus nostris dictis baronibus de Kynedwart imperpetuum confirmamus. In cuius rei testimonium presenti carte confirmationis nostre sigillum nostrum est appensum apud insula de But vicesimo septimo die mensis Junii anno Domino millesimo quadringentesimo sexagesimo primo. Testibus reverendis in Christo patribus et dominis Jacobo et Andrea sancti Andree et Glascuense episcopis, necnon magnifico et potente domino David comite Craford, Jacobo domino Levingstoun, Gilberto domino Kynnedi, Jacobo domino Hamyltoun, et Jacobo Weke capellano cum multis aliis.

SOURCE: Original. NLS, MS. Dep. 327, bundle 6 (Fraser of Strichen and Lovat Papers); SRO, C2/vii/319 (Great Seal Register) (confirmation dated 11 April 1475).

PRINTED: *RMS*, ii, 1196.

DESCRIPTION: 33.7 × 21.5cm; 29.2 × 17.6cm; one tag, no seal.

NOTE: Great Seal text less good than original.

COMMENT: Instrument of resignation by Thomas Cumming of Pullane of these lands into the hands of John as baron of Kingedward dated 22 April 1460 is also in NLS, MS. Dep. 327, bundle 6. Pullane (i.e. Pollo) near Delny in Ross was granted to John Cumming by Euphemia, countess of Ross, in 1381, and in a transumpt dated 30 May 1395 John Cumming is described as lord of half the lands of Kindrochit (Fraser, *Cromartie*, ii, 321). Thomas, a kinsman of William Cumming of Culter in the parish of Peterculter, was apparently dead by 1465 and the lands went out of the family. Six of the seven witnesses were national figures, Livingston being also John's father-in-law, and they were probably gathered as a regency deputation to negotiate with the lord of the Isles (see Introduction, p.lxix).

Charter by John, earl of Ross and lord of the Isles, to John MacLean of Lochbuie of lands in the lordship of Lochaber, viz:

Banavie, 'MyKannick', 'Fyelin', 'Creglwing', Corpach, Annat, 'Achydo', Kilmallie, 'Achymoleag', Druim Farmolach, 'Faneworwill', Fassfern, Suileag, Corribeg, Achdaliu, Kinloch(eil), Drimsallie, Callop, Wauchan, 'Clerechaik', Muirshearlich, Crieff, Sallachan, and half Lindalie. Ardtornish, 10 October 1461.

Charter of John of Yle Earl of Ross and Lord of the Isles etc in favour of his beloved cousin [kinsman] John McEan [son of Murdac] M^cgilleon of Lochbogg [Lochboyg] of the following lands lying in the granters [lands of Locheale in his] Lordship of Lochabra in the Sherifffdom of Invernys, namely the lands of Banvy, MyKannick [Mykannich]. Fyelyn, Creglwing, Corpych, Innernat, Achydo, Kilmailze, Achymoleag, Drumfarmollach [Drumfarmolloch], Faneworwill, Fassfarna [Fasfarna], Stronsouleak [Stronsonleak], Conebeg [Correbeg], Achitollidow [Achitolledoun], Kanloch [Keanloch], Drumnafalze [Drumnasalze], Culinap [Culenap], Nahohacho, Clerechaik, Mischerolene [Mischerolach], Crou [Cray], Dalachan [Salachan], Drondaim Lyndaly [half of Lyndaly] with pertinents, to be held in fee and heritage forever for the homage and service of the foresaid John McGilleon his heirs and assignees to Us and our heirs and successors Lords of the Isles in war and peace in accordance with the custom of the Isles with warrandice clause by the Granter promising to defend the Grantee and his heirs forever against all men. In witness of which donacion we caused our seal to be affixed to these presents at Ardtornys on the 10th October 1461 with the following witnesses Donald of the Isles of Donawag and glynnys, Lachlan McGilleon of Doward, Celestine of the Isles of Lochailche, Hugh of the Isles of Slete, Torquall McLeod of Leoghos, Torlet Fercharde of Carna, Hector the son of Torlet with sundry others.

SOURCE: Argyll Transcripts.

PRINTED: *Hist. MSS. Comm.*, iv, app. 482, no.161; *OPS*, ii, 181 (both abstracts).

NOTE: This abstract is by Niall, 10th duke of Argyll, from original at Inveraray, now missing. Square brackets indicate

alternative *OPS* readings of original, to be preferred at least in some cases as the grantee John was son of Murdoch (witness to nos.42, 51), and 'half of Lyndaly' is correct (cf. no.A43).

COMMENT: There is considerable confusion over the ownership of these Lochiel lands. It has been stated that after the battle of Inverlochy the chief of the Camerons fled to Ireland and the lands were given to John MacLean of Coll (Sleat seanachie in *HP*, i, 47). In 1528 (no.A71) Coll claimed that the lands had been given to his grandfather by James II, although it seems more likely that they were held from the lord of the Isles. In any case, the grant must have preceded this charter to MacLean of Lochbuie, which was confirmed on 22 March 1493/4 (no.A43). Meanwhile in 1492 some of the same lands were included in a charter given by Alexander of Lochalsh to Ewen captain of clan Cameron (no.124), which was confirmed on 24 Oct. 1495 (no.A47). On changes in ownership of Lochiel lands see *OPS*, ii, 181-2, and N. Maclean-Bristol, 'Macleans of Coll in the Lands of Lochiel', *SWHIHR, Notes and Queries*, xxi, 3-9. All places in this charter, so far as identified, are near Loch Eil, the River Lochy, or Loch Arkaig; for Nahohacho cf. no.124 where it appears as Owechane, indicating present Wauchan; for 'Clerechaik' no.124 has Clachak, still unidentified; Crei and Sallachan are shown in Dorret (1750) on N shore of Loch Arkaig between Achnasaul and Muick, and Crieff is named in Stewart, *Camerons*, 334. The witness list is of interest, as the leading men of the Isles who were at Ardtornish on 10 October would probably be informed about if not consulted on the negotiations with the king of England then in view, although there is no mention of the council's assent being given to the appointment of commissioners on 19 October, nor in the treaty itself (nos.74, 75). The earl's cousin, Donald Balloch, who was to be personally involved in the treaty, heads the witness list, John's brothers Celestine and Hugh make one of their rare appearances together (cf. no.98), along with MacLean of Duart and two Morvern MacLeans (the last two witnesses named, probably of the Kingairloch branch, see app. C), and MacLeod of Lewis. Grant, *MacLeods*, 50, erroneously says *both* MacLeod chiefs witnessed this 1461 charter.

Letters patent by John, earl of Ross and lord of the Isles, appointing Ranald of the Isles and Duncan, archdeacon of the Isles, to be ambassadors to Edward king of England and promising to ratify and abide by agreements made by them. Ardtornish, 19 October 1461.

Johannes de Yle comes Rossiae dominus Insularum omnibus ad quos presentes litere pervenerint salutem. Sciatis quod nos de fidelitate et provida circumspectione consanguineorum nostrorum Ronaldi de Insulis et Duncani Archidiaconi Insularum plenius confidentes assignavimus et constituimus ipsos Ronaldum et Duncanum ambassiatores commissarios sive nuncios nostros speciales ad conveniendum cum excellentissimo principe Edwardo Dei gratia rege Angliae et Franciae et domino Hibernie seu ejus ambassiatoribus commissariis sive nunciis sufficientem potestatem sub eodem excellentissimo principe Edwardo Dei gratia rege Angliae et Franciae et domino Hibernie in ea parte habentibus. Necnon ad tractandum et communicandum cum eisdem de et super certis materiis et negotiis nos et dictum excellentissimum principem tangentibus sive concernentibus ac de et in materiis predictis procedendum et appunctuandum concordandum concludendum determinandum et finiendum ac appunctuata concordata conclusa determinata et finita per eosdem vice et nomine nostris in scriptis redigendum seu redigi faciendum ac etiam sigillandum. Ceteraque omnia et singula in premissis et eorum dependentiis debita et requisita concedendum faciendum et expediendum. Promittentes bona fide et christianitate qua astricti Deo in hiis scriptis quod omnia et singula que in premissis vel circa ea per ambassiatores commissarios sive nuncios predictos vel unam eorum appunctuata concordata conclusa determinata et finita fuerint rata grata firma et stabilis habebimus pro perpetuo. In cuius rei testimonium has litteras nostras fieri fecimus patentes. Ex castello nostro Ardhornis decimo nono die mensis Octobris anno Domini millesimo quadingentesimo sexagesimo primo.

SOURCE: *Foedera*, xi, 486; *Rot. Scot.*, ii, 402; *Clan Donald*, i, 233-234 (with translation).

COMMENT: Letters patent follow the style of those addressed on 22 June 1461 by Edward IV to James, earl of Douglas, Sir William Welles, Dr John Kyngescote, John Douglas and John Stanley (*Foedera*, xi, 474). The wording varies only where Edward has '*Promittentes bonafide et verbo regio*' and John has '*Promittentes bona fide et christianitate qua astricti Deo*'. Ranald de Insulis was brother of Donald Balloch (app. D, table 3/15), but Duncan, archdeacon of the Isles, is otherwise unknown (app. C). Douglas and party set out about 17 June 1461, on which date he received 50 lib. for his expenses for the journey. They were accompanied by Windsor Herald and took a gift of money to John. The earl of Kent also had expenses on being 'sent by the King to the north . . . on the same business' and may have travelled back with the envoys (*Cal. Docs. Scot.*, iv, nos. 1326, 1328); William Neville, 8th son of Ralph, earl of Westmorland, was created earl of Kent 1 Nov. 1461 and died 9 Jan. 1462/3 (G.E.C., *Peerage*, vii, 163).

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Indenture between Edward, king of England, and John, earl of Ross and lord of the Isles, Donald Balloch his cousin and John son of Donald in which they agreed to take over Scotland and divide it between themselves and the earl of Douglas as subjects of Edward. London and Westminster, 8 and 13 February 1461/2.

Rex omnibus ad quos & salutem. Notum facimus quod vidimus et intelleximus quedam appunctuamenta concordata conclusa et finaliter determinata inter commissarios nostros ac ambassiatores commissarios et nuncios carissimorum consanguineorum nostrorum

Johannis de Isle comitis Rossie et domini Insularum
Donaldi Balagh et

Johannis de Isle filii et heredis ejusdem Donaldi
sub eo qui sequitur tenore verborum.

We

Laurence bishop of Duresme

John erle of Worcestre

Robert Botill' priour of Seint Johns of Jerusalem in
Englonde

John lord Wenlok and

Maister Robert Stillyngton keper of the kynges prive seal
deputees and comissaries to the most high and mighty prynce
Kynge Edward the Fourth kynge of Englonde and of Fraunce
and lorde of Irlande

and

Reynold of Isles and

Duncan archediaken of the Isles

ambassiatours commissaries or messagers of the full honorable
lorde John de Isle erle of Rosse and lorde of the Oute Isles to all
thos that this presente wryting ended shall see or here
gretynge.

Be it knowen that we the said deputees commissaries and
ambassatours by vertu of power committed unto us wherof the
tenures ben expressed and wreten under after longe and diverse
tretes and communications hadd betwix us upon the maters that
folowen by vertu of the said power have appoynted accorded
concluded and finally determined in maner and fourme as
foloweth FIRST it is appointed accorded concluded and finally
determined betwyx us that the seid John de Isle erle of Rosse
Donald Balagh and John of Isles son and heire apparant to the
seid Donald with all there subgettez men people and in-
habitantes of the seid erldom of Rosse and Isles abovesaid shall at
feste of Whittesontide next commynge become and be legemen
and subjettes unto the seid most high and Christen prince Kynge
Edward the Fourthe his heires and successours kynges of
Englond of the high and mighty prince Leonell sonne to Kynge
Edward the Thridde lynially descendyng and be sworne and do
homage unto hym or to suche as he shall committe power unto
you at the seid fest of Whittesontide or after And in semble wyse
the heires of the said John th'erle Donald and John shall be and
remaigne for ever subjettis and liegemen unto the seid Kynge
Edward his heires and successours kynges of Englonde as it is

abovesaid yevinge unto his highnesse and his seid heires and successours as well the seid John th'erle Donald and John as theire heires and successours and eche of them verrey and trewe obeysaunce in obeinge his and there commaundementes and do all thyng that a trewe and feithfull subgette oweth to doo and bere to his soveryane and lige lord and as hit accordeth to his ligeaunce ITEM the seid John th'erle Donald and John and eche of them shall be alwaye redy after the seid feste of Whittesontide upon convenable and resounable warnyng and commaundement yeven unto them by the seid most myghty prynce Edward kyng of Englonde his heires and successours kynges of Englande of the seid Leonell in fourme abovesaide descendyng or be eny other on his or their behalves havyng power therto to do diligente and effectuall service with and to all them uttermost myght and power in suche werres as the seid most high and myghty prynce his heires and successours kynges of Englonde as is above seid shall move or arreise or to moved or arreised in Scotlande or ayenste the Scottes in Irlande or ayenst the kynges ennemyes or rebelles there and in the same werres remaigne and continue with all ther aide myght and power in such wyse as they or eny of them shall have in commaundement by the seid high and myghty prince his heires and successours and as long as it shall please hym or them ITEM the seid John erle of Rosse shall from the seid feste of Whittesontyde next comyng yerely duryng his lyf have and take for fees and wages in tyme of peas of the seid most high and Christen prince C merc sterlyng of Englysh money and in tyme of werre as long as he shall entende with his myght and power in the seid werres in maner and fourme abovesaid he shall have wages of CC lib sterlyng of Englysh money yerely and after the rate of the tyme that he shall be occupied in the seid werres ITEM the seid Donald shall from the seid feste of Whittesontide have and take duryng his lyf yerly in tyme of peas for his fees and wages XX lib sterlyng of Englysh money and when he shall be occupied and intende to the werre with his myght and power and in maner and fourme abovesaide he shall have and take for his wages yerly XL lib sterlynges of Englysh money or for the rate of the tyme of werre ITEM the seid John soun and heire apparant of the seid Donald

shall have and take yerely from the seid fest for his fees and wages in the tyme of peas x lib sterlynges of Englysh money and for tyme of werre and his intending therto in manere and fourme abovesaid he shall have for his fees and wages yerely xx lib sterlynges of Englysh money or after the rate of the tyme that he shall be occupied in the werre And the seid John th'erle Donald and John and eche of them shall have gode and sufficiaunt paiment of the seid fees and wages as well for tyme of peas as of werre accordyng to thees articules and appoyntementes ITEM it is appointed accorded concluded and finally determined that if it so be that hereafter the seid reame of Scotlande or the more part thereof be conquered subdued and brough to the obeissaunce of the seid most high and Christen prince and his heires or successours of the seid Leonell in fourme abovesaide discendyng be th'assistence helpe and aide of the seid John erle of Rosse and Donald and of James erle of Douglas then the seid fees and wages for the tyme of peas cessyng the same erles and Donald shall have by the grounte of the same most Christen prince all the possessions of the seid reame beyonde Scottysche see they to be departed egally betwix them eche of them his heires and successours to holde his parte of the seid most Cristen prince his heires and successours for evermore in right of his croune of Englonde by homage and feaute to be done therefore ITEM if so be that by th'aide and assistence of the seid James erle of Douglas the seid reame of Scotlande be conquered and subdued as above then he shall have enjoye and inherite all his owne possessions landes and enheritaunce on this syde the seid Scottyshe see that is to saye betwix the seid Scottysche see and Englonde suche he hath rejoiced and be possessed of before this there to holde them of the seid most high and Christen prince his heires and successours as is abovesaid for evermore in right of the coroune of Englande as well the seid erle of Douglas as his heires and successours by homage and feaute to be done therefore ITEM it is appointed accordett concluded and finally determined that if it so be the seid most high and myghty prince the kyng after the seid fest of Whittesontide and afore the conquest of the reame of Scotte-lande take any trewes or abstinaunce of werre with the kyng of

Scottes then the seid erle of Rosse Donald and John and all their men tenants officers and servantes and lordships landes tenementes and possessions wherof the same erle Rosse Donald and John or eny of them be nowe possessed within Scotland and the seid erldom of Isles and also the isle of Arran shall be comprised within the seid trewes or abstinaunce of werre olesse (sic) then the seid erle of Rosse signifie unto the seid high and myghty prince the kynge before Whittesontide next comyng that he woll in nowe wyse be comprised therin ITEM it is appointed accorded concluded and finally determyned that the seid John erle of Rosse Donald and John shall accepte approve ratifie and conferme all these presente articles appoyntmentes accorded conclusions and determinations and thereunto geve thaire aggrement and assent and in wrytyng under there seeles of armes sende and delyvere it to the seid most Christen kynge or his chaunceler of Englande afore the furst day of Jully next comynge receyvynge att that tyme sembable letters of ratification of the seid appoyntementes to be made under the grete seall of the seid most high and myghty prynce. All these thinges in maner and fourme abovesaid we the seid commissaries and ambassatours have appointed accorded concluded and finally determined and that they shall be trewly observed and kepte we permitte by vertue of our severall powars and commissions yeven and made unto us whereof the tenures worde by worde ben such as folwen

[commissions follow, see no.74]

In whitenesse wherof to that on' partie of these indentures delyvered and remainyng towards the deputees and commissaries of the seid high and myghty prynce kynge Edward we the seid Raynald and Duncan ambassitours and commissaries of the seid erle Rossie have putte our seales and signe manuelles

Written att London the xij of Februer
 the yere of the birth of our Lorde
 MCCCCLXII and the furst year of
 the reigne of the high and myghty
 prince kynge Edward the fourth above rehersed.

Nos vero eadem appunctuamenta condordata conclusa et finaliter determinata ac omnia et singula in eisdem contenta et specificata rata et grata habentes eadem acceptamus approbamus ratificamus et confirmamus eisdemque nostrum assensum et consensum damus et adhibemus et in eisdem vigore robore et virtute remanere et haberi volumus ac si per nos appunctuata concordata conclusa et finaliter determinata fuissent necnon ea omnia et singula ad omnem juris effectum qui exinde sequi poterit tenore presentium innovamus. Promittentes bona fide et in verbo regio nos dicta appunctuamenta concordata et conclusa et finaliter determinata omnia et singula in eisdem contenta quatinus nos concernant pro parte nostra impleturos et observaturos imperpetuum. In cujus etc.

Teste rege Apud Westmonasterium decimo septimo die martii
per breve de privato sigillo et
de data predicta auctoritate etc.

SOURCE: *Foedera*, xi, 484-7; *Rot. Scot.*, ii, 405-7; *Clan Donald*, i, 228-35.

COMMENT: This famous agreement was romantically called the 'treaty of Ardtornish' by Sir Walter Scott (*Lord of the Isles* (1815), note to canto i), from the castle where the commissions in no.74 were issued; Andrew Lang called it the treaty of Westminster and Ardtornish, a style which has been adapted by several later historians (A. Lang, *History of Scotland*, i (1900), 337). *Rot. Scot.* has an error in giving the year of the treaty as 1462/3 in a marginal date. The ambassadors from the north had expenses and rewards for themselves and for John, lord of the Isles, and Donald and his son on 31 March 1462 (*Cal. Docs. Scot.*, iv, no. 1328). Almost a year later, on 20 March 1462/3, Edward empowered Richard, bishop of Down and Connor, to 'take the oaths and homages of his cousin John of Isle earl of Ros and lord of the Isles and of Donald Ballagh and John of Isle his son as provided in the treaty lately concluded with them' (*ibid.* no. 1334). There seems to be no evidence of the bishop's journey or of its result.

Charter by John, earl of Ross and lord of the Isles, with the consent of his council to Celestine his brother and his heirs by Finvola, daughter of Lachlan MacLean of Duart, whom failing to any lawful heirs of Celestine by any other wife, of the lands of Lochbroom, Lochalsh, Lochcarron, Torridon and Kishorn, in the earldom of Ross and sheriffdom of Inverness. Dingwall, 2 February 1462/3.

Omnibus hanc cartam visuris vel auditoris Johannes de Ile comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos de consensu et assensu et matura deliberatione totius nostri concilii dedisse concessisse et hac presenti carta nostra confirmasse carissimo fratri nostro^a Celestino de Insulis omnes et singulas terras nostras infrascriptas videlicet terras nostras de Lochbryne^b Lochalsche Lochcarryn Torvirtayne et Kischernis cum pertinenciis in comitatu nostro Rossie infra vicecomitatum de Invernes. Tenendas et habendas totas et integras prenominate terras cum pertinenciis prefato Celestino fratre nostro et heredibus suis inter ipsum Celestinum et Finvolam Lachlani Mcgilleone de Dowart de corpore suo legitime procreatis seu procreandis quibus vero deficientibus quod absit veris legitimis heredibus dicto Celestino inter ipsum Celestinum et quamcumque aliam uxorem legitimum^c procreatis seu procreandis quibus omnibus quod absit deficientibus volumus quod omnes et singules supradicte terre ad nos et heredes nostros cum pertinenciis ut premittitur libere absque quibusvis questione et clameo seu interruptione revertantur de nobis et heredibus nostris infeodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis pratis moris et marresiis pascuis et pasturis petariis turbariis carbonariis fabrilibus et brasinis viis semitis aquis stagnis rivolis fluminis et lacubus silvis quercis genestis et virgultis aucupacionibus venacionibus piscatoribus cum le wrak waith et ware cum molendinis multuris et eorum sequelis cum curiis et earum exitibus herezeldis bludwitis furcis et mulierum merchetis cum omni etiam pastura et liberis introitu et exitu ac cum omnibus aliis commoditatibus libertatibus fertilitatibus et asiamentis ac

justis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad predictas terras cum pertinenciis spectantibus seu juste spectare valentibus in futurum libere quiete plenarie integre honorifice bene et in pace sine revocatione seu reclamacione aliquali. Reddendo inde annuatim prefatus Celestinus et heredes sui inter ipsum Celestinum et prefatam Finvolam de corpore suo legitime procreati seu procreandi quibus quo absit deficientibus heredes dicti Celestini inter ipsum et quamcumque aliam uxorem legitimam procreati seu procreandi nobis et heredibus nostris et successoribus sex denarios usualis monete Scotie nomine albe firme super solum dictarum terrarum de Lochalsche ad festum Penthecosten si petatur tantum pro omni alio onere servicio seculari exactione seu demanda que per nos heredes nostros et successores exigi poterunt de dictis terris cum pertinenciis vel requiri. Et nos vero prefatus Johannes comes Rossie et dominus Insularum heredes nostri et successores totas et integras prenominatas terras cum pertinenciis prefato Celestino et heredibus suis inter ipsum Celestinum et prefatam Finvolam legitime procreatis seu procreandis quibus deficientibus quod absit veris legitimis heredibus dicti Celestini inter ipsum Celestinum et quamcumque aliam uxorem legitimam de corpore suo procreatis seu procreandis in omnibus et per omnia ut premittitur ut predictum est contra omnes mortales homines et feminas warantizabimus acquietabimus et imperpetuum defendemus. In^d cuius rei testimonium sigillum nostrum huic presenti carte nostre appendi fecimus. Apud castrum nostrum de Dingwele secundo die mensis Februarii anno Domini m^occcc^o lxii^o.

SOURCE: SRO, C2/vi/116 (Great Seal Register) (confirmation dated 21 August 1464); NLS, Adv. MS. 26.3.2, pp.172-4 (notes by John Riddell on a transumpt among the Glengarry papers).
 PRINTED: RMS, ii, 806.

NOTE: Variants appearing in Riddell's notes on the first item in the transumpt (see comment below). *a.* 'carnali' added here. *b.* further details on lands added here: terras quadraginta marcarum de Lochalche, terras quadraginta sex marcarum de

Lochbrene, terras viginti marcarum de Torvirtane et terras duodecim marcarum de [Kishorn]'. *c.* destination here is simply to the heirs of Celestine and Finvola whom failing to the nearest legitimate heir of Celestine. *d.* witnesses are added here: 'In cuius rei testimonium sigillum nostrum unacum sigillum nostrorum consultoribus (sic) viz. Donaldi de Ilis domini de Dunnevin et Glennis, Hugonis de Insulis domini de Slait, Lachlani M^cgilleone (last name crossed out in notes) et Johannis dominorum de Doward et Lochboy, Johannis McCleoid domini de Dunvegan, et Torquelli McLeoid domini de Leovis presenti carte nostre appendi fecimus'.

COMMENT: This and two later grants to Celestine (nos.80, 82) were confirmed by the king on a visit to the north in the summer of 1464, when much sorting out of the lord's affairs took place. These lands were confirmed by James, duke of Ross, in February 1499/1500 to Donald of the Isles as heir to his father Alexander, son of Celestine; Donald died without issue in 1519 and his heirs were his sisters Janet who married William Dingwall of Kildun and Margaret who married Alexander MacDonald of Glengarry (see app. D, table 6/7 and 8). On 10 September 1524 two transumps were made in the Cathedral of Ross of documents produced by William Dingwall of Kildun. The first apparently included four items – a version of this document including passages quoted above, another version similar to the Great Seal, a copy of no.80, and a precept by John, lord of the Isles, to John Munro of Foulis on which Riddell's notes do not give details of lands or date. The second transumpt dealt with the grant by the duke of Ross (Fraser, *Cromartie*, ii, 342). The lands were divided between the daughters, but by the end of the sixteenth century all had been acquired by the MacKenzies (J. Munro in *The Ross and Cromarty Book*, ed. D. Omand (Golspie, 1984), 134-5). We are grateful to Professor A. A. M. Duncan for drawing our attention to the relevant items in Riddell's notes.

Precept by John, earl of Ross and lord of the Isles, addressed to John Munro or his deputy Duncan Munro to give sasine to

Thomas Dingwall, subdean of Ross and earl's chamberlain in liferent, and Thomas Dingwall younger in fee of the lands of Inchfuir, resigned by Robert, son of John lord of Inchfuir, following a charter. Delny, 18 February 1462/3.

Johannes de Yle comes Rossie et dominus Insularum principali ballivo nostro Rossie Johanni de Monro seu eius certo substituto Doncano de Monro salutem. Et quia Robertus Johannis dominus de Inchefur totas et integras terras suas de Inchefur cum pertinenciis in manibus nostris per fustem et baculum (sic) sursum reddidit pureque et simpliciter resignavit quasquidem terras incontinente dedimus et concessimus ut de franktenemento domino Thome de Dyngvale tunc subdecano Rossensi ac nostro tunc temporis camerario et ut de feodo Thome de Dyngvale heredibus suis prout in eorum cartis latius continetur. Quare vobis et cuilibet vestrum precipimus necnon et stricte precipiendo mandamus quatenus visis presentibus saisinam et statum hereditarium dictarum terrarum cum pertinenciis ut de franktenemento dicto domino Thome de Dyngvale et de feodo dicto Thome iuniori de Dyngvale salvo jure cuiuslibet ut moris est attributis vel unus vestrum attribuat. Et in signum saisine taliter per vos vel unum vestrum eiis tradite tam de franktenemento quam de feodo sigillum vestrum antedicti Johannis in secunda cauda post nostrum appendatis. In cuius rei testimonium sigillum nostrum presentibus appendi fecimus. Apud manerium nostrum de Delny decimo octavo die mensis Februarii anno Domini millesimo quadringentesimo sexagesimo secundo.

SOURCE: Original. SRO, GD 305/1/22/2 (Cromartie Muniments).

PRINTED: Fraser, *Cromartie*, ii, 331; *Clan Donald*, i, 538.

DESCRIPTION: (unfolded) 38.2 × 13.4cm; 35.2 × 6cm; three sets slits, no tags or seals remain.

COMMENT: Thomas Dingwall, subdean of Ross, was the founder of the fortunes of the family of Dingwall of Kildun. On 3 October 1456 he gave a charter of land in Dingwall to 'consanguineo meo carnali' Thomas, whom failing to

Thomas's brother John (Fraser, *Cromartie*, ii, 328). The subdean was described in 1461 as 'son of a priest, kinsman of a race of barons and magnates of the earldom of Ross' (see app. C). Inchfuir was the place in Kilmuir Easter to which the name of Kindeace in Nigg parish was later transferred (see no. 51), but the older name has also survived. Nothing is known of the previous 'lord of Inchefur' (Robert the son of John), but there is a confirmation by Robert II, 8 April 1371, of a grant by William, earl of Ross, to Hugh Harper of the lands of Inchefur (Fraser, *Cromartie*, ii, 320).

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Charter by John, earl of Ross and lord of the Isles, with consent of his council to Thomas Dingwall younger and his heirs male, whom failing to his brother John and his heirs male, whom failing to the nearest of the name of Dingwall, of the lands of Ussie in exchange for one third of the lands of Arboll and the lands of Inchfuir in the mairdom of Delny, all in the earldom of Ross and sheriffdom of Inverness, with liferent of Ussie to Thomas Dingwall, treasurer and chamberlain to John earl of Ross. Dingwall, 12 April 1463.

Omnibus hanc cartam visuris vel audituris Johannes de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos de consensu assensu et matura deliberacione consilii nostri dedisse concessisse et hec presenti carta nostra imperpetuum confirmasse dilecto nostro Thome juniore de Dingvale heredibus suis masculis de corpore suo legitime procreatis seu procreandis et assignatis suis masculis quibus deficientibus Johanni de Dingvale suo fratri germano heredibus suis masculis de corpore suo legitime procreatis seu procreandis et assignatis suis masculis et ipsis omnibus quod absit deficientibus proprio validiori et digniori de cognatione de Dingvale succedenti et heredibus suis masculis et assignatis omnes et singulas terras nostras de Usuy cum pertinenciis jacentes in dicto comitatu nostro Rossie infra vicecomitatum de Invernys. Quasquidem terras cum pertinenciis dedimus concessimus et confirmamus ut predictum est dictis Thome Johanni et eorum

heredibus in excambium terrarum tertie partis de Arkboll cum pertinenciis et omnium terrarum de Inchfure cum pertinenciis in maragio de Delny jacentes quas constabant dicto Thome juniore et heredibus suis jure hereditario et de nobis tenebantur. Tenendas et habendas totas et integras terras de Usuy cum pertinenciis prefato Thome de Dingvale juniore heredibus suis masculis de corpore legitime procreatis seu procreandis et assignatis, quibus quod absit deficientibus dilecto nostro Johanni de Dingvale suo fratri germano heredibus suis masculis de corpore suo legitime procreatis seu procreandis et assignatis et ipsis quod absit deficientibus validiori et digniori de cognatione de Dingvale succedenti eius quibus heredibus masculis et assignatis de nobis heredibus nostris et successoribus comitibus Rossie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis viis semitis aquis rivolis silvis stagnis lacubus et eorum insulis aucupationibus venationibus piscationibus cum le wrak waith et wair cum pratis moris marresiis pascuis et pasturis petariis turbariis fabrilibus bracinis et dicte ville cum sequelis cum curiis et curiarum exitibus bludwittis herezeldis et mulierum merchetis cum communi pastura ac liberis introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus et asiamentis ac iustis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad dictas terras cum pertinenciis spectantibus seu juste spectare valentibus in futurum libere quiete plenarie integre honorifice bene et in pace sine revocatione aliquali. Reservando nobis heredibus nostris et successoribus comitibus Rossie antiquum molendinum nunc edificatum cum consuetis antiqua crofta et tofta eiusdem cum consuetis multuris et sequelis dicti nostri molendini dictis multura et sequelis dicte ville de Usuy ut premittitur tantummodo exceptis etiam quod liceat rivolo descendere de lacu de Usuy futuris temporibus prout consuetum fuerat temporibus retroactis reservando etiam le frantenmentum dictarum terrarum de Usuy domino Thome de Dingvale nostro computori tunc temporis nostro camerario tantummodo dum in humanis vixerit. Reddendo annuatim prefatus Thomas junior de Dingvale heredes sui

masculi de corpore suo legitime procreati seu procreandi et assignati, quibus ut premittitur quod absit deficientibus dictus Johannes frater germanus dicte Thome heredes sui masculi de corpore suo legitime procreati seu procreandi et assignati quibus omnibus quod absit decedentibus proprius validior ut premittitur de cognatione de Dingvale succedenti heredes sui masculi et assignati nobis heredibus nostris et successoribus comitibus Rossie sex denariis usualis monete Scotie super solum dictarum terrarum de Usuy ad festum Pentecosten nomine albe firme si petatur tantum pro omni a[l]io^a servicio seculari exactione seu demanda que per nos heredes nostros et successores comites Rossie de dictas terras cum pertinenciis exigi poterunt quomodolibet vel requiri. Et nos vero prefatus Johannes comes Rossie et dominus Insularum heredes nostri et successores comites Rossie prefatas terras de Usuy cum pertinenciis prefato Thome juniore de Dingvale heredibus suis masculis de corpore suo legitime procreatis seu procreandis et assignatis quibus decedentibus Johanni de Dingvale suo fratri germano heredibus suis masculis corpore suo legitime procreatis seu procreandis et assignatis quibus omnibus quod absit decedentibus validiori et digniori de cognatione de Dingvale succedentibus eorum heredibus masculis et assignatis in omnibus et per omnia premittitur contra omnes homines et feminas mortales varantazabimus (sic) acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presenti carte nostre appendi fecimus. Apud Dingvale duodecimo die mensis Aprilis anno Domini millesimo quadringentesimo sexagesimo tercio. Coram hiis testibus videlicet conciliaris nostris Donaldto de Insulis domino de Dunnavige et de Glynnys, Celestino de Insulis de Lochalch et de Lochbryn, Lachlano M^cgilleoin domino de Deward (sic), Johanne de Munro domino de Foulis tunc temporis ballivo nostro, Lachlano juvene M^cgilleoin filio et herede dicti Lachlano M^cgilleoin de Deward (sic), Ranaldo albe de Insulis fratri dicti Donaldi de Insulis, Johanne Ranaldi Goffredi, Johanne M^cgeir de Ulva, Eugenio Donaldi senescallo domus nostre, Hectore Torquelli Ingelli (sic), Donaldto M^cduffee, et Thome de Munro secretario nostro, cum multis aliis in testimonium vocatis.

SOURCE: SRO, C2/vi/17 (Great Seal Register) (confirmation dated 14 August 1464).

PRINTED: RMS, ii, 801; *Clan Donald*, i, 541.

NOTE: a. blank in MS.

COMMENT: For Thomas Dingwall see no.77 comment. This charter was also confirmed by the king in August 1464. The lands of Ussie with Kildun were entailed by Thomas lacking heirs of his body on his brother John, whom failing to his brothers Alexander and William, whom failing to the nearest, better and more worthy successor of the name of Dingwall (OPS, ii, 839). Most of the exceptionally long list of 12 witnesses can be easily identified; of those which present some difficulty, John Ranaldi Goffridi was descended from Godfrey brother of Donald, lord of the Isles (app. D, table 2/33); '*Eugenius Donaldi*' was Ewen MacLean of Ardgour (see app. C); and '*Hector Torquelli Nigelli*' appears later (no.102) as keeper of Castle Sween and was a MacNeill.

79

Charter by John, earl of Ross and lord of the Isles, to Donald Corbett and his heirs, whom failing to Margaret his daughter and her heirs by John Tulloch of the lands of Easter Aird, in the earldom of Ross and sheriffdom of Inverness, resigned by John Tulloch. Tain, 12 April 1463.

Omnibus hanc cartam visuris vel audituris Johannes de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos dedisse concessisse et hac presenti carta nostra imperpetuum confirmasse dilecto nostro et nativo armigero Donaldo Corbatt omnes et singulas terras nostras de Ester Arde cum pertinenciis iacentes in dicto comitatu Rossie infra vicecomitatum de Invernys quequidem terre cum pertinenciis fuerunt quondam Johannis Tullach hereditarie et quas idem Johannes non vi aut metu ductus nec errore lapsus sed mera et spontanea sua voluntate per fustem et baculum in manus nostras resignavit ac totum jus et clameum que habet habuit vel habere

potuit pro se et heredibus suis omnino quitclamavit imperpetuum. Tenendas et habendas totas et integras prenominate terras de Ester Arde cum pertinentiis prefato Donaldto Corbatt et heredibus suis^a quibus deficientibus quod absit Margarete Corbatt filie dicti Donaldi et heredibus suis inter ipsam et prefatum Johannem Tullach procreatis seu procreandis de nobis heredibus nostris et successoribus comitibus Rossie in feodo et in hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis pratis moris marresiis pascuis et pasturis petariis turbariis carbonariis fabrilibus et brasinis viis semitis aquis silvis rivolis et lacubus aucupacionibus venacionibus piscacionibus cum vraik waith et wair^b cum molendinis multuris et eorum sequelis cum curiis et earum exitibus herzelidis et mulierum merchettis cum communi pastura et libero introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus et aisiamentis ac iustis suis pertinentiis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad predictas terras cum pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum, adeo libere quiete integre plenarie honorifice bene et in pace sine revocatione aliquali. Reddendo inde annuatim prefatus Donaldus et heredes sui, quibus deficientibus quod absit dicta Margareta et heredes sui inter ipsam sepefatam Margaretam et prefatum Johannem procreati seu procreandi nobis heredibus nostris et successoribus comitibus Rossie tres sectas curie ad tria placita capitalia nostra tenenda apud Kynnardy tantum pro omni alio onere servicio seculari exactione seu demanda que per nos heredes nostros et successores comites Rossie exigi poterunt de dictis terris cum pertinentiis vel requiri. Et nos vero prefatus Johannes comes Rossie heredes nostri et successores comites Rossie totas et integras prenominate terras cum pertinentiis prefato Donaldto et heredibus suis quibus deficientibus dicte Margarete et heredibus suis inter ipsam et dictum Johannem procreatis seu procreandis in omnibus et per omnia ut predictum est contra mortales homines et feminas warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presentibus appendi fecimus. Apud Tayne duodecimo die mensis

Aprilis anno Domini millesimo quadringentesimo sexagesimo tercio. Coram hiis testibus videlicet venerabili in Christo patre Finlaio abbate de Fern, Willelmothane de Caldor milite, Johanne de Monro de Foulis, Colino Lachlanni M^cgilleoin ballivo de Mule, Johanne M^cgoyre de Wlva, Thoma Monro nostro secretario, cum multis aliis in testimonium vocatis.

SOURCE: Original. SRO, GD 305/1/79/8 (Cromartie Muniments).

PRINTED: Fraser, *Cromartie*, ii, 331; *Clan Donald*, i, 539-40.

DESCRIPTION: 29.7 × 16.8cm; 27.5 × 12.8cm; tag with seal.

SEAL: style 2.

NOTE: *a.* it appears that heirs male is understood here though it is not stated. *b.* wrack and waith means flotsam and jetsam, ware is seaweed (see also no.76).

COMMENT: On 13 November 1488 Donald Corbett with consent of his wife Megote Calder passed the west third part of Easter Aird to his son John and his heirs (Fraser, *Cromartie*, ii, 339). Lands of Easter Aird called Corbettis landis were granted by the king to John Campbell of Cawdor in 1522 (*RMS*, iii, 220); the site of Castle Corbet is about 1 mile SW of Portmahomack. The parish of Tarbat was full of small estates which changed hands rapidly between the group of families living there (*OPS*, ii, 442ff). For Kinnairdie see no.23 comment.

Charter by John, earl of Ross and lord of the Isles, with the consent of his council to Celestine of the Isles his natural brother and his heirs male by Finvola, daughter of Lachlan MacLean of Duart, whom failing to heirs male of Celestine by any other wife, of the lands of Sleat in the lordship of the Isles. Dingwall, 8 November 1463.

Omnibus hanc cartam visuris vel audituris nos Johannes comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos de consensu et assensu et matura deliberatione

totius concilii nostri dedisse concessisse et hac presenti carta nostra confirmasse carissimo fratri nostro carnali Celestino de Insulis omnes et singulas terras nostras viginti octo marcarum domini nostri de Slete cum pertinenciis in dicto nostro dominio. Tenendas et habendas totas et integras prenominate terras cum pertinenciis prefato Celestino fratre nostro et heredibus suis masculis inter ipsum Celestinum et Finvolam filiam Lachlanni M^cgilleoin de Doward de corpore suo legitime procreatis seu procreandis quibus vero deficientibus quod absit veris legitimis heredibus dicti Celestini masculis inter ipsum Celestinum et quamcumque aliam uxorem legitimam procreatis seu procreandis quibus quod absit deficientibus que omnes supradicte terre cum pertinenciis ad nos et heredes nostros ut premittitur libere absque quibusvis questione et clameo seu interruptione sane et integre revertantur de nobis et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis pratis moris et marresiis pascuis et pasturis petariis turbariis carbonariis fabrilibus et bracinis viis semitis aquis stagnis rivolis fluminis et lacubus silvis quercis et genestis et virgultis aucupacionibus venacionibus piscacionibus cum le wrak waith et ware cum molendinis multuris et eorum sequelis cum curiis et earum exitibus herezeldis bludwitis furcis et mulierum merchettis cum communi pastura et liberis introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus fertilitatibus et asiamentis ac justis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam procul quam prope ad predictas terras cum pertinenciis spectantibus seu juste spectare valentibus in futurum libere quiete plenarie integre honorifice bene et in pace sine revocatione seu reclamacione aliquali. Reddendo inde annuatim prefatus Celestinus et heredes sui masculi inter ipsum Celestinum et prefatam Finvolam de corpore suo legitime procreati seu procreandi quibus quod absit deficientibus heredes dicti Celestini inter ipsum et quamcumque aliam uxorem legitimam procreati seu procreandi nobis heredibus et successoribus nostris unius navis octodecim remorum tam per mare quam per terras totiens quotiens opus fuerit necessarium contra et adversus

quoscumque mortales in guerra et in pace tantum pro omni alio onere servicio seculari exactione seu demanda que pro nos heredes nostros et successores exigi poterunt de dictis terris cum pertinenciis vel requiri. Et nos vero prefatus Johannes comes Rossie et dominus Insularum heredes nostri et successores totas et integras prenominatas terras cum pertinenciis prefato Celestino et heredibus suis masculis inter ipsum Celestinum et prefatam Finvolam legittime procreatis seu procreandis quibus deficientibus quod absit veris legitimis et heredibus dicti Celestini inter ipsum Celestinum et quamcumque aliam uxorem legitimam de corpore suo procreatis seu procreandis in omnibus et per omnia ut premititur et predictum est contra omnes mortales homines et feminas warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium huic carte nostre sigillum nostrum appendi fecimus. Apud castrum nostrum de Dingwaile octavo die mensis Novembris anno Domini m^o cccc^o lxxiii^o. Coram hiis testibus Johanne de Insulis filio et herede^a Donaldi de Insulis domini de Dunnowage et de Glynnis, Lachlanno M^cgilleoin de Dowarde, Johanne Alexandri de Insulis, Johanne Hectoris M^cgilleoin, Angusio Alexandri de Insulis, Eugenio Donaldi Lauchlanni, cum multis aliis.

SOURCE: SRO, C2/vi/116 (Great Seal Register) (confirmation dated 21 August 1464).

PRINTED: RMS, ii, 806.

NOTE: *a.* John Riddell's note (NLS, Adv. MS. 26.3.2, p.175) adds 'apparante' here.

COMMENT: It appears that Celestine's tenure of the lands of Sleat was only temporary. His brother Hugh, already having the designation 'of Sleat' by 1461 (no.74), received them by charter in 1469 (no.96). For sequence of heirs see also nos.76 and 82 – in this case alone it was limited to heirs *male*, but this was not put to the test. Ship service was becoming less usual, but had been quite common in the west and the islands (see Introduction, p.xl). Of the witnesses, the two members of the de Insulis family have not been identified with certainty: there was a John son of Alexander both in the Ardnamurchan family (app. D, table 1a/3) and in the Glengarry line (app. D, table 2/20); Angus

is perhaps Angus of Fersit in the Lochaber, later Keppoch, family (app. D, table 3/26). The last witness was Ewen MacLean of Ardgour, as in no.78.

81

Note of a charter by the earl of Ross to Alexander MacKenzie of Kintail of lands in the braes of Ross viz: Garve, Kinlochluichart, Killin, Garbat, and Kinlochewe; and also Corriemoillie, Ach-naclerach, 'Delintan', 'Achalorsk', and 'Taryl'. Dingwall, 7 (or 10) January 1463/4.

The earl of Cromartie: 'He [Johne of the Ills] desyred freindship with Alexander of Kintail; and to obleidge him the more he gave severall lands in the Brayes of Ross, to be haldin ward of the Earls of Ross. The chartor contains the lands of Garive, Kenlochlychart, Killin, Garbat, and of the lands of Kenlochew. It's daited apud Castrum de Dinguall, 10 Januar 1463. The disponer designes himself Joannes de Illa, Comes de Ross.'

Dr George Mackenzie: '... he [Earl of Ross] gave him [Alexander Mackenzie of Kintail] a charter to the 5 merklands of Killin, the lands of Garve, the two merks land of Corivullie, the three merks land of Kinlochluichart, the two merks land of Achnaclerich, the two merks land of Garbat, the two merks land of Delintan, the four merks land of Achalorsk and the two merks land of Taryl - dated at Dingwall 7 Jan 1463.'

SOURCE: Castle Leod. MS. History of the Family of Mackenzie by 1st earl of Cromartie; and SRO, GD 46/14/1 (Mackenzie of Seaforth Muniments), MS. History of the Mackenzies by Dr George Mackenzie.

PRINTED: Fraser, *Cromartie*, ii, 473.

COMMENT: For Cromartie's history see no.22 comment. The earl quotes a crown charter of Kintail dated at Edinburgh in 1462 of which there is no trace in RMS, but for this 1463 charter SP (vii, 497) cites 'Inventory Allangrange Papers'. Dr George Mackenzie in his history adds the information that Alexander

received the lands to defray expenses in making peace between the king and the earl of Ross, for which the date is about right. The earl also gives a tradition of the marriage of Kenneth, son of Alexander, to a daughter of the lord of the Isles which is difficult to accept, but a dispensation appears in ASPA in September 1465 (no. B42) for the marriage of 'Kennacius Alexandri Kennaci' and Finvola daughter of Celestine de Insulis – as John appears to have had no daughter available this may well explain the tradition. Regarding place-names, Kinlochluichart would be at the head of the loch as it was before hydro-electric development. Delintan, Achalorsk and Taryl remain unidentified; alternative spellings found in 1508 are Dailharna or Delnatua, Auchaglosk or Auchnluis, and Daache or Taage (RMS, ii, 3313; Fraser, *Cromartie*, ii, 490).

82

Charter by John, earl of Ross and lord of the Isles, with the consent of his council to Celestine his natural brother and his heirs by Finvola daughter of Lachlan MacLean of Duart, whom failing to the heirs of Celestine by any other wife of the lands of Ferincoskry, namely Creich, Spinningdale, Acharry, Flood, and Pulrossie in the earldom of Sutherland and sheriffdom of Inverness. Dingwall 10 January 1463/4.

Omnibus hanc cartam visuris vel audituris Johannes de Ile comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos de consensu assensu et matura deliberacione tocius nostri consilii dedisse concessisse et hac presenti carta nostra confirmasse carissimo fratri nostro carnali Celestino de Insulis omnes et singulas terras nostras de Fernacostrech infrascriptas videlicet Crechmor Spanegyduill Davacharry Pladd et Pulrossy cum pertinenciis jacentes in comitatu Suthirlande infra vicecomitatum de Invernys. Tenendas et habendas totas et integras prenominate terras cum pertinenciis prefato Celestino fratre nostro et heredibus suis inter ipsum Celestinum et Finvolam filiam Lachlanni Mcgilleoin de Doward de corpore

suo legitime procreatis seu procreandis quibus vero deficientibus quod absit veris legitimis heredibus dicti Celestini inter ipsum Celestinum et quamcumque aliam uxorem legitimam procreatis seu procreandis quibus omnibus quod absit deficientibus volumus quod omnes et singule supradicte terre cum pertinentiis ad nos et heredes nostros ut premittitur libere absque quibusvis questione et clameo seu interruptione revertantur de nobis et heredibus nostris in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis pratis moris marresiis pascuis et pasturis petariis turbariis carbonariis fabrilibus ac bracinis viis semitis aquis stagnis rivolis fluminis ac lacubus silvis quercis genestis ac virgultis aucupacionibus venacionibus piscacionibus cum le wrak waith et ware cum molendinis multuris et eorum sequelis cum curiis et earum exitibus herezeldis bludwitis furcis et mulierum merchyetyis cum communi pastura et introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus fertilitatibus et aisiamentis ac iustis suis pertinentiis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam procul quam prope ad predictas terras cum pertinentiis spectantibus seu iuste spectare valentibus in futurum libere quiete integre plenarie honorifice bene et in pace sine revocatione seu reclamacione aliquali. Reddendo inde annuatim prefatus Celestinus et heredes sui inter ipsum Celestinum et prefatam Finvolam de corpore suo legitime procreati seu procreandi omnibus quod absit deficientibus heredes dicti Celestini inter ipsum et quamcumque aliam uxorem legitimam procreati seu procreandi de nobis et heredibus nostris ac successoribus sex denarios usualis monete Scotie nomine albe firme super solum dictarum terrarum de Fernacostrech ad festum Penthecosten si petatur tantum pro omni alio onere servicio seculari exactione seu demanda per nos heredes nostros et successores exigi poterunt de dictis terris cum pertinentiis vel requiri. Et nos vero prefatus Johannes comes Rossie et dominus Insularum heredes nostri et successores totas et integras pre-nominatas terras cum pertinentiis prefato Celestino et heredibus suis inter ipsum Celestinum et prefatam Finvolam legitime procreatis seu procreandis quibus deficientibus quod absit veris

et legitimis heredibus dicti Celestini inter ipsum et quamcumque aliam uxorem legitiman de corpore suo procreatis seu procreandis in omnibus et per omnia ut premittitur et predictum est contra omnes mortales homines et feminas warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum huic presenti carte nostre appendi fecimus. Apud castrum nostrum de Dingvale decimo die mensis Januarii anno Domini millesimo quadingentesimo sexagesimo tercio.

SOURCE: Original. SRO, GD 93/21 (Munro of Foulis Muniments); also transumpt in SRO, RH1/2/252, and version in SRO, C2/vi/116 (Great Seal Register).

PRINTED: Abstracts in *Munro Writs*, no.21; and RMS, ii, 806.

DESCRIPTION: 37·2 × 17cm; 33 × 11·9cm; tag with seal.

SEAL: style 3.

COMMENT: For other grants to Celestine see nos.76 and 80, and comments. By 1467 some at least of these lands were in the hands of the earl of Sutherland, who is said to have married a daughter of Alexander, earl of Ross (*Sutherland Earldom*, 75, 429-30); but it seems possible that they came to him as a marriage portion with a daughter of Celestine (Fraser, *Sutherland*, i, 66-67; and see app. D, table 6/23). The lands of Ferincoskry in Braechat (see no.19 comment) later came to the Munros of Foulis through Celestine's granddaughters. Margaret, wife of Alexander of Glengarry, granted her half of them to her cousin Hector Munro of Foulis in 1524 (*Munro Writs*, no.46), and the Dingwall half was sold to Duncan Bayne of Tulloch in 1555 and exchanged by his son with Robert Munro of Foulis in 1563 (*ibid.*, 78). On place-names, Davachcarry is probably Acharry, and Pladd is Fload, frequently named along with Acharry and Pulrossie (*OPS*, ii, 687-8). The absence of witnesses in this charter is unusual.

Notarial instrument of transumpt of a precept by king James III, dated at Falkland 2 March 1461/2, addressed to John, earl of Ross and lord of the Isles, and Alexander Dunbar sheriff of

Inverness as his bailies to give sasine to Mariota daughter of the late Alexander Sutherland of Dunbeath of the lands of Dunbeath in the earldom of Caithness, sheriffdom of Inverness, to which precept, at the request of William of Cawdor, son and heir apparent of Sir William of Cawdor, David bishop of Moray agreed to adhibit his judicial authority. Inverness, 4 August 1464.

In Dei nomine Amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno Domini millesimo quadringentesimo sexagesimo quarto mensis vero Augusti die quarto indictione duodecima pontificatus sanctissimi in Christo patris et domini Pii divina providencia pape secundi anno septimo. In mei notarii publici et testium infra scriptorum presencia personaliter constitutus venerabilis vir magister Johannes Grene ecclesie cathedralis Moraviensis cancellarius procurator et nomine procuratorio honorabilis viri Willelmi de Caldore filii et apparentis heredis circumspecti viri Willelmi de Caldore militis de cuius procuracionis mandato michi notario publico subscripto ad plenum constabat quamdam literam in pergameno scriptam testimonio magni sigilli supremi domini nostri regis impendentis sigillatam ut aparuit magnifico ac potenti domino Johanni comiti Rossie et Insularum domino pro saissina Mariote de Suthirlande filie quondam Alexandri de Suthirlande de terris Dunbeth cum pertinenciis in comitatu Cathanie infra vicecomitatum de Invernyss jacentibus tribuenda directam in medium produxit et eandem legi extrahi transsumi autenticari ac in formam publicam transsumpti redegit transsumpto exinde confecto fides in iudicio et extra dari concedi ac decerni per reverendum in Christo patrem ac dominum meum dominum Davidem Dei et apostolice sedis gracia episcopum Moraviensem apud Invernyss pro tribunale in mansione sua sedentem una cum interposicione decreti et appensione sigilli sui humiliter postulavit cuius quidem littere tenor sequitur et est talis. Jacobus Dei gratia rex Scottorum Johanni comiti Rossie et domino Insularum et ballivis suis salutem. Quia per inquisitionem de mandato nostro per Alexandrum de Dunbare vicecomitem nostrum de Invernyss in hac parte factam et ad

capellam nostram retornatam compertum est quod quondam Alexander de Suthirlande pater Mariote de Suthirlande latricis presentium obiit ultimo vestitus et saisitus ut de feodo ad pacem et fidem nostram de terris de Dunbeth cum pertinenciis jacentibus in comitatu Cathanie infra vicecomitatum de Invernyss et quod dicta Mariota est legitima et propinquior heres eiusdem quondam Alexandri patris sui de dictis terris cum pertinenciis et quod est legitime etatis et quod de te Johanne tenentur in capite. Vobis precipimus et mandamus quatinus cum dicta Mariota tibi fecerit pro dictis terris cum pertinenciis quod de iure facere tenetur sibi vel suo certo actornato latori presentium saisinam dictarum terrarum cum pertinenciis iuste habere faciatis et sine dilacione salvo nostro iure cuiuslibet et hoc nullo modo omittatis. Teste me ipso apud Faucland secundo die mensis Marcii anno regni nostri secundo. Prelibatus vero reverendus in Christo pater attendens requisicionem huiusmodi fore justam et rationi consonam prenotatam literam sic in iudicio productam sanam et integram non viciatam non cancellatam nec in aliqua parte suspectam sed omni vicio et suspicione ut aparuit (sic) carentem perlegi fecit ac michi notario publico subscripto eandem transsumere extrahere exemplare autenticare et ad futuram rei memoriam in formam publicam transsumpti redigere expresse mandavit ne vetustate vel casu fortuito vigores suos amitteret unde innocentes in defectu probacionis iuribus suis privarentur et decrevit quod presenti transsumpto in iudicio et extra ubilibet locorum sicut ipse littere originali firma et indubitata fides perpetuis futuris temporibus adhibeatur. De et super quibus omnibus et singulis prefatus cancellarius nomine procuratorio quo supra a me notario publico subscripto unum vel plura publicum seu publica instrumentum seu instrumenta fieri peciit. Acta erant hac infra burgum de Invernyss in mansione prenotati domini episcopi sub anno mense die indictione et pontificatu suprascriptis. Presentibus ibidem venerabili in Christo patre Willelmo permissione divina Vallis Sanctiandree de Pluscardyne priore, discreto viro Willelmo Gawbrath ecclesie de Kyncardyn rectore ac notario publico, et Willelmo Hay de Lochloy, testibus ad premissa vocatis specialiter et rogatis.

Et ego Andreas de Fores presbiter Moraviensis diocesis publicus auctoritate imperiali notarius (etc.).

SOURCE: NLS, MS. Dep. 313/3296 (Sutherland Papers).

COMMENT: For Sutherland and Dunbeath see nos.29 and 30. This may have been a necessary preliminary for the next document (no.84). There was much sorting out of property in the north while the king was in Inverness and Elgin in August 1464 (*RMS*, ii, 800-6).

84

Precept by John, earl of Ross, lord of the Isles, addressed to Thomas coroner of Caithness, James his son, Angus Sutherland and Nicholas Sutherland to give sasine to Elizabeth Dunbar of the lands of Dunbeath in the earldom of Caithness, sheriffdom of Inverness, following a brieve of the king. Inverness, 16 August 1464.

Johannes comes Rossie et dominus Insularum dilectis nostris Thome crounare de Cathnes, Jacobo filio suo, Angusio de Sutherland, et Nicholas de Sutherland conjunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem. Quia recepimus breve^d sasine suppremi domini nostri regis nobis directum ad dandum sasinam dilecte consanguinee nostre Elisabeth de Dunbar' de terris de Dunbeth cum pertinenciis jacentes in comitatu Cathanie infra vicecomitatum de Invernes que terre de nobis tenentur in capite. Vobis mandamus et precepimus quatinus dicte consanguinee nostre Elisabeth de Dunbar vel suo certo attornato latori presentium sasinam dictarum terrarum de Dunbeth cum pertinenciis juste habere faciatis et sine dilacione. Ad quod faciendum vobis et vestrum cuilibet conjunctim vel divisim in hac parte nostram plenariam tenore presentium committimus potestatem. Datum sub sigillo nostro apud Invernes decimo sexto die mensis Augusti anno Domini millesimo quadringentesimo sexagesimo quarto.

SOURCE: Original. BL, Egerton Charters, no.363.

DESCRIPTION: 23.9 × 9cm; 19.5 × 4.3cm; tag with seal.

SEAL: style 2.

NOTE: *a*. This is the only reference to a royal brieve.

COMMENT: Elizabeth Dunbar is not certainly identified, but it is possible that she was Elizabeth daughter and co-heiress of James 4th earl of Moray and wife of Archibald Douglas, created earl of Moray 1442 x 1445 and killed 1 May 1455; her illegitimate half-brother became Sir Alexander Dunbar of Westfield and had lands in Caithness (*SP*, vi, 306). In 1494 the lords of council ordered the lands of Dunbeath to be returned to Alexander Dunbar (no designation) after their occupation by William and Andrew Keith (*ADC*, i, 329). In 1507 Dunbeath and Reay went by royal charter to Alexander, son of Alexander Innes of that ilk (*RMS*, ii, 3116). The 'crowner' of Caithness was mentioned in the testament of Alexander Sutherland of Dunbeath (*Bannatyne Misc.*, iii, 91), as were his sons Alexander and Henry – they were members of the Gunn family. On 3 October 1456 a dispensation of marriage was issued (*ASPA*, 6,238v) '*Jacobo Coronatorum et Mariota Sutherlande*' (sic) – perhaps an intended marriage for the future wife of William of Cawdor (see no.67).

85

Note of a precept by John of Islay to Rory MacLeod of the lands of Lewis and Waternish as heir to Torquil. 3 November 1464.

'To Torkill succedit Rory Oig i.e. young. He entred by a kynd of precept of *Clare constat*, which is under forme of instrument, wherby John of Illa declaires Rory M^cLeod air to Torkill in the lands of Lewis and Waterness, daited 3 November 1464.'

SOURCE: Castle Leod. MS. History of the Family of Mackenzie by 1st earl of Cromartie.

PRINTED: Fraser, *Cromartie*, ii, 511.

COMMENT: For Cromartie's history see no.22 comment. There follows a note by the earl of a charter dated 30 June 1511

erecting these and other lands into the barony of Lewis based on the castle of Stornoway – correct for *RMS*, ii, 3578, of 29 June 1511.

86

Note of a charter by John, earl of Ross, to Celestine of the lands of Glenloy, Strone (?), and Locharkaig. Aros, 7 November 1464.

'1464 Nov 7. Ch. dated at Aros in Mull by John Earl of Ross to Celestine of the lands of Glenluy, Stronchur and the Davoch of Locharkaig, in the sheriffdom of Inverness.

N.B. The above Ch. mentioned in these terms by the Rev^d Don^d McQueen in an enquiry by him as to the Chiefship of the Macdonalds, 1782.'

SOURCE: NLS, MS. 2129, p.12a (a note by Donald Gregory).

COMMENT: There is no corroboration for this grant of disputed lands (see no.4). Rev. Dr Donald McQueen's enquiry has not been located; he was minister of Kilmuir in Skye, author of 'A Dissertation on the Government of the People in the Western Isles' (1774) published in Pennant, *Tour*, iii, 421-36, and died in 1785. Stronchur (cf. Stroncroy in no.A23) is probably Strone at the mouth of Glen Loy – Strone in Glenloy is on record in 1567 (*Mackintosh Muniments*, no.87).

87

Charter by John, earl of Ross and lord of the Isles, to Farquhar Owre of the lands of Tullich Delny in the earldom of Ross and sheriffdom of Inverness. Dingwall, 4 November 1466.

Omnibus hanc cartam visuris vel auditoris Johannes de Ila comes Rossie et dominus Insularum salutem in Domino sempiternam. Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse pro amore Dei et salute anime nostre et animarum parentum nostrorum fideli familiari nostro ac servo

nativo Farchardo Owre pro servicio fideli suo nobis impenso et impendendo terras nostras de Tulloch Delnye jacentes in comitatu Rossie infra vicecomitatum de Invernes inter canum torrentem ex parte orientali et terras sancti Johannis ex parte occidentali eciam inter vile vadum ex parte australi et communem pasturam ex parte boriali. Tenendas et habendas antedictas terras predicto Ferchardo heredibus suis et suis assignatis in feodo et hereditate imperpetuum . . . cum curiis et exitibus herzeldis bludewetis et mulierum merchaetis . . . Reddendo inde de dictis terris predictus Farchardus heredes sui et sui assignati unam libram cere semel in anno in festo nativitatís Domini nostri Jhesu Christi sancto Johanni de Delnye tantum pro omni alio onere nomine albe firme . . . In cuius rei testimonium sigillum nostrum rotundum presentibus duximus appendendum apud opidum nostrum de Dingvale. Coram hiis testibus videlicet Lachlano MClayne, Jonata Stewart, Donaldo Lachlani de Ardgowre, domino Thoma de Digvale (sic) subdecano ac camerario Rossensi, Tarleto owg, Alexandro Ross filio et apparente herede Johannis Ross de Balnagowne, magistro Willelmo Ross de Littyll Allayn, Roberto Massone, Willelmo Greffsone, et Johanne Smyth, cum diversis aliis quarto die mensis Novembris anno Domini millesimo quadringentesimo sexagesimo sexto.

SOURCE: SRO, RH 1/2/258 (Transcripts) 19th cent. copy.

SEAL: style 2 described.

COMMENT: Farquhar Owre has not been identified. In 1507 the same lands were in the king's hands in ward following the death of Farquhar Airesoun (*RSS*, i, 1462), and in 1512 they were granted with the lands of Milntown and the office of chief mair of the earldom of Ross to Andrew Monro on payment for the croft of Tulloch of one pound of wax yearly within the chapel of Delny (*RMS*, ii, 3746). The lands of Tulloch Delny in the parish of Kilmuir Easter (Watson, *PNRC*, 66; *OPS*, ii, 464-5) have been confused with another Tulloch near Dingwall which went to the Baynes (*OPS*, ii, 493; *Ant. Notes*, i, 133) and Farquhar Owre has even been claimed as ancestor of these Baynes of Tulloch (Lawrence, *Clan Bain*, 61-62; but cf. D.

Mackinnon in *Scottish Genealogist*, 1954, ii, 3). This charter was followed by a record of sasine given by John Ross of Balnagown as bailie. For Joneta Stewart, the only woman witness to appear in these charters, see app. C.

88

Charter by John, earl of Ross and lord of the Isles, to Duncan Mackintosh, captain of clan Chattan, of lands in the lordship of Lochaber viz: Keppoch, Inverroy, Achadh na Croise, Bohuntine, Bohenie, Murlaggan, Tulloch, Dail and Duin deirg, Achaderry, Inverroy mor, Muirshearlich, Achnanellan, Lindalie, Clunes, Glas Dhoire mor, Mucomir, 'Leachtuerynich', 'Cloynkallych', Stroneaba, Torr an Eas, Blairour, Rathliss, 'Achinesk', Invergloy, 'Achrone', with the office of bailie of the said lands and the office of bailie of the earl's lands viz: Achadrome, Glengarry, Letterfinlay, and Lianachan, all lands within the lordship of Lochaber and sheriffdom of Inverness. Urquhart, 14 November 1466.

Omnibus hanc cartam visuris vel auditoris Johannes de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos dedisse consessisse et hac presenti carta nostra imperpetuum confirmasse dilecto nostro consanguineo Doncano m^cIntosche capitaneo de Clanchatten totas et integras terras nostras infrascriptas videlicet Keppach Innerroyger Achnacrose duas Bointynnis Bohene Murvalgane Tullach Daile-donerderg Achderre Innerroyg muor Mischeralych Achinnellane Leyndale Cloynis Glastor more Micomer Leachtuerynich Cloynkallych Stronnabay Tornessa Blarrowyr duas Ratullychis Achinesk Innerglie et Achrone cum pertinenciis omnium predictarum terrarum jacentes in dominio nostro de Lochabbria infra vicecomitatum nostrum de Invernys una cum officio ballivatus dictarum terrarum cum pertinenciis necnon et officio ballivatus nostrarum terrarum hereditariarum (sic) subscriptarum quas ad nostram propriam proprietatem et usum reservamus videlicet Achdrome Glengarre Lettirfinlai et terras

duarum villarum de Lanachannis cum pertinenciis pro suo heredum suorum homagio et servicio fideli nobis et heredibus nostris impenso et in futurum impendendo. Tenendas et habendas totas et integras prenominatas terras et officium predictum ut premittitur cum pertinenciis prefato Doncano et heredibus suis de nobis et heredibus nostris et successoribus in feodo et in hereditate imperpetuum per omnes rectas metas suas et antiquas fines in boscis planis pratis pascuis et pasturis moris marresiis petariis turbariis carbonariis fabrilibus et brasinis viis semitis aquis silvis virgultis rivolis et lacubus aucupacionibus venacionibus piscacionibus cum molendinis multuris et eorum sequelis cum curiis et curiarum exitibus herzeldis bludvittis et mulierum merchettis ac cum omnibus aliis et singulis commoditatibus libertatibus fertilitatibus et aisiamentis ac iustis suis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra (sic) terram tam prope quam procul ad predictas terras et officium ut premittitur cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum adeo libere quiete integre plenarie honorofice bene et in pace in omnibus et per omnia sine revocatione aliquali per nos vel heredes nostros ad dictas terras et officium ut premittitur qualitercumque facienda in futurum. Reddendo annuatim dictus Doncanus et heredes sui nobis et heredibus nostris de terris de Inverroyg duas marcas usualis monete regni Scotie cum servicio priusdicto tantum pro omni alio onere servicio seculari seu exactione vel demanda que de dictis terris et officio cum pertinenciis exigi poterunt quomodolibet vel requiri. Et nos vero prefatus Johannes comes Rossie et dominus Insularum et heredes nostri prefatas terras et officium cum pertinenciis ut sepedictum est in omnibus et per omnia prefato Doncano et heredibus suis quibuscumque contra quoscumque mortales varandizabimus acquietabimus et pro perpetuo defendemus. In cuius rei testimonium sigillum nostrum presenti carte nostre appendi fecimus. Apud Urcharde decimo quarto die mensis Novembris instantis anno Domini millesimo quadringentesimo sexagesimo sexto.

SOURCE: Original. SRO, GD 176/8 (Mackintosh of Mackintosh)

Muniments); SRO, C2/xiii/96 (Great Seal Register) (confirmation dated 5 January 1493/4).

PRINTED: Abstracts in *Mackintosh Muniments*, no.8; *RMS*, ii, 2191; *Clan Donald*, i, 562 (from confirmation).

DESCRIPTION: 31.8 × 20.7cm; 28.2 × 15.8cm; one tag, no seal remains.

COMMENT: Duncan's father Malcolm Mackintosh was dead by 17 May 1464 (*Mackintosh Muniments*, no.7); see app. C. The lands and office of bailie of Lochaber had apparently been returned to Mackintosh (see nos.62-64). For place-names cf. nos.73, 124, A43. *OPS*, ii map shows Leachturynich near the head of Glenroy. Achrone, Achdrome or Achadrome, perhaps the same as Agherom in A61, was the section of the Great Glen forming the short strath between Loch Garry and Loch Oich (Macfarlane, *Geog. Coll.*, ii, 169, 523).

89

Charter by John, earl of Ross and lord of the Isles, with the consent of his council to his brother Celestine of the Isles of Lochalsh, sheriff of Inverness, of the lands of Strathhalladale in the earldom of Caithness, sheriffdom of Inverness. 'Ayremore', 25 April 1467.

Omnibus hanc cartam visuris vel auditoris Johannes de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos de consensu et assensu et matura deliberacione tocius nostri consilii dedisse concessisse et hac presenti carta nostra imperpetuum confirmasse carissimo fratri nostro Celestino de Insulis de Lochalche necnon et vicecomiti de Innernys omnes et singulas terras nostras de Strathalwadale cum pertinenciis jacentes in comitatu Cathanie infra vicecomitatum de Innernys. Tenendas et habendas totas et integras terras prenominate de Strathalwadule cum pertinenciis prefato Celestino heredibus suis et successoribus comitibus Rossie^d et dominis Insularum in feodo et in hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis pratis moris maresiis pasturis et pascuis petariis turbariis carbonariis

fabrilibus et brasinis viis semitis aquis silvis rivulis quercis virgultis et lacubus aucupacionibus cum vrata vaith et vair cum molendinis multuris et eorum sequelis cum curiis et earum exitibus herezeldis et mulierum merchettis cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus fertilitatibus et asiamentis ac iustis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad predictas terras cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum adeo libere quiete integre plenarie honorifice bene et in pace sine revocatione aliquali. Reddendo inde annuatim prefatus Celestinus heredes sui et successores nobis heredibus nostris et successoribus comitibus Rossie et dominis Insularum unum denarium argenti apud festum Pentecosten super solum dictarum terrarum nomine albe firme si petatur tantum pro omni alio onere servicio [seculari]^b exactione seu demanda que per nos heredes nostros et successores exigi poterunt de dictis terris cum pertinenciis quomodolibet vel requiri. Et nos vero prefatus Johannes comes Rossie et dominus Insularum heredes nostri et successores comites Rossie et domini Insularum totas et integras prenominateas terras cum pertinenciis prefato Celestino heredibus suis et successoribus in omnibus et per omnia ut predictum est contra et adversus quoscumque mortales homines et feminas varandizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presenti carte nostre appendi fecimus. Apud Ayremore vicesimo quinto die mensis Aprilis anno Domini millesimo quadringentesimo sexagesimo septimo. Coram hiis testibus videlicet Donald de Insulis domino de Dunanowaige et de Glynnis, Lachlanno M^cGilleoin domino de Dowarde, Alexandro Johannis domino de Ardnamurchan, Lachlanno juvene M^cGilleoin magistro de Dowarde, cum multis et diversis aliis in fidem et testimonium omnium premissorum vocatis specialiter et requisitis.

SOURCE: NLS, MS. 2131 f.71 (transcript in Donald Gregory's collection).

PRINTED: *Clan Donald*, i, 543-44.

NOTE: *a.* It would appear that a phrase has been omitted here in transcription. *b.* word missing in MS.

COMMENT: See nos. 19 and 82. Strathhalladale seems to have become part of the Mackay lands soon after 1500. Although the lands dealt with are in Sutherland, this is the only charter dated from Ayremore; this location has caused some speculation, and it has even been identified as Aviemore in Strathspey (*Clan Donald*, ii, 507). It is in fact probably the same place as Arymore which gave its name to 12 merk lands in Knapdale granted to John in 1481 (no. A37), in the portion of that lordship lying south of West Loch Tarbert (see no. A35 comment). Arivore farm at Glenreadell, near Whitehouse, is on OS map 1 : 10 000, and there is a *dun* at the lochside on Eilean Araich Mhoir (*Argyll Inv.*, i, no. 209). There is also an Arrevore in Islay (no. A45).

90

Charter of confirmation by John, earl of Ross and lord of the Isles, with the consent of his council to abbot Finlay and the monastery of Fearn of the lands of Fearn, Milton, Rhynie, Pitkerrie, Balmuchy, Geanies, and Cadboll, and lands in Westray and Strathcarron viz: Dounie, Easter Fearn and Wester Fearn, Gledfield, Invercarron, the fishings of Bonar and Amat in Strathcarron, Rhelonie with the fishing and ferry, 'Auchgullane', 'Brayliag' with the forests of 'Alveyn' and Salachie, all granted to the monastery by Farquhar sometime earl of Ross founder of the said monastery and confirmed by John for his own good and for the salvation of the souls of his parents, Alexander earl of Ross and Elizabeth his wife. Dingwall, 2 November 1467.

Omnibus hanc cartam visuris vel auditoris Johannes de Ile comes Rossie et dominus Insularum eternam in Domino salutem cum alias pie et recolende memorie magnificus ac potens dominus Farchardus quondam comes Rossie et alii successores sui et antecessores nostri olim comites Rossie pro salute animarum suarum antecessorum et successorum suorum

Deo omnipotenti beateque virgini Marie abbatique et conventui monasterii Nove Fernie per prefatum dominum Farchardum et antecessores nostros comites Rossie fundati et devote erecti omnes et singulas terras suas infrascriptas videlicet terras Nove Fernie ubi dictum monasterium situatur cum ly Miltoun et Muldaig duas davatas terrarum que nominantur Litill Rany et Mekill Rany duas davatas nuncupatas Petkery et Ballamochie tres davatas nuncupatas Wester Gany Midill Gany et Eister Gany unam dimidiam davate nuncupate Catboll-nacrye omnes et singulas terras et possessiones in Westray et Stracharron videlicet terras de Downy in Westray Eister Ferne et Wester Ferne Laidelamoch Innercharoan cum tota piscaria de le Bonach Amate in Stracharron Achnagart que nunc nominatur Rulony cum piscaria et passagio ejusdem Achnagullane et Brayliag-fudies(?) cum forestis Alveyne et Salchy necnon et usum lignorum et arborum per totum nostrum comitatum Rossie et presertim usum lignorum et arborum in parochia de Kilmure quem prefatus Farchardus quondam comes Rossie dicti monasterii primus fundator eidem monasterio pia liberalitate concessit cum universis et singulis dictarum terrarum pertinenciis jacentium in comitatu nostro Rossie infra vicecomitatum de Invernis in puram et perpetuam elymosynam dedissent concessissent et confirmassent per ... dederunt concesserunt pariter et confirmarunt prout in cartis et evidentiis dicti domini Farchardi comitis et aliorum successorum suorum comitum Rossie necnon in bullis confirmationibus premisorum apostolicis desuper dicto monasterio latius factis concessis et registratis expressialius continebatur. Quequidem charte et terrarum evidentie tempore combustionis insignis collegiate capelle almi confessoris beati Duthaci de Taine una cum aliis nonnullis reliquiis et evidentiis adnichilate extiterunt prout informamur pariter et combusta etc. etc. et ea que predecessores nostri tam pie et devote concesserunt nec nos revocare sit potius augmentare et conservare intendimus et optamus. Noveritis nos ea propter omnes et singulas illas antecessorum nostrorum quondam comitum Rossie donationes terrarum et possessionum concessionem largitionem dicto monasterio antiquitus factas et concessas (sic) per abbatem et conventum ejusdem

consuete fuere habitas et in presentarium possessas ratificasse approbasse ac pro nobis et heredibus nostris dicto monasterio in perpetuum confirmasse nec non de novo noveritis nos ad instantiam venerabilis in Christo patris Finlaii permissione divina prefati monasterii Nove Fernie abbatis moderni et conventus ejusdem una cum matura deliberatione et avidamento totius concilii nostri super hoc in laudem gloriam et honorem omnipotentis Dei et gloriosissime virginis Marie matris Domini nostri Jesu Christi patrone monasterii predicti nec non pro salubri statu nostro et pro salute anime quondam magnifici et potentis domini Alexandri de Ile comitis Rossie et patris nostri et Elizabeth sponse sue matris nostre pro saluteque anime nostre antecessorum et successorum in divini cultus continuum incrementum ac monasterio predicto dedisse concessisse et hac presenti carta nostra confirmasse Dei omnipotenti beateque virgini Marie abbati et conventui monasterii antedicti et successoribus suis omnes et singulas terras predictas de Nove Fernie cum le Miltoun et Muldarg duas davatas terre de Pitcary et Ballemouchie tres davatas nuncupatas Wester Gany Mid Gany et Eister Gany duas davatas terrarum que nominantur Litill Rany et Mekill Rany unam davate nuncupate Catboll-na-Crey omnes et singulas terras predictas in Westray et Stracharroun videlicet terras de Downy in Westray Eister Ferne et Wester Ferne Laidclamoc Innercharroun cum tota piscarie de le Bonach Amade in Stracharroun Achnagart que nunc nuncupatur Rulony cum piscaria et passagio ejusdem Achnagullane et Bralugude cum forrestis de Alveyn et Salchy nec non et usum lignorum et arborum per universum nostrum comitatum Rossie ad fabricam et reparationem monasterii predicti et presertim usum lignorum et arborum in parochia de Kilmure cum universis justis pertinentiis ad prefatas terras etc. etc. In quarum premissorum fidem et testimonium sigillum nostrum presentibus penes dictos dominum abbatem et conventum et successores suos perpetuis temporibus remansuris duximus appendum. Apud castrum de Dingwall secundo die mensis Novembris anno Domini millesmo quadringentesimo sexagesimo septimo. Coram his testibus . . .

(NB this ancient copy goes no further)

SOURCE: NLS, Adv. MS. 35.4.12a (transcript in Walter Macfarlane's notebook, made from a copy penes Roderick MacLeod of Cadboll in 1756).

PRINTED: *Clan Donald*, i, 541-43.

COMMENT: The abbey of Fearn was founded about 1227 by Farquhar, earl of Ross, as a daughter house of Whithorn; at first it was on a site in the parish of Edderton, but it was moved east into Tarbat parish about 15 years later (*Chron. Ross*, 4). The abbot at this time was Finlay MacFaid (see app. C). The burning of St Duthac's chapel at Tain, c.1427 or 1429, in which earlier writs may have been destroyed, is mentioned in *Chron. Frasers*, 100-1, and *Sutherland Earldom*, 64-65. For Westray cf. no.31. Achnagullane was probably on the River Einig, tributary of the Oykell in Kincardine parish (Watson, *PNRC*, 21, 22; Macfarlane, *Geog. Coll.* ii, 568), and not the other in Alness parish (*Munro Writs*, 174, 328, 375; *OPS*, ii, 476). Pasture in places called Halchmaguli, Braghlugudi and Salki was among lands confirmed by the pope in 1529 to the canons of New Fearn (*OPS*, ii, 412). A seventeenth-century list of forests in Ross (Macfarlane, *Geog. Coll.*, ii, 539) does not include Alveyn or Salachie.

91

Charter by John, earl of Ross and lord of the Isles, with the consent of his council to William younger of Cawdor and Mariota Sutherland his wife of the lands of Invermarkie in the lordship of Badenoch, sheriffdom of Inverness. Dingwall, 6 November 1467.

Omnibus hanc cartam visuris vel audituris Johannes de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Sciatis nos proprio motu nostro ac consensu assensu et matura deliberacione consilii nostri propter intimam dilectionem quam habemus erga predilectum armigerum nostrum Willelmum iuvenem de Caldor filium et apparentem heredem Willelmi thani de Caldor et Mariotam de Suthirland consanguineam nostram carissimam sponsam priusdicti Willelmi dedisse et concessisse et hac presenti carta nostra confirmasse

prefatis Willelmi iuveni de Caldor et Mariote de Suthirland omnes et singulas terras nostras de Innermerky cum pertinenciis jacentes in domino de Badzenach infra vicecomitatum de Invernys. Tenendas et habendas totas et integras prenominatas terras de Innermerky cum pertinenciis suis universis prefatis Willelmo et Mariote sponse sue et eorum heredibus inter se procreatis seu procreandis de nobis et heredibus nostris et successoribus comitibus Rossie in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacet in latitudine et longitudine in boscis planis moris maresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molen- dinis multuris et eorum sequelis aucupationibus venacionibus piscationibus petariis turbariis carbonariis lapide et calce fabri- libus brasinis brueriis et genestis cum curiis et earum exitibus herezeldis bludewetis mulierum merchettis cum le wrak et waith cum communi pastura et liberis introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus fertilitatibus et aisiamentis ac iustis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad predictas terras cum pertinenciis spectantibus seu iuste spectare valentibus in futurum libere quiete plenarie integre honorifice bene et in pace sine revocatione aliquali. Reddendo inde annuatim predictus Willelmus de Caldor Mariota sponsa sua et eorum heredes inter se procreati seu procreandi unum par serothecarum super solum dictarum terrarum de Innermerky nomine albe firme si petatur tantum pro omni alio onere servicio seculari exactione seu demanda que de dictis terris de Innermerky cum pertinenciis exigi poterunt vel requiri. Et nos vero prefatus Johannes comes Rossie et dominus Insularum heredes nostri et successores comites Rossie prefatas terras de Innermerky cum pertinenciis prefatis Willelmo et Mariote et eorum heredibus inter se ut prefertur procreatis seu procreandis contra omnes mortales homines warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presentibus appendi fecimus. Apud castrum nostrum de Dingvale sexto die mensis Novembris anno Domino millesimo quadringentesimo sexagesimo septimo. Testibus Celestino de Insulis

de Lochailch, Lachlanno M^cgilleoin de Douarde, Lachlanno iuvene M^cgilleoin senescallo domus nostre, Johanne de Monro de Foulis, Thoma de Dingvale subdecano Rossensi camerario nostro, Lachlanno M^cfynwyn de Myschernys, et Ewgenio Donaldi Lachlanni M^cgilleoin, cum diversis aliis in testimonium vocatis.

SOURCE: Original. Cawdor Castle, bundle 139.

PRINTED: *Cawdor Book*, 49; *Clan Donald*, i, 545, wrongly cited as from the *Family of Rose*.

DESCRIPTION: 33.5 × 17.3cm; 28.6 × 13.4cm; tag with seal.

SEAL: style 2.

COMMENT: For Badenoch lands see no.50 comment. Alexander, earl of Huntly, had a charter of the lordship lands of Badenoch on 28 April 1451 (*RMS*, ii, 442). Innermarkie or Invermarkie in Badenoch was at the point where the Allt a' Mharcaidh (named Allt na Criche on some maps) flows into the river Feshie, 2 miles above its junction with the Spey near Kinncraig (Macbain, *PNHI*, 243).

92

Precept by John, earl of Ross and lord of the Isles, addressed to John de Boyis of Dunachton to give sasine following charter no.91. Dingwall, 6 November 1467.

Johannes de Yle comes Rossie et dominus Insularum dilecto nostro Johanni de Boyis de Dounnachtin ballivo nostro in hac parte salutem. Et quia hereditarie concessimus dilecto armigero nostro Willelmo iuveni de Caldor filio et apparenti heredi Willelmi thani de Caldor militis et Mariote de Suthirland consanguine nostre sponse priusdicti Willelmi et eorum hereditibus (sic) omnes et singulas terras nostras de Innermerky cum pertinenciis iacentes in dominio de Badzenach infra vicecomitatum de Invernys prout in carta nostra inde confecta plenius continetur. Vobis igitur precipimus et mandamus quatinus indilate visis presentibus saisinam et statum hereditarium predictarum terrarum de Innermerky cum pertinenciis prefatis Willelmo iuveni et Mariote de Suthirland et eorum

heredibus secundum tenorem dicte carte quam de nobis desuper habent per terre et lapidis traditionem ut moris est tribuatis et hoc sine dilacione nullatenus omittatis. Ad quod faciendum vobis in hac parte nostram committimus plenariam potestatem et in signum huiusmodi saisine per vos tradite sigillum vestrum in secunda cauda post nostrum presentibus appendatis penes predictos Willelmum et Mariotam et eorum heredes imperpetuum remansurum. Datum sub sigillo nostro apud Dingvale sexto die mensis Novembris anno Domini m^o cccc^o sexagesimo septimo.

SOURCE: Original. Cawdor Castle, bundle 139.

DESCRIPTION: 22·1 × 12·8cm; 18·4 × 8·5cm; two tags and one seal.

SEAL: style 2.

COMMENT: John de Boyis of Dunachton is not readily identifiable, although the surname is known in the North, but Dunachton was soon to pass with other lands in Badenoch from a family named MakNewane, MakNenan or MacNiven to the Mackintosh chiefs. In 1475 George, earl of Huntly, made over to Lachlan Mackintosh the gift of marriage of the heirs of the late 'Baron Maknenan', with all the lands which fell to himself in ward on the baron's death; and after the marriage of Lachlan's son William to one of the two sisters who were the heiresses, and the resignation of her rights by the other, the lands of Dunachton, Dalnavert and Kinrara (see no.50) passed into the hands of the Mackintosh chiefs, who for a time adopted the style 'of Dunachton' (*Spalding Misc.*, iv, 183-4; Macfarlane, *Gen. Coll.*, i, 205, 209-10; Mackintosh, *M and CC*, 104-5).

Precept by John, earl of Ross and lord of the Isles, addressed to Thomas Dingwall, subdean of Ross and earl's chamberlain, and William Fleming, burgess of Nairn, to give sasine to William son and heir of the late William thane of Cawdor of all his father's lands in the sheriffdom of Nairn and of the office of sheriff. Killeonan, 27 March 1468.

Johannes de Yla comes Rossie et dominus Insularum dilectis nostris consanguineis domino Thome de Dyngvale subdecano ac camerario nostro Rossensi necnon et Willelmo Flemyng burgensi de Narne coniunctim et divisim ballivis nostris in hac parte salutem. Et quia concepimus per mortem nostri compatris et consanguinei Willelmi thane de Caldor bone memorie quod Willelmus de Caldor lator presencium est verus legitimus et propinquior heres dicti Willelmi quondam patris sui de omnibus et singulis terris cum pertinenciis quas dictus Willelmus pater suus tempore suo infra vicecomitatum de Narne possidebat unacum officio dicti vicecomitatus et quod dictus Willelmus est legitime etatis et quod dicte terre cum pertinenciis unacum dicto vicecomitatu de nobis tenentur in capite. Vobis igitur precipimus necnon et precipiendo mandamus coniunctim et divisim quatinus visis presentibus sine quacumque dilacione saisinam et statum hereditarium dicti vicecomitatus et dictarum terrarum cum pertinenciis infra dictum vicecomitatum iacentes prefato Willelmo salvo iure cuiuslibet ut moris est attribuatis. Et in signum saisine taliter per vos vel aliquem vestrum sibi vel eius certo attornato tradite sigilla vestra seu unius vestrum in secundis caudis seu cauda post nostrum presentibus appendatis. In cuius nostri precepti testimonium sigillum nostrum presentibus est appensum. Apud Kyllewnane in Kyntyrr vicesimo septimo die mensis Marcii anno Domini millesimo quadringentesimo sexagesimo octavo.

SOURCE: Original. Cawdor Castle, bundle 139.

PRINTED: *Cawdor Book*, 51; *Clan Donald*, i, 545-546.

DESCRIPTION: 21.6 × 11cm; 18.5 × 7cm; two tags, two seals.

SEALS: earl's seal style 2, and seal of William Fleming.

COMMENT: See no. 38. The office of sheriff of Nairn was one of those resigned by the lord of the Isles in 1476 (no. 109a), but William of Cawdor made sure of keeping his interest in the lands and office by taking instruments on 13 January 1475/6 that he offered homage and service to Huntly, as king's lieutenant, for his lands and the office of sheriff. He got a charter of the lands in May 1476 (no. A22) and although not mentioned there it is clear that the office remained in the family. It was the subject of a

royal charter in 1510 in favour of Hugh, brother of William sheriff of Nairn, both sons of the late thane William, and Hugh was still sheriff in 1522 (*Cawdor Book*, 71, 143; *RMS*, ii, 3538). William was the eldest son of the late thane, but was a churchman and resigned his lands (but apparently not his office) in favour of his next brother John, whose daughter Muriella was his heir and by her marriage brought Cawdor to the Campbells.

94

Precept by John, earl of Ross and lord of the Isles, addressed to John Munro to give sasine to William son and heir of the late William thane of Cawdor of the lands of the two Kinkells in the earldom of Ross and sheriffdom of Inverness. Killeonan, 27 March 1468.

Johannes de Yla comes Rossie et dominus Insularum dilecto nostro consanguineo Johanni de Munro ballivo nostro in hac parte salutem. Et quia precepimus (sic) per mortem nostri compatris necnon et consanguinei Willelmi thani de Caldor bone memorie quod Willelmus de Caldor lator presentium est verus legitimus et propinquior heres dicti Willelmi quondam patris sui de omnibus et singulis terris de duabus Kynkellis cum pertinenciis jacentibus in comitatu nostro Rossie infra vicecomitatum de Invernys et quod est legitime etatis et quod dicte terre cum pertinenciis tenentur de nobis in capite tanquam suum dominum superiorem. Vobis igitur precepimus necnon et stricte precipiendo mandamus quatinus visis presentibus sine ulteriore dilatione saisinam et statum hereditarium dictarum terrarum cum pertinenciis prefato Willelmo salvo jure cuiuslibet ut moris est attribuatis. Et in signum saisine taliter per vos tradite prefato Willelmo seu eius certo deputato signum vestrum in secunda cauda post nostrum presentibus appendatis. In cuius nostri precepti testimonium sigillum nostrum presentibus est appensum. Apud Killewnane in Kyntir vicesimo septimo die mensis Marcii instantis anno Domini millesimo quadringentesimo sexagesimo octavo.

SOURCE: Original. Cawdor Castle, bundle 139.

DESCRIPTION: 24.6 × 10.6cm; 22.5 × 7.8cm; two tags, one seal only remains.

SEAL: style 2.

COMMENT: There were two Kinkells in the Black Isle, Easter and Wester, of which Wester was known as Bishop's Kinkell, probably also as Kinkell Clarsair (Watson, *PNRC*, 115; *RMS*, iii, 422, 2823).

95

Note of a precept by John, earl of Ross and lord of the Isles, addressed to Thomas Dingwall and John MacCulloch of Plaids to give sasine to Master William of a plot of land in Tain. The isle of Mull, 30 May 1468.

'A much damaged precept of sasine by John of Isla, earl of Ross and Lord of the Isles, to Thomas de Dingwall, his chamberlain and subdean of Ross, and John McCulloch of Plaids bailies of Tain, to give sasine to a certain master William his 'cousin' of a piece of ground (*fundi locum*) to construct upon it a mill (?). The gift, which is stated to be for the increase of the income and the divine service of the chapel of St Duthac, also refers to an earlier charter of gift to the clerks of St Duthac of a mill and lands. Dated 'apud lyle muyle' on 30 May 1468.'

SOURCE: Original. SRO, GD 98/12/14 (Douglas Collection) (in fragments).

PRINTED: abstract in John Durkan 'The Sanctuary and College of Tain' in *Innes Review*, xiii (1962), 148 note.

COMMENT: This document is now in a fragmentary state and hardly legible. Dr Durkan read it while it was in a better condition, and the text is from his note.

96

Charter by John, earl of Ross and lord of the Isles, with the consent of his council to his brother Hugh and his heirs male

legitimate or illegitimate by Finvola daughter of Alexander Maclan of Ardnamurchan, whom failing to Hugh's heirs male by any other woman after the death of Finvola approved by John and his cousins, of the lands of Howmore, Benbecula, Griminish, the north part of Uist, Scolpaig, Griminish, Balmartin, Oronsay, 'Waynlis', and the island of Gillegerre, with the lands of Sleat in the lordship of the Isles. Aros, 28 June 14[6]9.

Omnibus hanc cartam visuris vel audituris Johannes de Yle comes Rossie et dominus Insularum eternam in Domino salutem. Noveritis nos de concensu assensu et matura deliberacione tocius nostri consilii dedisse concessisse et hac presenti carta nostra confirmasse carissimo fratri nostro Hugoni Alexandri de Insulis domino de Slete omnes et singulas terras nostras infrascriptas videlicet terras triginta mercarum de Skerehowg terras duodecim mercarum de Beanbeacla denariatum de Gergremyniss terras sexaginta mercarum ex parte borientali de Wist duos denariatus de Scolpic quatuor denariatus de Gremynis duos denariatus de Talawmartin sex denariatus de Orvinsaig dimedium denariatum de Waynlis et dimedium denariatum de insula Gillegerre unacum terris viginti octo mercarum de Slete cum pertinenciis jacentes in dominio nostro Insularum. Tenendas et habendas totas et integras prenominatas terras cum pertinenciis prefato Hugoni et heredibus suis masculis inter ipsum et Finvolam Alexandri Johannis de Ardnamurchan legitime sive illegitime procreatis seu procreandis ac ipsorum legitimis heredibus quibus omnibus deficientibus quod absit heredibus suis masculis post mortem prefate Finvole inter ipsum Hugonem et quamcumque aliam mulierem de nostro consilio necnon et consiliis nostrum consanguineorum videlicet Donaldi de Insulis domini de Dunnowaig et de Glynnis, Celestini de Insulis de Lochalche, Lachlani M^cgilleoin de Doward, et Alexandri Johannis de Ardnamurchan, quibus deficientibus vel deficiente quod absit tunc de consilio ipsorum heredum vel ipsius deficientis heredis electam de nobis et heredibus nostris universis in feodo et hereditate imperpetuum per omnes rectas metas suas divisas et antiquas fines in boscis planis pratis moris marresiis pascuis pasturis petariis turbariis

carbonariis fabrilibus et brasinis viis semitis silvis virgultis aquis stagnis rivolis et lacubus aucupationibus venacionibus piscationibus cum molendinis multuris et eorum sequelis cum curiis et curiarum exitibus cum communi pastura libero introitu et exitu ac cum omnibus aliis et singulis commoditatibus libertatibus fertilitatibus et asiamentis ac justis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam per mare quam per terras tam prope quam procul (sic) ad dictas terras cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum, adeo libere quiete integre plenarie honorifice bene et in pace libere pro ipsius homagiis necnon heredumque suorum masculorum ut premittitur fidelibus homagiis serviciis consiliis auxiliis potentiiis et favoribus universis nobis heredibus nostris universis et successoribus quibuscumque bene et fideliter impendendis in guerra et in pace tam per mare quam per terras tocians quociens causa requirit seu opus fuerit necessarium contra et adversus quoscumque mortales homines et feminas. Et nos vero prefatus Johannes comes Rossie et dominus Insularum atque heredes nostri et successores omnes et singulas terras prenominate cum pertinenciis prefato Hugoni de Insulis fratri nostro suisque heredibus masculis ut prefertur warantizabimus acquietabimus et imperpetuum defendemus prout melius liberius et honorificentius alique terre hereditarie prout supra consueverunt in dominio Insularum litteris concedi aut cartas confirmari. In cuius rei testimonium sigillum nostrum presentibus est appensum. Apud Aros vicesimo octavo die mensis Junii anno Domini m^o cccc^o nono. Hiis testibus presentibus videlicet Donaldo de Insulis domino de Dunnowaig et de Glynnis, Celestino de Insulis de Lochalch fratre nostro, Lachlano M^cgilleoin domino de Doward, Johanne M^cgilleoin de Lochboyg, Lachlano juvine M^cgilleoin magistro de Doward, Willelmo M^cloyd de Glenelg, Rodrico M^cleiod de Leoghys, Alexandro Johannis de Ardnamurchan, Johanne Lachlani M^cgilleoin de Colla, et Thoma de Monro nostro secretario ac rectore de Kilmanawik, cum nonnullis aliis nobiles et proceribus in fidem et testimonium omnium et singulorum premissorum vocatis et specialiter rogatis necnon et requisitis.

SOURCE: SRO, C2/xiii/186 (Great Seal Register) (confirmation dated 10 November 1495).

PRINTED: *HP*, i, 96-99; *RMS*, ii, 2286; *Clan Donald*, i, 563.

NOTE: The date 1409 in the Register is impossible, as it must have been between John's succession in 1449 and the forfeiture of the earldom of Ross in 1475. The year 1469 is now widely accepted as correct (see below).

COMMENT: It seems probable that this charter to Hugh was granted after 21 August 1464, when Sleat had been confirmed to Celestine (no.A16), as it was Hugh's heir who resigned the 28 merkland of Sleat into the king's hands in 1505 (no.A39); and it also seems likely that the Uist lands were granted after the death of John Ranaldi Goffridi, alive in 1463 (no.63), grandson of Godfrey 'lord of Uist' (app. D, table 2/33). The case for 1469 being the correct year was argued by Beveridge (*North Uist*, 41n) pointing out that John was a minor until 1452 (*ER*, vi, 158) and three of the witnesses - Donald of Dunivaig, Celestine of Lochalsh, and John of Lochbuie - had died before 1479, while 1459 could be excluded as Celestine did not become 'of Lochalsh' until 2 February 1462/3 (no.76, but cf. no.73 for use of that designation 10 October 1461). *OPS*, ii, 340, etc., accepted 1449 as the actual year, and Macphail in *HP*, i, 96 said 'it is not easy to fix the proper date, and a valuable landmark in Highland chronology has been lost'. It should be borne in mind that charters were being issued in John's name in 1449 (nos.51, 52), and that Celestine is said by one chronicler to have been left Lochlash and other lands by his father (*HP*, i, 53-54), who died in May 1449; but he is given no territorial designation in a papal dispensation of 1454 (Reg. Supp. 476,259v). All things considered, we see 1469 as the most probable date, and it has been widely accepted (*SP*, v, 44; Burke's *Peerage* s.v. MacDonald of Sleat, Bt.; Matheson, 'MacLeods of Lewis', 330; Steer and Bannerman, *Sculpture*, 97; etc.).

For Hugh of Sleat, see app. D, table 6/14. On the unique destination, see Sellar, 'Marriage', 481. It appears that Finvola's son John did succeed to Sleat, but died without issue. There is no specific reddendo clause in this charter, and so we do not know

whether the lands were still held for galley service (see no.80).

With the exception of Sleat, all the lands granted are in the Uists, Benbecula, or their subsidiary isles; for lands in or connected with North Uist, cf. Beveridge, *North Uist*, esp. chap. iv. Skerehowg is Skeryhof in 1498 (no.A54); Gaelic *sgire* or *sgireachd* for parish (cf. Watson, *PNRC*, 120-1; *CPNS*, 301) is omitted in the name Howmore, also known as Howfe or Hough (*OPS*, ii, 368-9). The name Griminish occurs in both North Uist and Benbecula, and Beveridge thought that this Griminish was in North Uist, while Gergriminish was in Benbecula (*North Uist*, 64-65). Talawmartin is now Balmartin, town (*baile*) being substituted for land (*talamh*). Waynlis or Walis (cf. no.A62) is probably Veilish near Udal to N of Sollas; Gillegerre, later Ilegillegerre or Ile gilligerrie (*RMS*, vi, 472; vii, 1087) was probably in the same area, and not Garbh Eilean near Carinish as suggested by Beveridge (*North Uist*, 61-63). We are grateful to Mr Iain A. Crawford for information on this place-name.

97

Charter of confirmation by John, earl of Ross, lord of the Isles and baron of Kingedward, of a charter by Thomas Graham of Scattertie to Sir Alexander Fraser of Philorth of the lands of Scattertie and Byth in the barony of Kingedward, earldom of Buchan and sheriffdom of Aberdeen, dated 5 January 1469/70. Dingwall, 24 February 1469/70.

Omnibus hoc scriptum visuris vel auditoris Johannes de Ill (sic) comes Rossie et baro de Kynnedvarde eternam in Domino salutem. Noveritis nos vidisse inspexisse et ad plenum intellexisse quamdam cartam Thome Grayme de Scatyrty factam dilecto consanguineo nostro Alexandro Fraser de Filorch militi de terris de Scatyrty et Bycht cum pertinenciis jacentibus in baronia nostra de Kynnedvarde infra vicecomitatum de Abbirdene sanam et integram non viciatam non cancellatam non rasam neque abolitam nec in aliqua sue parte suspectam sed omni prorsus vicio et suspicione carentem cuius quidem carte

tenor sequitur et est talis. Omnibus hanc cartam visuris vel audituris Thomas Grayme de Scatyrtty et Bytht salutem in Domino sempiternam. Noveritis me utilitate mea in hac parte debite provisa et diligenter considerata dedisse concessisse ac precise et omnino vendidisse necnon titulo pure vendicionis alienasse et hac presenti carta mea confirmasse nobili viro Alexandro Fraser de Fillorch militi totas et integras terras meas de Scatyrtty et Bytht cum suis justis pertinenciis jacentes in baronia de Kynnedvard in comitatu Buchanie infra vicecomitatum de Abbirdene pro certa summa pecunie quam prefatus Alexander michi tempore confectionis presentis carte in pecunia numerata in mea gravi et urgente necessitate fideliter et realiter persolvebat de qua quedem (sic) summa teneo me bene contentum et plenarie persolutum et eundem Alexandrum heredes suos et assignatos exinde quiticlamo (sic) imperpetuum per presentes. Tenendas et habendas dictas terras cum pertinenciis prefato Alexandro Fraser heredibus suis et suis assignatis de me et heredibus meis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in moris marresiis pratis pascuis et pasturis aucupationibus venacionibus et piscariis viis semitis aquis stagnis silvis virgultis boscis planis cum curiis et curiarum exitibus et eschaetis molendinis multuris et eorum sequelis arigiis cariagiis bondagiis et dietis herieldis bluduetis et merchetis mulierum et cum omnibus aliis et singulis libertatibus commoditatibus et aisiamentis ac justis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad dictas terras cum pertinenciis spectantibus seu juste spectare valentibus quomodo libet in futurum, adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut aliqua terra infra regnum Scotie liberius quietius plenius et honorificencius venditur et possidetur seu vendi possit et possedi sine revocatione reclamacione aut contradictione mei aut heredum meorum seu assignatorum aut aliorum quorumcumque nomine nostro aut ex parte nostra inde futuris temporibus qualitercumque faciendis. Reddendo inde dictus Alexander de Fillorch miles heredes sui et sui assignati michi et heredibus meis annuatim unum denarium argenti super solum dictarum terrarum ad festum

Pentecostes nomine albe firme si petatur tantum pro omni alio servicio seculari exactione seu demanda que de predictis terris cum pertinentiis aliquo modo exigi poterit aut requiri. Et ego vero predictus Thomas Grayme heredes mei et mei assignati totas et integras terras de Scatyrtty et Bytht cum pertinentiis prefato Alexandro Fraser de Fillorch militi et heredibus suis et suis assignatis per omnes terras et possessiones nostras habitas et habendas cum pertinentiis ac per omnia bona nostra mobilia et immobilia presentia et futura in omnibus et per omnia ut supradictum est contra omnes mortales varantizabimus acquietabimus et imperpetuum fideliter defendemus. In cuius rei testimonium sigillum meum huic presenti carte mee est appensum. Apud burgum de Abbirdene vicesimo quinto die mensis Januarii anno Domini millesimo quadringentesimo sexagesimo nono. Coram hiis testibus Thoma Fraser domino de Stanyvode, Patricio Crafurde domino de Fedreth, Thoma Ogstoune, Alexandro Fraser, dominis Andrea Chapman et Johanne Smyth, et domino Johanne Rede monacho de Dere, cum multis aliis et singulis. Insuper noveritis quod Alexander Grayme filius meus et heres apparens consensit et assensit ad omnes istas predictas meas alienaciones confirmaciones et vendiciones in omnibus et per omnia secundum modum et formam istius carte procuravit honorabilis viri Willelmi Crafurde de Fedreth sigillum in secunda cauda presentibus apponi coram dictis testibus dictis die mense et loco quibus supra. Quam quidam cartam in omnibus suis punctis et articulis modis forma pariter et circumstantiis universis in omnibus et per omnia approbamus ratificamus et pro nobis et heredibus nostris pro perpetuo confirmamus salvis nobis et heredibus nostris serviciis debitis et consuetis. In cuius rei testimonium sigillum nostrum huic presenti carte nostre confirmationis est appensum. Apud Dyngvale vicesimo quarto die mensis Februarii anno Domini millesimo quadringentesimo sexagesimo nono.

SOURCE: Original, AUL, MS. 3004, within bundle 524 (Fraser of Philorth papers).

PRINTED: *Frasers of Philorth*, ii, 233; *Aberdeen-Banff Ill.*, ii, 360.

DESCRIPTION: 37.3 × 23cm; 33.4 × 19.5cm; two sets of slits, no tags.

COMMENT: There is some confusion over the lands of Scattertie and Byth at this time, cf. nos.98 and 100, and great seal charter to Alexander Dunbar of Westfield on 26 March 1476 (no.A21); but in 1476 Thomas Graham admitted that he had granted the lands to Alexander Fraser 3½ years before he had any dealings with Dunbar (*Aberdeen-Banff Ill.*, iii, 528).

98

Note of a charter by John, earl of Ross and lord of the Isles, to Sir Alexander Dunbar of Westfield of the lands of Scattertie and Byth in the barony of Kingedward in Buchan in the sheriffdom of Aberdeen on the resignation of Thomas Graham. Dingwall, 18 September 1470.

'Charter dated at the Castle of Dingwall 18 Sept^r 1470 by John Earl of Ross and Lord of the Isles "nobili honorabilique viro nostro consanguineo percarissimo Alexandro de Downbar de Westfield militi" of the lands of Skatyrdye and Bycht with their pertinents in the Barony of Kinedwart in Buchan and in the shire of Aberdeen which had belonged to Thomas Graham of Skatyrdye and had been by him resigned in the hands of the Earl (for new infeftment in favour to Sir Alexander). The testing clause of the Earl's charter is as follows "In cuius rei testimonium sigillum nostrum huic presenti carte nostre est appensum apud castrum nostrum de Dynwaill decimo octavo die mensis septembris Anno domini millesimo quadringentesimo septuagesimo presentibus ibidem Celestino de Insulis ac domino de Lochelch ac Hugo de Insulis de Sleyt fratribus meis carnalibus et Johanne Mownro de Fowlis cum diversis aliis . . . etc.'"

SOURCE: NLS, MS. 2129, p.14a (note in Donald Gregory's collection). [In Gregory, *History*, 41, the charter is mentioned as being from 'Westfield Writs in possession of Alexander Dunbar of Scrabster'.]

COMMENT: Sir Alexander Dunbar of Westfield was a son of the last Dunbar earl of Moray (*SP*, vi, 306). See no.97 comment.

Note of a disposition by John, earl of Ross, to Finlay Ford of the lands of Inverethie. 1470.

'No. 135. John Earl of Ross, his Disposition to Finlay Ford of Inverethie dated 1470.'

[also No. 134. Finlay Ford his Charter of Inverethie dated 1473.]

SOURCE: Inventory dated 28 May 1658 printed in C. Fraser Mackintosh 'The Titles of the Urquharts of Cromarty' in *Antiquarian Notes*, i, 212.

COMMENT: The surname should probably be Faid (whence MacFaid), a family with land at Inverethie or Inverraithie, a place-name now obsolete, lying within the liberty of Tain and having salmon fishings and stells in 1652 (Watson, *PNRC*, 37). In the charter to the church of St Duthac on 3 December 1487 (*RMS*, ii, 1694), two deacons were to be supported with 6 merks annually from the lands of Inverethie and Tain, of which Finlay Faid was to supply 4 merks and John Faid 2 merks.

Charter by John, earl of Ross, lord of the Isles and baron of Kingedward, to Alexander Fraser of Philorth of the lands of Scattertie in the barony of Kingedward and sheriffdom of Aberdeen, resigned into John's hands at the castle of Cromarty by Thomas Graham. Dingwall, 4 November 1471.

Omnibus hanc cartam visuris . . . Johannes de Yle comes Rossie et baro de Kinedwart . . . salutem. Noveritis nos dedisse . . . et hac presenti carta nostra confirmasse dilecto consanguineo nostro Alexandro Fraser de Philorth omnes et singulas terras nostras de Skatterty cum pertinentiis jacentes in baronia nostra de Kineduart infra vicecomitatum de Aberdene. Quequidem terre cum pertinentiis fuerunt quondam Thome Grayme et quas idem . . . in manus nostras apud castrum de Crombachty . . . simpliciter resignavit . . . Tenendas . . . predicto Alexandro Fraser et heredibus suis et suis assignatis de nobis heredibus

nostris et successoribus in feodo et hereditate imperpetuum . . . Reddendo inde annuatim . . . nobis et heredibus nostris ac successoribus baronibus de Kinedward de predictis terris de Skatterty cum pertinentiis unum denarium argenti nomine albe firme apud vetus castrum nostrum de Kinedward in festo Pentecostes si petatur tantum . . . In cuius rei testimonium sigillum nostrum presenti carte nostre appendi fecimus. Apud castrum de Dingwall quarto die mensis Novembris anno Domini millesimo quadringentesimo septuagesimo primo. His testibus Hugone de Insulis fratre nostro . . . Lachlano . . .^a Mackgilleoun senescallo domus nostre, Alexandro M^cKennye de Kintail, Lachlano Fingone de Moschreig, et Ewgenio Donaldi M^cKgilleoun, et diversis aliis in testimonium vocatis.

SOURCE: *Aberdeen-Banff Ill.*, iii, 527, where it is said to be among the papers of Fraser of Philorth, but not found among these papers now in Aberdeen University Library.

NOTE: Gaps in text as printed; *a.* missing word probably 'iuvene' (cf. nos.91, 102).

COMMENT: See no.97. This was followed by an instrument of sasine. The witness Lachlan Fingone de Moschreig is presumably Lachlan MacKinnon of Mishnish (cf. no.91).

101

Note of a precept by John, earl of Ross and lord of the Isles, in favour of William Urquhart as heir to his father Sir William in the burgh of Cromarty and the lands of Inchrory, Dochnaclear and Brae in the earldom of Ross. Islay, 22 February 1471/2.

' . . . a Precept of Seisin in favour of William Wrchart, as heir of his father Sir William Wrchart, Knight, Sheriff of Cromarty, in the Burgh of Cromarty, the Lands of Inchrory, Davachnagleir, and Brey in the Earldom of Ross "given under our Great Seal at Yla 22nd February A.D. 1471" .'

SOURCE: Entry in Laing, *Seals*, i, no. 453, communicated by Rev J. H. Hughes, M.A.

SEAL: style 3.

COMMENT: William Urquhart was dead by 31 October 1475, and was followed as heir by his brother Alexander (see no. 108). Their father Sir William apparently lived until 8 September 1475 (Fraser, *Cromartie*, ii, 449; Macfarlane, *Gen. Coll.*, ii, 360). The lands, near Dingwall, had been granted to Adam Urquhart by William, earl of Ross, between 1338 and 1349, and were retoured to Thomas, son of the above Alexander, in 1506 (Macfarlane, *Gen. Coll.*, ii, 357-8, 360). Of the three places in Fodderty parish, two remain on the maps, and Inchrory was apparently on the bank of the Peffery opposite the old burying-ground of Fodderty (*OPS*, ii, 498; Watson, *PNRC*, 101).

102

Charter by Celestine of the Isles, lord of Lochalsh, to Alan, son of Donald duff captain of clan Cameron, of the office of constable of Strome castle and of lands of Kishorn in the earldom of Ross and sheriffdom of Inverness. Inverlochy, 29 November 1472.

Omnibus hanc cartam visuris vel audituris Celestinus de Insulis dominus de Lochach (sic) eternam in Domino salutem. Noveritis nos dedisse concessisse et hac presenti carta nostra imperpetuum confirmasse predilecto nostro consanguineo Alano Donaldi duff capitaneo de Clancamroun constabulariam castri nostri de Strome et terras nostras duodecim mercarum de Kysryne cum pertinenciis jacentes in dominio et comitatu Rossie infra vicecomitatum de Invernes pro sustentacione et fideli custodia dicti [castri].^a Tenendas et habendas predictam constabulariam et terras prenominatas de Kisryne cum pertinenciis prefato Alano Donaldi et heredibus suis masculis inter ipsum et Mariotam Angusii de Insulis legitime procreatis seu procreandis quibus deficientibus heredibus aliis quibuscumque ipsius Alani videlicet masculis de corpore suo legitime procreandis ipsis vero deficientibus heredibus masculis Eugenii Donaldi prefati Alani fratris germani quondam legitime procreatis et eorum heredibus masculis legitime procreandis de nobis heredibus nostris et successoribus dominis dicti castri de

Strome in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis moris maresiis pratis pascuis et pasturis petariis turbariis carbonariis fabrilibus et brasinis viis semitis aquis silvis rivolis et lacubus aucupacionibus venacionibus piscacionibus cum wrack waith et ware cum molendinis multuris et eorum sequelis cum curiis et earum exitibus herezeldis bludwitis et mulierum merchetis cum communi pastura et libero introitu et exitu ac cum omnibus et aliis singulis commoditatibus libertatibus et asiamentis ac justis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam procul quam prope ad predictam constabulariam et terras de Kisryne antedictas cum pertinenciis spectantibus seu juste spectare valentibus quomolibet in futurum libere quiete integre honorifice bene et in pace sine revocatione aliquali. Reddendo inde prefatus Alanus Donaldi et heredes sui masculi inter ipsum et prefatam Mariotam Angusii legitime procreati et procreandi quibus deficientibus heredes quicumque priusdicti Alani masculi legitime de suo corpore procreandi quibus vero deficientibus prenominati Eugenii Donaldi masculi legitime procreati et ipsorum heredes masculi de suis corporibus legitime procreandi nobis et heredibus nostris et successoribus dominis de Strome relevium dictarum terrarum duodecim mercarum de Kisryne cum pertinenciis tantum pro omni alio onere servicio seculari exactione seu demanda que per nos heredes nostros et successores antedictos exigi poterunt de dictis constabularia et terris cum pertinenciis vel requiri. Et nos vero prenominatus Celestinus de Insulis de Lochalch et Strome heredes nostri et successores prefatum constabulariam et terras antedictas de Kisryne cum pertinenciis ut prefertur prefato Alano Donaldi heredibus suis masculis inter ipsum et Mariotam antedictam legitime procreatis et procreandis quibus deficientibus aliis quibuscumque dicti Alani heredibus masculis de corpore suo legitime procreandis ipsis etiam deficientibus heredibus masculis sepedicti Eugenii Donaldi legitime procreatis contra omnes homines et feminas mortales warantizabimus acquietabimus et imperpetuum defendemus. Volumus insuper quod deficientibus prefato Alano heredibus suis masculis de corpore

suo legitime procreatis seu procreandis unacum heredibus dicti Eugenii quondam fratris sui ut prefertur quod dicta constabularia et terre duodecim mercarum de Kisryne cum pertinenciis nobis heredibus et successoribus nostris de Strome sane et integre sine contradictione aliquali revertantur. In cuius rei testimonium sigillum nostrum presentibus appendi fecimus. Apud Inverlocha penultimo die mensis Novembris anno Domini millesimo quadringentesimo septuagesimo secundo. Coram hiis testibus Lachlano juvene Makgilleoin magistro de Doward, Eugenio Donaldi Lachlanni de Ardgoir, Hectore Torquelli Negelli constabulario castris Swyne, Donaldo Cristini Makduff, Jacobo de Weik rectore de Kilmure secretario domini comitis Rossie domini et fratris mei cum diversis aliis in testimonium vocatis et pariter et rogatis.

SOURCE: SRO, C2/xiii/203 (Great Seal Register) (confirmation dated 24 October 1495).

PRINTED: RMS, ii, 228I.

NOTE: *a.* omitted in MS.

COMMENT: This appears to be the earliest reference to the castle of Strome, which had a short history but was of considerable importance, its capture being with that of Eilean Donan regarded as 'rycht necessar for the danting of the Illis' in 1504 (*APS*, ii, 240). The superiority passed to Celestine's granddaughter Margaret and her husband Glengarry, but the Camerons continued to hold their interest. After a century of feud the castle was captured by Kenneth MacKenzie of Kintail and blown up soon after 1602. For Alan see app. C under Cameron, and for his wife app. D, table 3/3I.

103

Precept by John, earl of Ross and lord of the Isles, addressed to Alexander Hay of Main, Robert Stewart and Nicholas Sutherland to give sasine to Thomas Cumming of (Altyre?) in the lands of Moyness in the earldom of Moray and sheriffdom of Nairn, following a charter. Balconie, 26 October 1473.

Johannes de Yle comes Rossie et dominus Insularum dilectis nostris consanguineis Alexandro Haye de Mane et Roberto Stewart et Nicholaio Suthirlande ballivis nostris in hac parte salutem. Quia dedimus et hereditarie concessimus dilecto consanguineo nostro Thome Cummyne de [?Alter]^a omnes et singulas terras de Mothnys cum pertinenciis jacentes in comitatu Moravie infra vicecomita[tum de N]arn^a. Vobis igitur precipimus et mandamus quatenus dicto Thome aut suo certo actornato presentium latori sasinam et statum hereditarium secundum formam et tenorem carte nostre inde et desuper confecte tradatis aut alter vestrum tradat sine aliquali dilacione et hoc nullomodo omittatis. Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim nostram liberam et plenariam potestatem presentium committimus per tenorem. Et in cuius possessionis seu sasine signum per vos aut alterum vestrum tradite sigillum sasinam tradentis post nostrum in secunda cauda appendatis aut fidem faciatis per instrumentum publicum. In cuius nostre sasine testimonium sigillum nostrum presentibus appendi fe[cimus].^a Apud Balkny vicessimo (sic) sexto die mensis Octobris anno Domini [mille]simo^a quadringentesimo septuagesimo tercio.

SOURCE: Original. NLS, MS. Dep. 175/15 (Gordon Cumming Papers).

DESCRIPTION: 29·8 × 12cm; 27 × 7·5cm; two sets of slits, no tags.

NOTE: *a.* holes in MS., but see no.A25.

COMMENT: For Mothnys cf. Muchness in no.A25, probably also Moyness. Balconie was a dwelling place of the old earls of Ross, and charters were granted there on 10 May 1333 by earl Hugh before he set out for the battle of Halidon Hill in which he was killed (SRO, GD 297/165 and 167).

Indenture with consent of John, earl of Ross and lord of the Isles, lady Margaret of the Isles, Hugh of the Isles of Sleat and members of John's council, between Hector MacLean of

Lochbuie and John Ross of Balnagown with Alexander his son, for a marriage between Margaret daughter of Hector and David son of Alexander. Dingwall, 6 February 1474/5.

The Endentur maid at Dingwell in Ross the sext day of the moneth of February the yeir of God a thousand four hundred seventy and four yeirs with full consent and assent of ane hie and mychty lord Johne of the Yle erle of Ross and lord of the Ilis, laidy Margret of the Ilis, Huchane of the Ilis of Slet, and utheris gentillis of the saide lordis counsale quhilkis war thar for the tyme betuix ry^t honorabill and worschipfull men that is to say Hectore M^cgilleoin of Lochboyg upon the ta parte and Johnne of Ross of Ballnago for him and Alexander of Ross his sone and apperand air upon the tother parte proportis and beris witnes in thair self in forme maner and effect as efter folowis. That is to say that the said Johne of Ross has grauntit and gevin for him and the said Alexander his sone the mariage of David sone and apperand air to the said Alexander to the said Hector M^cgilleoin to be spousit and to be mariit with Margaret dochter to the forsaid Hector and failzeing of hir to be mariit with Cristiane dochter to the forsaid Hector and failzeing of Cristiane the said David sall spous and mary quhat uthir dochtir that sall happin the said Hectore to have betuix him and his spous Margret Campbell. And gif it happenis the said David to failze as God forbede Huchon the said Alexander of Ross sone sall spous and mary the said Margret Hectoris dochtir and failzeing of Margret he sall spous and marii Cristiane the foresaidis Hectoris dochtir and failzeing of the said Cristiane the said Huchon sall mary quhat uthir dochtir that the said Hectore sall happin to have for the tyme betuix him and the said Margret Campbell his spous. And gif it failzies of the said Huchone quhat uthir sone that sall happin to be air to the said Alexander of Ross sall spous and marii the said Margret or Cristiane or quhat uthir dochtir of the said Hectoris that salbe for the tyme betuix him and the said Margret Campbell. And how sone that the saidis Johne and Alexander of Ross may get the said David out of the handis of thaim that has him in keping thay sall send him unto the said Hectore in keping and governance but fraude or gile. And the

said Hectore sall do digent (sic) power to bring the said David to fredome out of the handis that has him in keping. And for this mariage to be done and complete in maner and effect before writtin the said Hectore M^cgilleoin sall gif ane hundreth merkis of usuale money of Scotland to the said Johne of Ross or to the said Alexander his sone in tochir with his dochtir alsone as the matrimone be done and complete. And the said Johne of Ross and Alexander or the tother of thaim that sall ressave the said hundreth merkis of tochir sall mak twenty merkis worth of land to be levin of the said persoun that happin to be mariit and to the longar levand of thaim ay and aquile that the lordschip of Ballnagowin happin to cum in thair handis. Attour it is appoyntit and acordit betuix the said partis that gif Johne of Ross or the said Alexander his sone sall happin to failze in the keping and fulfilling of the poyntis before writtin and in speciale in the keping and fulfilling of the said mariagis in maner before writtin the said Johne of Ross and Alexander his foresaid sone shall pay as propir det to the said Hectore or till his aieris or assignais sex hundreth merkis of usuale money of Scotland and the foresaid Hectore his aieris and assignais sall have the twenty and twa merkis worth of landis of Strathochell with the pertinentis quhill he and thay be content of the saide sex hundreth merkis. And in lyke maner gif the said Hectore failzeis in ony poyntis before writtin and in speciale in the keping and fulfilling of the saide mariagis he sall pay the said Johne and Alexander of Ross or to thair aieris or assignais as propir det sex hundreth merkis of the said money and the saide Johne and Alexander of Ross thair aieris and assignais sall have twenty twa merkis worth of land of the landis of Drumgow quhill thai be content of the saide soute of sex hundreth merkis. In witnes of all and sindry thingis before writtin lelely and treuly to be keptit in forme maner and effect before writtin the forenemmyt partis has gevin thair bodyly aithis athir till uthir the haly ewangellis twocht. And to the parte of this endentur remanand with the said Johne and Alexander of Ross the said Hectore has affixit his sele. And to the parte of this endentur remanand with the said Hectore M^cgilleoin becaus the said Johne of Ross had not his propir sele present he has with instance procurit the sele of ane worschipfull man Johnne of

Monro of Foulis for him and the said Alexander of Ross his sone to be to put place day moneth and yere before writtin. Before thir witnes laidy Margret of Ilis sir Thomas of Dingwale subdene and chalmerlane of Ross, sir James of Weik parsoun of Kilmure, maister Johne of Dingwale parsoun of Kilmon, maister James Achlik secretoire to the erle of Ross, Dugall M^cgillaspy, Johne M^cgillebrede and Gilchrist M^cchore with divers utheris.

SOURCE: SRO, CS5/vi, f.64 (Acta Dominorum Concilii) (30 June 1494).

PRINTED: *ADC*, i, 346-7.

COMMENT: There is no evidence that this marriage ever took place. David was married to Helen Keith before 1490 (*RMS*, ii, 1982), and succeeded his grandfather John before 1496. Lady Margaret has not been identified (see app. C, under surname de Insulis, etc.).

105

Charter by John, earl of Ross and lord of the Isles, to John son and apparent heir of Gilbert Davidson of the lands of Greenan in the earldom of Carrick and sheriffdom of Ayre. Killeonan, 2 April 1475.

Omnibus hanc cartam visuris vel audituris Johannes comes Rossie et dominus Insularum salutem in Domino sempiternam. Noveritis nos pro nobis et heredibus nostris dedisse concessisse et hac presenti carta nostra confirmasse dilecto nostro nativo armigero et alumpno Johanni Davidis filio et apparenti heredi Gibbonis Davidis presentium conservatori omnes et singulas terras nostras de Grenane cum pertinenciis jacentas in comitatu de Carrik infra vicecomitatum de Ayre. Tenendas et habendas omnes et singulas terras de Grenane cum pertinenciis antedicto Johanni Gibbonis Davidis heredibus suis et assignatis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in moris maresiis boscis planis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venacionibus piscariis petariis turbariis carbonariis cum fabrilibus et

brasinis cum calce et lapide cum curiis et curiarum exitibus ac earundem eschetis cum avaragiis (sic) et cariagiis bondagiis et custumis cum bludwettis et herzeldis ac mulierum merchetis cum columbis et columbariis cum silvis virgultis aquis semitis stangnis (sic) rivolis ac cum omnibus aliis et singulis libertatibus commoditatibus et libertatibus et asiamentis ac justis suis pertinentiis quibuscumque tam non nominatis quam nominatis tam subter terra quam supra terram tam prope quam procul ad dictas terras de Grenane cum pertinentiis spectantibus seu de jure aut consuetudine spectare valentibus quomodolibet in futurum, adeo libere quiete plenarie integre honorifice bene et in pace sine aliquo retenemento aut contradictione aliquali in futurum. Reddendo inde annuatim dictus Johannes Gibbonis Davidis heredes sui et assignati nobis et heredibus nostris successoribus et assignatis de dictis terris de Grenane cum pertinentiis viginti libras monete regni Scocie ad usuales terminos videlicet decem libras monete Scocie ad festum Pentecostes et decem libras monete Scocie ad festum sancti Martini in yeme^a omni alio onere exercicio servicio exactione seu consuetudine sive demanda que de dictis terris de Grenane cum pertinentiis exigi poterunt aut requiri postpositis et remotis. Et nos vero Johannes comes Rossie et dominus Insularum heredes nostri successores et assignati omnes et singulas terras prenominatas de Grenane cum pertinentiis antedicto Johanni Gibbonis Davidis suisque heredibus successoribus et assignatis in omnibus et per omnia sicut priusdictum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presentibus affigi fecimus. Apud Killewnan in Kyntyre secundo die mensis Aprilis anno Domini millesimo quadringentesimo septuagesimo quinto.

SOURCE: Original. SRO, GD 25/1/116 (Ailsa Muniments).

PRINTED: *Clan Donald*, i, 546-7.

DESCRIPTION: 25.9 × 19.8cm; 21.7 × 16.5cm; one tag, no seal remains.

NOTE: a. 'pro' appears to have been missed out here.

COMMENT: Greenan on the coast of Ayrshire makes geographical sense as an appendage of the lordship and was kept after

1476. As such it first appears in connection with £10 paid by John, earl of Ross, in relief when sasine was given to him in 1456 (*ER*, vi, 236-7). See no.107, and Introduction, pp.xxxvii-xxxviii.

106

Precept of sasine addressed to John, son of Gilbert lord Kennedy, following charter no.105. Killeonan, 2 April 1475.

Johannes comes Rossie et dominus Insularum dilecto nostro consanguineo Johanni Kennidy filio et apparenti heredi Gilberti domino de Kennidy ballivo in Carrick aut eius certo deputato in hac parte salutem. Et quia dedimus et hereditarie concessimus nativo nostro armigero et alumpno Johanni Davidis filio et apparenti heredi Gibbonis Davidis omnes et singulas terras nostras de Grenane cum pertinenciis jacentes in comitatu de Carrik infra vicecomitatum de Ayr. Vobis igitur supplicamus et exhortamus cum effectu quatenus dicto Johanni Davidis aut suo certo actornato seu procuratori sasinam statum hereditarium et possessionem dictarum terrarum de Grenane cum pertinenciis secundum formam et tenorem carte nostre desuper confecte tradatis sine aliquali dilacione et hoc nullomodo omittatis prout fiduciam habemus in vestra consanguinetate (sic). Ad quod faciendum vobis seu vestro deputato in hac parte coniunctim et divisim nostram liberam et plenariam potestatem presencium committimus per tenorem. Et in signum huiusmodi saisine per vos aut deputatum vestrum antedicto Johanni Davidis seu eius certo actornato aut procuratori tradite sigillum vestrum in secunda cauda post nostrum appendatis aut fidem faciatis per instrumentum publicum. In cuius nostre saisine testimonium sigillum nostrum presentibus appendi fecimus. Apud Killewnan secundo die mensis Aprilis anno Domini millesimo quadringentesimo septuagesimo quinto.

SOURCE: Original. SRO, GD 25/1/117 (Ailsa Muniments).

DESCRIPTION: 22.5 × 14cm; 18.9 × 9.6cm; two sets of slits, no seals remain.

Obligation by Donald of the Isles, lord of the Glens and of Dunivaig, to defend John Davidson in the lands of Greenan as granted by John, earl of Ross and lord of the Isles. Irvine, 8 October 1475.

Omnibus hoc scriptum visuris vel audituris Donaldus de Insulis dominus de Glenys et de Dunnawak miles ac primus et principalis conciliarius magnifici et prepotentis domini Johannis comitis Rossie ac domini Insularum salutem in Domino sempiternam. Sciatis nos illam donacionem seu concessionem quas antedictus dominus comes fecit de terris de Grenane cum pertinenciis jacentibus in comitatu de Carric et infra viccomitatum de Are Johanni Dawisoune et heredibus suis prout in cartis et evidenciis suis desuper confectis plenius continetur fuisse ex concilio et consensu nostro. Et predictam donacionem seu concessionem obligamus nos heredes et successores nostros ad manutenendum fortificandum et defendendum prefato Johanni et heredibus suis imperpetuum. In cuius rei testimonium sigillum nostrum presentibus est appensum. Apud villam de Erwyng octavo die mensis Octobris anno Domini millesimo quadringentesimo septuagesimo quinto.

SOURCE: Original. SRO, GD 25/1/121 (Ailsa Muniments).

PRINTED: *Clan Donald*, i, 548.

DESCRIPTION: 25.5 × 14.5cm; 20 × 7.5cm; slit for one tag.

COMMENT: This illustrates the geographical role of clan Donald South (as the MacDonalds of Dunivaig and the Glens and their followers have been called, to distinguish them from the race of Hugh of Sleat – Gregory, *History*, 63), through their contacts in Kintyre and Antrim (see app. D, table 3/3, etc.).

Precept by John, earl of Ross and lord of the Isles, addressed to John Munro of Foulis and David Denoon to give sasine to Alexander son and heir of Sir William Urquhart, sheriff of Cromarty and brother and heir of William Urquhart, lord of

Cromarty, of all their lands in the earldom of Ross following a retour. Islay, 31 October 1475.

Johannes de Ile comes Rossie et dominus Insularum dilectis nostris consanguineis Johanni Monro de Fowlis et Davidi de Dunnown ballivis nostris in hac parte salutem. Et quia nobis per probos et fideles patrie per quos rei veritas melius fieri poterit compertum est quod magister Alexander Wrchart filius quondam Wilhelmi Wrchart militis vicecomitis de Crommati bone memorie est verus et legitimus heres quondam Wilhelmi patris sui antedicti per decessum Wilhelmi Wrchart quondam fratris sui domini de Crommati ultimi defuncti de omnibus et singulis terris suis jacentibus in comitatu nostro Rossie infra vicecomitatum de Inverniss et quod prefatus magister Alexander Wrchart est legitime etatis et quod dicte terre de nobis tenentur in capite. Vobis igitur coniunctim et divisim precipimus et mandamus quatenus antedicto magistro Alexandro Wrchart seu eius certo actornato sasinam statum hereditarium et possessionem dictarum terrarum secundum formam et tenorem suarum cartarum desuper confectarum traditis aut alter vestrum tradat sine aliqua dilacione salvo jure cuiuslibet ut moris est. Ad quod faciendum vobis et vestrum cuilibet coniunctim seu divisim nostram liberam et plenariam potestatem presencium committimus per tenorem. Et in signum dicte sasine per vos aut alterum vestrum tradite sigilla vestra in secunda cauda post nostrum appendi faciatis. Datum sub sigillo nostro apud Ila ultimo die mensis Octobris anno Domini millesimo quadringentesimo septuagesimo quinto.

SOURCE: Original. SRO, GD 159, box 1, bundle II (Ross of Cromarty Muniments).

DESCRIPTION: 21.2 × 13cm; 17.2 × 8.6cm; tag with seal.

SEAL: style 2.

109a

Note of renunciation by John, lord of the Isles, of the earldom of Ross, lands of Knapdale and Kintyre, and the offices of sheriff of Inverness and Nairn. Edinburgh, 10 July 1476.

Quo die idem Johannes de Ila personaliter constitutus coram eodem domino nostro rege et tribus regni statibus comitatum Rossensem cum pertinentiis tenentibus tenandriis et libere tenente serviiciis cum pertinentiis omnes et singulas terras de Knapdale et Kyntyer cum pertinentiis tenentibus tenandriis et libere tenente serviiciis vicecomitatus de Invernes et Narne una cum omnibus aliis et singulis pertinentiis suis castris et fortaliciis sua mera et spontanea voluntate ac omne jus clameum proprietem et possessionem eorundem quod et quas idem Johannes aut sui predecessores habet habuit aut habuerit a se et heredibus suis et assignatis imperpetuum eidem domini nostri regi et suis successoribus sua mera et spontanea voluntate sursum reddidit pureque simpliciter et sponte renunciavit. Notarii ut supra.

SOURCE: SRO, PA2/2/, f.16 v.

PRINTED: APS, ii, 113.

NOTE: *a.* the notaries were named as David Litherdale, Alexander Scot, and William or Walter Connerland (?).

COMMENT: For chronology of events in 1475-6 see Introduction, pp.lxx-lxxi.

109b

Quitclaim by John, lord of the Isles, in respect of the earldom of Ross, the offices of sheriff of Inverness and Nairn, and the lordships of Knapdale and Kintyre, and a bond that neither he nor his heirs will intromit with the same in the future. Edinburgh, 15 July 1476.

[Joh]annem^a dominum Insularum obligari et per presentes bona fide firmiter obligo me et h[eredes meo]s^a linialiter et recte vel ratione tallie descendentes []^ano principi supremoque domino nostro domino Jacobo tercio Scotorum regi illustrissimo suis [heredibus]^a et successoribus. Quia idem supremus dominus noster [post forisfacturam]^a per eundem in suo parleamento super me omnibusque meis terris possessionibus redditibus officiis s[uperiori]tatibus^a et bonis causantibus meis demeritis juridice [productum vere]^a et ex gratia sua speciali

michi concessit hereditarie omnes et singulas terras et []^a michi antedictam forisfacturam pertinentes exceptis omnibus et singulis terris tocius comitatus Rossie cum officiis vicecomitatus de Invernes et Narne ac []^a Knapdale et domini de Kyntyre cum castris et fortaliciis earundem et aliis justis pertinenciis in propretate (sic) et tenandria quod nec ego nec he[redes mei nec aliqu]is^a nostro nomine impedimentum aut obstaculum faciam aut facient dicto suppremo domino nostro regi aut camerariis officiariis et ministris et tenentibus []^a actione et assedacione dictarum terrarum comitatus de Ross []^a dominiorum de Knapdale et Kyntyre cum castris et officiis predictis aut in leva[]^a et proficuorum earundem cum pertinenciis sive aliquam perturbacionem molestiam iniuriam aut violenciam temporibus futuris tenentibus et inhabitantibus dicta []^a endam^a vel impendent' et quod nunquam temporibus futuris [nec]^a ego nec heredes mei predicti nec aliquis alius nomine vel ex parte aliquod jus vel clameum [directe]^a vel indirecte publice vel occulte in vel ad dictas terras [cum]^a pertinenciis aut dicta officia seu aliquam partem earundem in proprietate vel tenandria prosequemur vel inde jus aut clameum exigere aut ven[dicare]^a valeam nec valeant. Quas etiam terras comitatus Rossie et officia de Invernes et Narne predicta ac antedictas terras dominiorum de Knapdale et Kyntyre cum castris pred[ictis]^a cum tenentibus tenendriis et libere tenentium serviciis ac omnibus suis pertinenciis annexis et dependentiis a me et heredibus meis eidem suppremo domino nostro regi et successoribus suis cum eisdem imperpetuum spectand' et remanend' quitumclamo et renuncio pro perpetuo per presentes. Ita quod ego et heredes mei ab omni juris titulo tam petitorio quam possessorio earundem sim et sint exclusus et exclusi imperpetuum penitus et omnino. In cuius rei testimonium presentibus sigillum meum est appensum. Apud Edinburgh decimo quinto die mensis Julii anno Domini millesimo quadingentesimo septuagesimo sexto.

SOURCE: Original. SRO, RH6/457.

PRINTED: *Clan Donald*, i, 485 (facsimile).

DESCRIPTION: 35 × 16cm; 27·8 × 10·4cm; tag with seal.

SEAL: style 4.

NOTE: *a.* holes in original.

COMMENT: Note use of first person singular, as in no.6. For chronology see Introduction, p.lxxi. A charter of the same date gives a clear picture of what John was allowed to keep (no.A24).

110

Instrument of protest by John Ogilvy in name of John, lord of the Isles, to Thomas Forsyth, canon of Glasgow and judge delegate in the matrimonial case between John and Elizabeth his wife. John declares that he has offered to receive Elizabeth in security in life and possessions as ordered by Thomas but she remains at the king's court. Edinburgh 17 July 1476.

In Dei nomine amen. Per hoc presens publicum instrumentum cunctis pateat evidenter quod anno incarnationis Dominice millesimo quadringentesimo septuagesimo sexto mensis vero Julii die decima septima indicione nona pontificatus sanctissimi in Christo patris et domini nostri domini Sixti divina providencia pape quarti anno quinto in mei notarii publici ac testium subscriptorum presencia personaliter constitutus honorabilis vir Johannes Ogilwy nomine et ex parte nobilis et potentis domini Johannis de Ylay domini Insularum venerabili et circumspecto viro [magistro]^a Thoma Forsyth canonico Glasguensi ac judici delegato in quadam causa matrimoniali inter prefatum dominum et Elizabetht [eius sponsam]^a specialiter constituto existenti [. . .]^a omnibus melioribus modo via et jure quibus potuit solempniter protestatus est quod monitio facta per dictum dominum magistrum Thomam tanquam judicem suprascriptum contra dictum dominum non cederet eius in preiudicium quum prout et ex eo quod prefatus dominus ut asseruit predictus Johannes offerebat se promptum et paratum dictam Elizabetht recipere et eandem maritali affectione pertractare ac vitam ipsius domini necnon omnes et singulas terras et possessiones eiusdem pro impunitate et securitate persone et vite prenominate Elizabetht fiendas in voluntate supremi

domini nostri regis casu quo dicta Elizabetht pateretur aliquod dampnum per suprascriptum dominum aut quoscumque alios ante defectum ipsius domini Insularum. Super quibus omnibus et singulis supradictis prefatus Johannes Ogilwy nomine dicti domini Insularum a me notario publico subscripto sibi fieri peccit unum seu plura publicum seu publica instrumentum seu instrumenta. Acta erant hec infra burgum de Edynburghth in hospicio Jacobi Cammeron burgensis dictis burgi hora tertia post meridiem vel eocirca sub anno mense die indiccione et pontificatu quibus supra presentibus ibidem reverendis in Christo patribus ac dominis dominis Henrico et Angusio Dei et apostolice sedis gracia Rossensi et Sodorensi episcopis ac venerabilibus, et magne sciencie viris magistro Johanne Lok in sacra theologia professore eximio ac ecclesie cathedralis Brechinensis canonico, domino Edwardo Bonkyll ecclesie collegiate sancte Trinitatis prope Edinburghth preposito, et fratre Johanne Muyr totius ordinis fratrum predicatorum infra regnum Scotie vicario generali, cum diversis aliis testibus ad premissa vocatis pariter et rogatis.

Et ego Jacobus Foudy artium magister presbiter Sanctiandree diocesis publicus autoritatibus imperiali et regali notarius (etc.).

SOURCE: SRO, GD 220/2/73 (Duke of Montrose Muniments).

PRINTED: Fraser, *Lennox*, ii, 109.

NOTE: Copied by Sir William Fraser while the document was in better condition than it now is; a. passages in brackets taken from Fraser's text.

COMMENT: For matrimonial troubles of John and Elizabeth, see app. D. John is here replying to a Bull by Pope Sixtus IV giving Elizabeth exemption from obedience to John and Angus, bishop of the Isles (*HP*, iv, 206-9), dated 11 March 1475-6.

III

Charter by John, lord of the Isles, to John son of the late Gilbert Davidson of the lands of Greenan in the earldom of Carrick, sherifffdom of Ayr. Islay, 20 August 1476.

Omnibus hoc scriptum visuris vel auditoris Johannes de Ila et dominus Insularum salutem in Domino sempiternam. Noveritis nos pro nobis et heredibus nostris assedasse allocasse et ad feodifirmam dimisisse dilecto nostro nativo armigero et alumpno Johanni Davidsoun filio quondam Gilberti Davidsoun omnes et singulas terras nostras de Grenane cum pertinenciis iacentes in comitatu de Carric infra vicecomitatum de Are. Tenendas et habendas omnes et singulas terras de Grenane cum pertinenciis predicto Johanni et heredibus suis et assignatis de nobis heredibus et successoribus nostris in feodifirma imperpetuum per omnes rectas metas suas antiquas et divisas in moris maresiis boscis planis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venacionibus piscariis petariis turbariis carbonariis cum fabrilibus et brasinis cum calce et lapide cum curiis et curiarum exitibus ac earundem eschetis cum averagiis et cariagiis cum bludewytis herizeldis ac mulierum escheatis cum columbis et columbariis cum silvis virgultis aquis semitis stagnis rivolis ac cum omnibus aliis et singulis libertatibus comoditatibus aisiementis ac iustis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad dictas terras de Grenane cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum adeo libere quiete plenarie integre honorifice bene et in pace et sicut aliqua terra infra regnum Scotie secundum leges et consuetudinem regni alicui ad feodifirmam allocatur seu ad feodifirmam demittitur. Reddendo inde annuatim dictus Johannes Davidsoun heredes sui et assignati nobis heredibus et successoribus nostris pro firmis dictarum terrarum de Grenane cum pertinenciis viginti libras usualis monete regni Scotie ad duos anni terminos consuetos videlicet Pentecostis et sancti Martini in yeme per equales portiones omni alio onere servicio exactione questione seu demanda que de dictis terris de Grenane cum pertinenciis per heredes nostros vel successores requiri aut exigi poterunt seclusis postpositis et remotis. Et nos vero Johannes de Ile et dominus Insularum heredes nostri et successores omnes et singulas prenominate terras de Grenane cum pertinenciis per dicto Johanni et heredibus suis et assignatis in omnibus et per omnia

sicut premissum est contra omnes homines mortales warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presentibus appendi fecimus. Apud Ila vicesimo die mensis Augusti anno Domini millesimo quadringentesimo septuagesimo sexto. Presentibus Donaldo ballache de Dunnoweg, Rolando Makclane de Dowart, Hectore Makclane de Canlochboye, Nigello Makkilbrede^a archidiacono Sodorensi, et domino Jacobo Weke clerico nostro ac scribo, cum diversis aliis.

SOURCE: Original. SRO, GD 25/1/125 (Ailsa Muniments); SRO, C2/viii/1 (Great Seal Register) (confirmation dated 31 January 1476/7).

PRINTED: *RMS*, ii, 1277; *Clan Donald*, i, 557-59.

DESCRIPTION: 32.8 × 20.5cm; 25.5 × 13.8cm; tag but no seal remains.

NOTE: *a*. 'M'Ylwryd' in *RMS* (meaning son of Gille-Brigde - cf. no. 115).

COMMENT: See comment on no. 105. In confirming this charter - the first granted by John after resigning the earldom of Ross - the rights of Elizabeth countess of Ross are specifically safeguarded by the crown (no.A31). Of the witnesses, it is Donald Balloch's last appearance on record, his son John being called Lord of the Glens in 1481 (app. D, table 3/3 and 4); the name Roland MacLean of Duart seems to mark the emergence of the former master of Duart (young Lachlan) as laird in his own right; and Hector of Lochbuie appears as successor to his father John (see app. C).

112

Note of a letter of protection by John, lord of the Isles, to the prior and monks of Ardchattan. 22 June 1477.

'Ane letter of protectioun grantit be John Lord of the Yles to the pryour of Ardchattane his monks and monstrie thair families possessiounes kirkis landis and utheris guidis and geir moveabill and unmoveabill quhatsumever daittit 22 of Junii 1477.'

SOURCE: SRO, RH 9/4/2/4 (Inventory).

COMMENT: Ardchattan traditionally looked for protection to the MacDougalls of Lorn who founded the priory c. 1230, and the endowments included lands and rights in Benderloch, Appin and Netherlorn. The MacDougalls lost Lorn through marriage of an heiress to Stewart of Innermeath in 1388, in whose family it remained for several generations. In 1469 his successor, Walter Stewart lord Lorn gave Lorn to Colin, first earl of Argyll, in exchange for lands in central Scotland; and in 1470 Argyll granted one-third of Lorn to his uncle Colin Campbell of Glenorchy (*OPS*, ii, 111, 113). Perhaps these changes led the monks of Ardchattan to seek extra protection from the lord of the Isles, though it has been pointed out that he had been unable to intervene to settle a MacDougall family feud in the 1460s (Grant, *Independence*, 219-20). See also no. 118.

113

Charter by John, lord of the Isles, to Alexander Leslie of Wardis of the demesne lands of Kingedward viz: Castletown and the lands of Easter Tyrie, Kinharraichie and Faithlie in the sheriffdom of Aberdeen. Alexander is also appointed John's bailie in the lands of Kingedward. Edinburgh, 22 December 1478.

Omnibus hanc cartam visuris vel auditoris Johannes de Ila dominus Insularum salutem in Domino sempiternam. Noveritis nos dedisse concessisse et ad feodifirmam dimisisse ac presenti carta nostra confirmasse necnon dare concedere et ad feodifirmam dimittere ac presenti carta nostra confirmare dilecto consanguineo nostro Alexandro Lesly de Warderis omnes et singulas terras nostras baronie nostre de Kinedward cum pertinenciis videlicet terras dominicales de Kinedward vulgarter nuncupatas le Castletoun ac terras de Estir Tiry Kynnarroquhy et Faithle cum pertinenciis jacentes infra vicecomitatum de Abirdene reservatis inde nobis et heredibus nostris tribus mercatis dictarum terrarum de le Castletoune cum monte castri eiusdem ad faciendum domino nostro regi servicium pro dictis terris et baronia de Kinedward debitum et consuetum. Tenen-

das et habendas dictas terras baronie de Kinedward videlicet terras dominicales de Kinedward dictas le Castletoun ac terras de Ester Tiry Kinnaroquhy et Faithle cum pertinenciis reservatis prius reservatis dicto Alexandro Lesly et heredibus suis de nobis et heredibus nostris dominis Insularum et baronibus de Kinedward in feodifirma et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacentes in longitudine et latitudine in boscis planis moris marresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venacionibus piscationibus petariis turbariis carbonariis lapicidis lapide et calce fabrilibus brasinis brueriis et genestis silvis virgultis nemoribus ortis pomariis columbis columbariis cuniculis cuniculariis cum curiis et earum exitibus herezeldis bludwettis et merchetis mulierum cum communi pastura ac libero introitu et exitu cum furca et fossa sok sak thole theme infantheff outfangthef ac cum omnibus aliis et singulis libertatibus commoditatibus et aisiamentis ac iustis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam procul quam prope ad dictas terras et baroniam cum pertinenciis spectantibus seu iuste spectare valentibus quomodolibet in futurum adeo libere plenarie integre honorifice bene et in pace sine aliquo retinemento aut revocatione quacumque sicut alique terre aut baronia infra regnum Scocie alicui per aliquem retroactis temporibus in feodifirma dantur conceduntur vel ad feodifirmam dimittuntur aut dari concedi vel ad feodifirmam dimitti qualitercumque poterint aut poterit in futurum. Solvendo annuatim dictus Alexander Lesly et heredes sui nobis et heredibus nostris pro dictis terris et baronia cum pertinenciis viginti et nonem mercas usualis monete regni Scocie ad duos anni terminos usuales Pentecostes videlicet et sancti Martini in yeme per equales portiones nomine feodifirme tantum pro omni alio servicio seculari onere exactione questione seu demanda que de dictis terris et baronia cum pertinenciis per quoscumque exigi poterint quomodolibet seu requiri. Insuper fecimus constituimus et ordinavimus ac tenore presentium facimus constituimus et ordinamus dictum Alexandrum Lesly ballivum nostrum dictarum terrarum et baronie de Kinedward

cum pertinenciis tenendum et habendum idem officium balliatus cum pertinenciis dicto Alexandro Lesly et heredibus suis de nobis et heredibus nostris in feodo et hereditate imperpetuum cum potestate curias dictarum terrarum et baronie statuendum inchoandum affirmandum et tenendum ac quociens opus fuerit continuandum sectas tam libere tenemencium quam alienum convocari faciendum absentes americiandum americiamentaque exitus et eschaetas dictarum curiarum levandum et pro eisdem si necesse fuerit dstringendum ac usibus suis propriis et heredum suorum applicandum transgressores et delinquentes puniendum inhabitantes et tenentes dictarum terrarum et baronie eorumque bona catalla et grana coram quocumque iudice vel quibuscumque iudicibus attachiatum vel arrestatum fuerint ad libertatem curiarum dicte baronie replegiandum et reportandum ac deputatum seu deputatos in dicto officio ut sibi Alexandro et heredibus suis videbitur expediens faciendum et deputandum firmasque et proficua dictarum terrarum et baronie levandum inhabitantes et tenentes earundem remouendum et imponendum ac omnia alia et singula faciendum gerendum et exercendum que ad officium balliatus de jure vel consuetudine dinoscuntur pertinere ratum et gratum irrevocabiliter habentes et habituri pro nobis et heredibus nostris imperpetuum totum et quicquid dictus Alexander et heredes sui vel eius aut eorum deputatus vel deputati in dicto officio balliatus juste duxerit vel duxerint faciendum. Et nos vero dominus Johannes et heredes nostri totas et integras predictas terras baronie de Kinedward cum pertinenciis videlicet terras dominicales dictas le Casteltoun ac terras de Ester Tiry Kinarroquhy et Faithle cum pertinenciis reservatis prius reservatis unacum dicto officio balliatus dictarum terrarum et baronie cum pertinenciis prefato Alexandro Lesly et heredibus suis adeo libere quiete in omnibus et per omnia ut predictum est contra omnes mortales warantizabimus acquietabimus et presentis carte nostre per tenorem imperpetuum defendemus. In cuius rei testimonium presenti carte nostre sigillum nostrum apponi fecimus. Apud Edinburgum vicesimo secundo die mensis Decembris anno Domini millesimo quadringentesimo septuagesimo octavo. Testibus nobilibus et prepotentibus dominis Colino comite Ergadie domino

Lorne et Cambell magistro hospicii supremi domini nostri regis, Lachlano M^cgilleon de Doward, Hectore M^cgilleon de Loychbowe, Willelmo M^cloid de Glannelg, Rori Macloid de Lewes, Alexandro M^ccane de Ardnamurtho, et Malcomo Makneile de Geya, cum multis et diversis aliis.

SOURCE: Original. Craigston Castle (Urquhart of Craigston Muniments); SRO, C2/ix/15 (Great Seal Register) (confirmation dated 4 February 1478/9).

PRINTED: *RMS*, ii, 1419; *Clan Donald*, i, 561-62, from confirmation.

DESCRIPTION: 29.2 × 32cm; 24.2 × 25cm; tag with seal.

SEAL: style 5.

COMMENT: Alexander Leslie of Wardis, whose duties as bailie of Kingedward are stated here, was son and heir of Sir William Leslie of Balquhain by his second wife Agnes Irvine of Drum (*RMS*, ii, 754), and was the king's esquire in 1473 and his receiver-general when this charter was confirmed (*RMS*, ii, 1141, 1419). In this confirmation the liferent rights of Elizabeth, countess of Ross, were stressed. Faithlie was the old name for Fraserburgh (Alexander, *PNA*, 55), and in 1592 a crown charter includes the lands of Faithlie and Tyrie with the harbour of Faithlie etc. in the barony of Kingedward (*RMS*, v, 2117), but the same charter includes the lands of Saithlie also in that barony, which lands were in the parish of Strichen and lay along the south slope of Mormond (Alexander, *PNA*, 111). Saithlie seems often bracketed with Easter Tyrie in the Strichen charters (NLS, MS. Dep.327, bundle 9, etc.), but the name Faithlie is quite clearly written in this charter. This is the only known charter of the lord of the Isles in which the earl of Argyll appears as witness.

114

Precept of sasine addressed to Alexander Seton of Meldrum, Alexander Chalmer of Murtle, William Leith of Barnes and Alexander Menzies burgess of Aberdeen following no.113. Edinburgh, 22 December 1478.

Johannes de Ila dominus Insularum dilectis nostris Alexandro Setoun de Meldrum, Alexandro Chawmer de Merthil, Wilhelmo Leith de Bernis, et Alexandro Menzeis burgensi de Abirdene, ac eorum cuilibet coniunctim (sic) et divisim ballivis nostris in hac parte specialiter constitutis salutem. Quia dedimus concessimus et ad feodifirmam dimisimus hereditarie pro perpetuo dilecto consanguineo nostro Alexandro Lesly de Warderis omnes et singulas terras nostras baronie nostre de Kinedward cum pertinenciis videlicet terras dominicales de Kinedward vulgariter nuncupatas le Casteltoun ac terras de Estirtry Kinnaroquhy et Faithle cum pertinenciis jacentes infra vicecomitatum de Abirdene una cum officio balliatus dictarum terrarum et baronie prout in carta nostra de dictis terris baronia et officio cum pertinenciis prefato Alexandro Lesly et heredibus suis inde confecta plenius continetur. Vobis igitur ac vestrum cuilibet precipimus et mandamus quatinus dicto Alexandro Lesly vel suo certo actornato latori presentium sasinam dictarum terrarum et baronie ac dicti officii balliatus earundem cum pertinenciis secundum tenorem dicte carte nostre quam inde habet juste habere faciatis et sine dilacione et hoc nullo modo omittatis. Ad quod faciendum vobis ac vestrum cuilibet nostram plenariam tenore presentium committimus potestatem. In cuius rei testimonium presentibus sigillum nostrum apponi fecimus. Apud Edinburgum vicesimo secundo die mensis Decembris anno Domini millesimo quadringentesimo septuagesimo octavo.

SOURCE: Original. Craigston Castle (Urquhart of Craigston Muniments).

DESCRIPTION: 28.2 × 12.8cm; 23.5 × 6.4cm; tag with seal.

SEAL: style 5.

115

Charter by John, lord of the Isles, to John son of the late Gilbert Davidson of the lands of Greenan in the earldom of Carrick sheriffdom of Ayr, which John had resigned. Islay, 6 March 1478/9.

Omnibus hoc scriptum visuris vel audituris Johannes de Ila et dominus Insularum salutem in Domino sempiternam. Noveritis nos pro nobis et heredibus nostris assedasse allocasse et ad feodifirmam dimisisse dilecto nostro nativo armigero et alumpno Johanni Davidsonsone filio quondam Gilberti Davidsonsone omnes et singulas terras de Grenane cum pertinenciis jacentes in comitatu de Carrik infra vicecomitatum de Are quasquidem terras cum pertinenciis idem Johanni habuit in feodifirma hereditarie de nobis et heredibus nostris et quas antedictus Johannes non vi aut metu ductus nec errore lapsus sed sua mera et spontanea voluntate omnes et singulas predictas terras cum pertinenciis in manibus nostris predicto Johanni et heredibus suis et assignatis personaliter sursum reddidit pureque simpliciter resignavit ac totum jus et clameum que habuit seu habere potuit pro se et heredibus suis omnino quitumclamavit imperpetuum. Tenendas et habendas omnes et singulas terras de Grenane cum pertinenciis predicto Johanni et heredibus suis et assignatis de nobis et heredibus nostris et successoribus in feodifirma imperpetuum per omnes rectas metas suas antiquas et divisas in moris marresiis boscis planis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venacionibus piscationibus petariis turbariis carbonariis cum fabrilibus et brasinis et cum calce et lapide cum curiis et curiarum exitibus ac earundem eschaetis cum averagiis et cariaigiis et cum bludewitis herizeldis et mulierum merchetis cum columbis et columbariis cum silvis virgultis aquis semitis stagnis et rivolis ac cum omnibus aliis et singulis libertatibus commoditatibus asiamentis ac justis suis pertinenciis quibuscumque tam non nominatis quam nominatis tam subtus terra quam supra terram tam prope quam procul ad dictas terras de Grenane cum pertinenciis spectantibus seu juste spectare valentibus quomodolibet in futurum et adeo libere quiete plenarie integre honorifice bene et in pace sicut dictus Johannes terras dictas ante dictam resignationem habuit seu possedit aut sicut aliqua terra infra regnum Scotie secundum leges et consuetudinem regni alicui ad feodifirmam allocatur seu ad feodifirmam dimittitur. Reddendo inde annuatim dictus Johannes Davidsonsone heredes sui et assignati nobis heredibus et successoribus nostris pro firmis dictarum terrarum de Grenane

cum pertinenciis viginti libras usualis monete regni Scotie ad duos anni terminos consuetos videlicet Penthecostes et sancti Martini in yeme per equales portiones omni alio onere servicio exactione questione seu demanda que de dictis terris de Grenane cum pertinenciis per nos heredes nostros seu successores requiri aut exigi poterunt seclusis post positis et remotis. Et nos vero Johannes de Ila et dominus Insularum heredes nostri et successores omnes et singulas prenominatas terras de Grenane cum pertinenciis per nos heredes nostros predicto Johanni heredibus suis et assignatis in omnibus et per omnia sicut premissum est contra omnes homines mortales warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Apud Ila sexto die mensis Martii anno Domini millesimo quadringentesimo septuagesimo octavo. Presentibus Rollando Makclane de Dowart, Eugenio Makconnehill de Ardgour, magistro Nigello Makkilbreid archidiacono Sodorensi, et Dougallo Makgillaspik cum diversis aliis.

SOURCE: SRO, GD 25/1/131 (Ailsa Muniments) 19th cent. copy; SRO, C2/ix/30 (Great Seal Register) (confirmation dated 26 July 1480).

PRINTED: RMS, ii, 1449.

COMMENT: See no. III. Elizabeth's rights again protected at confirmation. The second witness, Ewen son of Donald of Ardgour, is a MacLean (cf. nos. 100, 102).

116

Precept of sasine addressed to John Kennedy of Blairquhan and David Blair of Adamton following no. 115. Islay, 6 March 1478/9.

Johannes de Ilay et dominus Insularum nobilibus viris Johanni Kennyde de Blarquhan et David Blare de Adamton et eorum cuilibet coniunctim et divisim ballivis nostris in hac parte specialiter constitutis salutem. Quia dedimus et concessimus hereditarie dilecto nostro alumpno nativo et familiari Johani

(sic) Davidson filio Gilberti Davidson omnes et singulas terras de Grenan cum pertinenciis jacentes in comitatu de Carrik infra vicecomitatum de Are prout in carta nostra dicto Johanni inde confecta plenius continetur. Vobis et vestrum cuilibet precepimus et firmiter mandamus quatinus dicto Johanni Davidso^{ne} vel eius certo assignato latori presencium saisinam dictarum terrarum de Grenane cum pertinenciis secundum tenorem dicte carte nostre quam inde habet juste habere faciatis et sine dilacione et hoc nullo modo omittatis ad quod faciendum vobis et vestrum cuilibet coniunctim et divisim nostram plenariam tenore presencium committimus potestatem. In cuius rei testimonium sigillum nostrum presentibus appendi fecimus. Apud Ilay sexto die mensis Marcii anno Domini millesimo quadringentesimo septuagesimo octavo.

SOURCE: SRO, GD 25/1/132 (Ailsa Muniments); nineteenth-cent. copy.

117

Note of a grant by John, lord of the Isles, with consent of Angus his son, to the priory of Ardchattan of the parsonage of Kilmonivaig in Lochaber. 30 September 1479 [?].

'Confirmation granted be Robert Bischope of Argyll of the personage of ane kirk callit St Monerok in Lochaber doitted and mortifiet to the said monasterie and pryorie of Ardchattan be Johne Lord of the Yles with consent of Angous his sone and air And the haill fruittis and rents of the said kirk daittit the last day of September 1479.'

SOURCE: SRO, RH 9/4/2/5 (Inventory), confirmation of the grant by Robert, bishop of Argyll, dated 30 September 1479.

NOTE: It is not clear whether the date is that of the original grant or the confirmation, but they are unlikely to be widely different.

COMMENT: This is the first known document in which Angus, who was named heir-presumptive in 1476 (no.A27), is as-

sociated with his father John. The church is probably Kilmornaig, of which the lord of the Isles had been patron and which became annexed to Ardchattan (Cowan, *Parishes*, 106); for their continued connection see no. 118 and *OPS*, ii, 174.

118

Note of a bond of maintenance by John, lord of the Isles, in favour of the priory of Ardchattan with special reference to the parsonage of Kilmonivaig. 12 July 1485.

'Ane band of Maintenance and protectione grantit be John of Ylay Lord of the Yles quhairby he hes oblist him and his successouris to mantene supplie and defend the hous of Ardchattane with all priviledges belanging thairto and speciallie anent the personage of Kilmanerok daitit 12 of July 1485.'

SOURCE: SRO, RH 9/4/2/6 (Inventory).

COMMENT: See comments on nos. 112 and 117.

119

Charter by Angus, master of the Isles and lord of Trotternish, with consent of his father and council, to the abbey of Iona of the lands of Kilbrenan in Lethir Baile Neil in Mull. 14 November 1485.

Pateat universis ad quos presentes nostre littere pervenerint nos Angussium de Insulis magistrum earundem et dominum de Troutarnis de consensu nostri patris et consilii dedisse et concessisse ac eciam presenti carta nostra confirmasse venerabilibus dominis et confratribus nostris abbati monasterii sancti Columbe de Y insula et eiusdem loci conuentui pro nunc servientibus ac in futurum ibidem servituris unam denariatam jacentem in terris nostris de Mule que wlgaliter nuncupatur Kyllbrenain in Lethfear Bale Neill per suas rectas metas et antiquos fines pro salute anime nostre ac parentum nostrorum in honore Dei omnipotentis et sanctissimi Columbe nostri patroni

in puram et perpetuam elimosinam libere et quiete plene et pacifice cum omnibus suis fructibus terrenis sive marinis una cum officio balliviatus predictae terre planis pratis boscis silvis molendinis ac aliis omnibus commoditatibus libertatibus ad eandem denariatam spectantibus seu in futurum spectare valentibus pro ut melius plenius quociens et liberius alicuius terre a dominis temporalibus in regno Scocie sive in dominio Insularum concessae fuerunt aliquibus monasteriis seu religiosis locis in posterum conceduntur. In cuius rei testimonium ex quo sigillum proprium non habuimus sigillum Johannis M^cgilleoin domini de Lochbughe procurari fecimus. Hiis testibus presentibus videlicet Reginaldo domini Insularum filio, Angussio Angussii Mⁱc^regnaill, Lacclanno mac Muredhzaich archipoeta, Hullialmo archiudice, Colino Fergusii domini cancellario, Terleto Laclanni nigri cum multis aliis ad hoc vocatis pariter et rogatis xiiii^o die mensis Novembris anno Domini m^o cccc^o lxxxv^o.

SOURCE: Original. SRO, RH 6/517 (Register House charters).

PRINTED: *Clan Donald*, ii, 743 (facsimile).

DESCRIPTION: 36 × 8.2cm; 32.5 × 5cm; one tag, no seal remains.

COMMENT: This is the only surviving charter by Angus as principal (see also no. 121). John is here involved in the grant to Iona, at least formally, just as Angus was on record in or before 1479 as assenting to his father's grant to the priory of Ardchattan (no. 117). The period of greatest hostility between father and son probably fell within these years, 1479 to 1485, and no charter dating from the five intervening years has survived. It has been pointed out to us that the writer of this document was familiar with Gaelic forms of names, and that the insertion of the date at the end without a fully expressed dating clause shows inefficient drafting of the deed, perhaps by someone not regularly employed as a writer of legal documents. These points, and the inclusion of the chief poet, judge or lawman, and chancellor as charter witnesses, may suggest a rival court or council forming around Angus (see Introduction, p. liii). For Lethir Baile Neil, see no. 121 comment. The first two witnesses

will be found at the beginning of app. C under the surname de Insulis, etc.

120

Charter of confirmation by John, lord of the Isles and baron of Kingedward, of a charter granted by the late William Cumming of Culter to his son William, keeper of the king's keys, of the house and lands of Inverallochy with loch and fishings and the forter of 'Innerury' in the barony of Kingedward, sheriffdom of Aberdeen, dated 10 April 1483; and also a grant by the late William Cumming to Thomas his son of half the lands of Kindrochit and Adziel in the barony of Kingedward, sheriffdom of Aberdeen. Islay, 10 July 1486.

Omnibus hanc cartam visuris vel auditoris Johannes de Ila dominus Insularum ac baro baronie de Kynedward salutem in Domino sempiternam. Sciatis nos inspexisse quamdam cartam quondam Willelmi Cummyng de Cultir ac domini terrarum de Innerelloghy factam et concessam dilecto nostro Willelmo Cummyng clavigero supremi domini nostri regis filio dicti quondam Willelmi de domo ac de omnibus et singulis terris suis de Inneralloghy cum lacu dictam domum continentem et piscariis eiusdem ac lie fortere de Innerury cum pertinenciis jacentibus in baronia nostra de Kynnedward infra vicecomitatum de Abirdene per nos et de nostra mandato visam lectam inspectam et deligenter examinatum sanam integram non rasam non cancellatam nec in aliqua sui parte suspectam sed omni prorsus vicio et suspicione carentem ad plenum intellexisse sub hac forma. Omnibus hanc cartam visuris vel auditoris Willelmus Cuming de Cultir ac dominus terrarum de Innerelloghy cum pertinenciis eternam in Domino salutem. Noveritis me filiali affectione et dilectione matura avisacione prehabita utilitate mea et plurium amicorum que meorum in hac parte undique previsa et diligenter considerata dedisse concessisse et hac presenti carta mea confirmasse carissimo filio meo Willelmo Cumyng clavigero suppremi domini nostri regis domum ac omnes et singulas terras meas de Innerelloghy cum lacu dictam

domum continentem et piscariis eiusdem ac le fortere de Innerury cum pertinenciis jacentes in baronia de Kyneduard infra vicecomitatum de Abirdene pro suis fidelibus serviciis humagiis gratitudinibus et expensis michi multipliciter factis sustentis et impensis et notanter pro recuperacione domus et terrarum mearum de Innerelloghy antedictarum a me per Alexandrum Cuming et Jacobum Cuming filios meos et eorum complices vi spoliatarum et detentes et per dictum Willelmum Cuming filium meum carissimum libere in manus meas deliberatas et redditas. Tenendas et habendas dictam domum et terras meas universas de Innerelloghy cum pertinenciis unacum piscariis eiusdem et le fortere de Innerury ac cum aqueductu predicti lacus ad molendinum eiusdem cum pertinenciis predicto Willelmo Cuming filio meo carissimo heredibus suis et suis assignatis a me heredibus meis et meis assignatis de magnifico et potenti domino Johanne domino Insularum ac domino baronie de Kyneduard domino superiore earundem et heredibus suis in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas prout jacentes in longitudine et latitudine in viis planis semitis boscis moris marresiis aquis stagnis pratis pascuis pasturis culturis petariis turbariis et carbonariis aucupationibus venacionibus cuniculariis piscariis cum curiis et earum exitibus et eschaetis cum bludwetis et mulierum merchetis cum molendinis multuris et eorum sequelis cum bondagiis cariagiis et averagiis cum brasinis fabrilibus et carnificiis ac cum omnibus aliis et singulis libertatibus commoditatibus et asiamentis tam subtus terra quam supra terram tam non nominatis quam nominatis ad dictum domum et terras cum pertinenciis spectantibus seu quouismodo spectare valentibus quomodolibet in futurum adeo libere plenarie integre honorifice bene et in pace in omnibus et per omnia sicut ego aut predecessores mei dictam domum et terras cum pertinenciis prius tenui aut possedi tenuerunt aut possederunt absque revocatione aut contradictione mei aut heredibus meorum contra premissa faciendo reservata tamen tertia parte earundem terrarum cum pertinenciis Cristine Setoune sponse me cum contigerit. Reddendo inde annuatim dictus Willelmus heredes sui aut sui assignati prefato domino Insularum heredibus suis aut

assignatis domino superiori earundem terrarum de Innerelloghy firmam et servicia debita et consueta pro omni alio servicio seculari exactione seu demanda que de predictis terris cum pertinenciis aliquantulum exigi poterint aut requiri. Et ego dictus Willelmus heredes mei et assignati totas et integras terras et domum de Innerelloghy cum lacu et piscariis eiusdem et le fortere de Innerury antedictas cum pertinenciis prefato Willelmo Cuming filio meo carissimo antedicto heredibus suis et suis assignatis in omnibus et per omnia ut premissum est contra omnes mortales warrantizabimus acquietabimus et imperpetuum per omnes terras et possessiones meas habere et habendas defendemus. In cuius rei testimonium huic presenti carte mee sigillum meum est appensum. Apud Abirdene decimo die mensis Aprilis anno Domini millesimo quadringentesimo octuagesimo tertio. Coram nobili et potenti domino Willelmo comite de Eroll domino le Hay et constabulario Scotie, magistro Gilberto Hay de Ury, Roberto Blindsell preposito burgi de Abirdene, Johanne Colysoun, Alexandro Chammer iuniore, Thoma Fiffe, Thoma Prat, Patricio Badenaghe et Andrea Branche burgensibus de Abirdene, et domino Johanne Sterueling notario publico, cum diversis aliis. Quam quidam cartam ac donacionem concessionem et alienacionem in eadem contentas in omnibus suis punctis et articulis condicionibus et modis ac circumstanciis suis quibuscumque forma pariter et effectu in omnibus et pro omnia approbamus ratificamus et pro nobis heredibus nostris et successoribus ut premittitur pro perpetuo confirmamus salvis et reservatis nobis et heredibus nostris firmis et serviciis de dictis domo terris lacu et piscariis cum pertinenciis ante presentem nostram confirmationem debitis et consuetis. Insuper approbamus ratificamus et pro perpetuo confirmamus pro nobis nostris heredibus et successoribus illas donacionem et concessionem quas fecit dictus quondam Willelmus Cuming de Cultir dilecto nostro Thome Cuming filio suo de dimidietate terrarum de Kindrocht et de dimidietate terrarum de Audyale cum pertinenciis suis jacentibus in dictis baronia de Kynedward et vicecomitatu de Abirdene. Tenendas et habendas dictas dimidietates terrarum de Kindrocht et Audyale cum pertinenciis suis prefato Thome Cumyng et heredibus suis de nobis et

heredibus nostris in feodo et hereditate imperpetuum secundum formam et tenorem cartarum et evidenciarum dicti quondam Willelmi prefato Thome hereditarie desuper confectum. Reservatis nobis et heredibus nostris firmis et serviciis de dictis dimidietatibus terrarum cum pertinenciis ante presentem confirmationem nobis debitis et consuetis. In cuius rei testimonium presenti carte nostre confirmationis sigillum nostrum est appensum. Apud locum nostrum de Ila decimo die mensis Julii anno Domini millesimo quadringentesimo octuagesimo sexto. Coram hiis testibus dilecto consanguineo nostro domino Johanne de Insulis milite nostro, dilectis nostris Lawchlano Makgillaine, magistro Thoma Flemyng, Makvirre, Donaldo Machesse, et Makane de Armourchane cum multis aliis.

SOURCE: Original. SRO, GD 1/661/2.

PRINTED: *Aberdeen-Banff Coll.*, 457-8.

DESCRIPTION: 36.6 × 21.7cm; 33 × 17.4cm; one tag, no seal remains.

COMMENT: John had apparently resigned the barony of King-edward (no. A38), but see also A39. Royal confirmation of the grant of these lands (but not of this charter) was given on 18 January 1503/4 to William Cumming of Inverallochy, then Marchmont Herald, and Margaret Hay his wife, in reward for 30 years service to the crown by himself, his father and mother (*RMS*, ii, 2767). The word 'forter' or 'fortre' does not mean a fort or fortress, although sometimes thought to do so (Alexander, *PNA*, 60); a more probable meaning is the upper or less cultivated land attached to lower-lying arable (Barrow, *Kingdom*, 269-70). As in this charter it appears in association with Inverallochy (also in *RMS*, ii, 1198, 2767, 3864), and not with Inverurie on the Don, it presumably here refers to a 'forter' nearer that place, such as Invernorth (Beveridge, *Abers and Invers*, 101). We are grateful to Professor Barrow for guidance in this. The form of names of witnesses is unusual, e.g. MacQuarrie and Maclan (see app. C) without forenames, and Lachlan MacLean with no territorial designation; 'Machesse' is not otherwise known.

Note of a charter by Angus of the Isles to Hector MacLean of the lands of Lethir Baile Neil. 8 August 1488.

'Quod terre de Lerebalenele conceduntur quondam Hectori McGillane ut asseritur, per cartam Angusii de Insulis factam octavo Augusti anno octuagesimo octavo pro servitio navis xxii remorum.'

SOURCE: SRO, E38/339 (Exchequer Rolls).

PRINTED: *ER*, xiii, 216 (1509).

COMMENT: Lethir Baile Neil was the name formerly given to the Torloisk estate on the Mull side of Loch Tuath (NLS, Adv. MS. 28.3.12, 'A brief Genealogical Account of the Family of MacLean', f.10v; Sinclair, *Clan Gillean*, 346); it does not appear on maps, but place-names in *ER*, xiii, 215-16 show it extending from Oskamull above Ulva Ferry on the E, through Kilbrenan to Tostarie and Burg W of Kilninian; it was named from Neil, progenitor of the MacLeans of Lehire, and later passed to another branch of the Duart family, Neil being either nephew or son of Lachlan Bronnach of Duart (MacLean MS. cited above, and histories by Seneachie, J. P. MacLean, and Sinclair), and his son Neil nan Ordag who supported his chief Hector at Bloody Bay (MS. as above). Hector MacLean to whom this charter was granted, apparently living in 1488 but dead by 1509, has not been identified. He might be expected to be the first of the MacLeans of Lehire, whom MacLean genealogists agree were cadets of Duart; but their founder was Neil, and the name Hector is not included in accounts of the family. Of MacLean landowning families (see app. C), Hector MacLean of Duart is called 'McGillane' or 'McGillane of Dowart' elsewhere in the same source (*ER*, xiii, 212-16), and after resigning his lands in favour of his legitimated son Lachlan in 1496 the latter is on record as chief from 1499 onwards; Hector of Lochbuie died between 1478 and 1485 and was succeeded by his son John; and Hector of Kingairloch is not known to have owned lands in Mull.

Charter by Alexander of the Isles of Lochalsh with the consent of his council to Ewen son of Alan captain of clan Cameron of lands in the lordship of Lochalsh viz: Auchnadarroch, Lundie, Fernaig, 'Culwoyr', Achmore, Fernaigbeg, 'Fudanamine', 'Acheache', Achachonleith, Braeintra, 'Culchnok', 'Achenacloich', 'Blaregarwe', 'Acheas', Avernish, and Auchtertyre; and lands in Strome viz: Carronach, Slumbay, 'Doun', and Achintee in the lordship of Lochcarron. Colonsay, 29 July 1492.

Omnibus hanc cartam visuris vel auditoris Alexander de Insulis de Lochalch salutem in Domino sempiternam. Sciatis nos unanimi consensu et assensu nostri consilii dedisse concessisse et hac presenti carta carta (sic) nostra confirmasse benedicto consanguineo nostro Eugenio Alani capitaneo de Clancamroun quasdam terras hereditarias quatuordecim mercarum jacentes in dominio nostro de Lochalch videlicet Achenadariathe et Lunde estimatas ad duas mercas ex antiqua consuetudine Fairnamore ad duas mercas ex antiqua consuetudine Culwoyr et Achemoir estimatas ad duas mercas ex antiqua consuetudine Fayrinneagveg et Fudanamine et Acheache ad duas mercas Achechoynleith et Brayeintra ad duas mercas Culchnok et Achenacloich et Blaregarwe et Acheas ad duas mercas Awnernis et Wochterory ad duas mercas in dominio de Lochalch ac etiam in Strome Carranache xx^{ti} solidos et Slomba xx^{ti} solidos quarterium de Doun ad x solidos Achinche cum tribus quarteriis ad xxx^{ta} solidos in dominio Locharran (sic) et in vicecomitatu de Rosse.^a Tenendas et habendas dictas terras hereditarias a nobis et heredibus nostris ac assignatis dicto Eugenio Alani heredibus suis et suis assignatis in feodo et hereditate imperpetuum pro suo fideli servicio nobis impenso et in posterum impendendo cum omnibus et singulis rectis metis et antiquis viis planis semitis pascuis silvis molendinis multuris aquis stagnis piscariis venacionibus ac etiam omnibus aliis et singulis commoditatibus asiamentis libertatibus et juribus quiscumque ad dictas terras pertinentiis de iure aut consuetudine tam per mare quam per terras tam prope quam procul tam subtus quam supra clam

quiete libere honorifice in pace et guerra sicut alique alie terre in regno Scocie per aliquem alium dominum aut consimilem dari poterint aut concedi sine aliquali revocatione omnibus dolo fraude et frivola cavillatione semotis et exclusis. In cuius rei testimonium sigillum nostrum huic presenti carte in signum veritatis est appensum. Apud Collinsay vicesimonono die mensis Julii anno Domini millesimo quadringentesimo nonagesimo secundo. Presentibus ibidem Rodrico Alexandri Macleod, Colino Nigelli Gewa, Angusio Martini, Duncano Martini et Johanne duff Duncani, cum multis aliis testibus ad hoc rogatis specialiter et deputatis.

SOURCE: SRO, C2/xiii/203 (Great Seal Register) (confirmation dated 24 October 1495).

PRINTED: RMS, ii, 2281.

NOTE: *a*. This must be an error, as there was no separate sheriffdom of Ross at this time.

COMMENT: For Alexander, son and heir of Celestine, see app. D, table 6/3. The council, usually mentioned in charters by the lord of the Isles himself, is discussed in the Introduction, p. xlvi. Seven of the 16 Lochalsh place-names listed here are obsolete according to Watson (*PNRC*, 184, 191), who gives alternative spellings. Culwoyr occurs as Cuylohir or Killochir; Achechoynleith (associated with Braeintra near South Strome) identified as Achachonleich (Watson, *PNRC*, 184; Macbain, *PNHI*, 58), but not on OS maps; in Lochcarron parish there were *duns* near Courthill on Loch Kishorn and behind Janetown on Loch Carron (*NSA, Ross and Cromarty*, 110; Watson, *PNRC*, 193), and Blacu indicates the latter. The last three witnesses, along with others in nos. 124 and 125, may have belonged to a kindred group; the MacMartins of Letterfinlay had a long ancestry in Lochaber, and were closely associated with the clan Cameron (C. Fraser-Mackintosh in *TGSI*, xvii, 31ff).

Charter by John, lord of the Isles, and Alexander of the Isles, lord of Lochalsh, with consent of their council to John MacLean

of Lochbuie of half the office of bailie of the island of Tiree viz. the south part as held by Lachlan son of Hector MacLean. Oronsay, 1 August 1492.

Omnibus hanc cartam visuris vel audituris nos Johannem de Yle dominum Insularum ac Alexandrum de Insulis dominum de Lochals salutem in Domino sempiternam. Noveritis universitas vestra nos dedisse concessisse ac confirmasse illatis per presentem nostram cartam cum consensu et assensu tocius nostri consilii damus concedimus et confirmamus benedicto nostro consanguineo et armigero Johanni Mgilleoin domino de Lochbwe presentis carte conseruatori sibi suis heredibus successoribus a nobis heredibus nostris et successoribus dimidietatem balliviatus insule nostre de Tyrey videlicet partis australis cum omnibus et singulis fructibus redditibus proventibus obvencionibus emolumentis ceterisque universis quibuscumque terris de iure^d et consuetudine pertinentibus dicto ballivatui seu pertinere valentibus quomodolibet in futurum ita libere quiete pacifice honorifice bene et in pace melioribus modo et forma quibus Lachlannus Hectoris M^cgilleoin et predecessores eius de nobis et predecessoribus nostris habuerunt possiderunt et tenere consueuerunt aliquibus revocatione seu donacione non interuenientibus. Quamquidem cartam dictas donacionem et concessionem in se continentes pro nobis heredibus nostris et successoribus nostris antedicto Johanni suis heredibus et successoribus approbamus varindizamus ratificamus ac hereditarie perpetualiter affirmamus omnibus dolo fraude frivola ficta exceptione ac malo ingenio semotis expulsis exclusis et tergiversatis. Ad quorum omnium singulorum premissorum fidem et testimonium ex quo sigillum proprium de presenti non habemus sigillum nobilis viri Alexandri de Insulis domini de Lochals procurati et hiis appendi fecimus unacum sigillis dominorum consilii nostri videlicet venerabilis patris ac dompni dompni Johannis Dei gracia abbatis de Y, Johannis M^cKaynei domini de Ardnamurchoun, Rodrici M^cLeod domini de Lewis, Colini M^cneall de Gygha. Apud Orwinsai primo die mensis Augusti anno Domini m^{mo} cccc^{mo} nonagesimo ii^o.

SOURCE: Facsimile in *Clan Donald*, ii, 747.

PRINTED: *Clan Donald*, ii, 747-48.

DESCRIPTION: 29.3 × 10cm; 24.9 × 6.8cm; five tags.

SEALS: three seals – Alexander of Lochalsh, abbot of Iona, and another, unidentified.

NOTE: a. *Clan Donald* has read this as Jura.

COMMENT: This charter is not among the Lochbuie papers deposited in the SRO (GD 174), and it is not known whether it still exists. It was in the Lochbuie charter chest in the early nineteenth century (Gregory, *History*, 55), but J. P. MacLean does not seem to have seen it there in 1889 (*History*, 237, 250); yet the authors of *Clan Donald* acknowledge their indebtedness to MacLaine of Lochbuie for permission to reproduce the charter in their second volume, and so fortunately a facsimile has been preserved. There is some confusion over the office of bailie of Tiree. This grant (but not the charter) was confirmed on 22 March 1493/4 (no.A43); the grant made in 1390 to MacLean of Duart of the office of bailie of the whole lands of Tiree, confirmed on 13 July 1495 (no.A46), included the stewardship (*senescallatus*). In the grants to Lachlan son of Hector MacLean of Duart on 8 October 1496 (no.A50) and to Stewart of Appin in 1510 (*RMS*, ii, 3440) it was again called the office of steward. Even if the offices of bailie and steward were not the same, this 1492 grant to Lochbuie in respect of the south part of Tiree comes before the confirmation to Duart in respect of the whole island. According to Gregory (*History*, 110-11) the confusion between Duart and Lochbuie over lands in Tiree and Morvern was 'checked or extinguished by the attentive care of the Sovereign' soon after the charter to Appin. It should be noted that in this charter the witnesses are specifically called 'lords of our council' (see Introduction, p.xlvi).

Charter by Alexander of the Isles of Lochalsh and Locheil to Ewen son of Alan son of Donald captain of clan Cameron of the lands of Locheil viz: Crief, Sallachan, Banavie, Corpach,

Kilmallie, 'Achedo', Annat, 'Aychetilay', Druim Farmoloch, 'Fanmoymrell', Fassfern, Corribeg, Wauchan, Achdaliu, Kinlocheil, Callop, Drimsallie, 'Clachak', and 'Clachfyne'; and Glas Dhoire mor, Clunes, Muirshearlich, and Tomacharich, in the lordship of Lochaber all in the sheriffdom of Inverness. Iona 26 August 1492.

Omnibus hanc cartam visuris vel audituris Alexander de Insulis de Lochalch ac de Lochheil eternam in Domino salutem. Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Eugenio Alani Donaldi capitaneo de Clancamroun totas et integras terras nostras triginta mercarum de Lochheil videlicet Cray Salchan Banwe Corpoch Kilmalzhe Achedo Anat Aychetilay Drumfermalach Fanmoymrell Fassefarne Corebeg Owechan Aychetioldown Chanlaycheil Kowilknap Drumnasall Clachak Clachfyne in Lochheil et terras unius marce de Gascormoir terras trium mercarum de Clanyn terras trium mercarum de Mescherleith et terras trium mercarum de Thommcareth jacentes in dominio de Lochabria cum pertinenciis infra vicecomitatum de Invernes. Tenendas et habendas totas predictas terras cum pertinenciis prefato Eugenio heredibus suis et successoribus de nobis et heredibus nostris et successoribus in feodo et hereditate imperpetuum per omnes rectas metas suas antiquas et divisas in boscis planis pascuis et pasturis cum aucupacionibus venacionibus piscacionibus cum aquis stagnis rivolis molendinis multuris et eorum sequelis cum silvis virgultis turbariis carbonariis cum lapide et calce cum curiis et earum exitibus ac cum omnibus et singulis commoditatibus libertatibus et asiamentis ac justis suis pertinenciis quibuscumque ad dictas terras spectantibus seu juste spectare valentibus quomodolibet in futurum pro suo fideli servicio et heredum suorum et successorum nobis et nostris heredibus et successoribus impenso et impendendo imperpetuum. Et nos Alexander et heredes nostri predictas cum pertinenciis predicto Eugenio heredibus suis in omnibus et per omnia ut premissum est contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre sigillum nostrum appendi fecimus. Apud insulam

de Hie vicesimosexto die mensis Augusti anno Domini millesimo quadringentesimo nonagesimo secundo. Coram hiis testibus videlicet Johanne Alani Donaldi, Alexandro Hectoris, Martino Duncani, Angusio Duncani, et magistro Alexandro Auchinlek notario publico, cum diversis aliis testimonium vocatis.

SOURCE: SRO, C2/xiii/203 (Great Seal Register) (confirmation dated 24 October 1495).

PRINTED: RMS, ii, 2281.

COMMENT: Some months after this charter Ewen gave a bond of manrent to Farquhar son and heir of Duncan Mackintosh captain of Clanchattan (*Mackintosh Muniments*, no.15, dated 19 February 1492/3), in which Ewen reserved his service to Alexander of Lochalsh but agreed to support Farquhar in any difference between him and Alexander. For place-names cf. nos.73, 88, A43. Either Aychetilay or Aychetioldown presumably represents Achdaliou, and from its position in the list the first may be an error for Achymoleag. Clanyn appears in similar context here to Cloynis in no.88, where it is plainly Clunes. For witnesses Martin and Angus Duncani, see no.122 comment.

125

Charter by John, lord of the Isles, patron of the church of Kilberry in Knapdale, with consent of Thomas Fleming rector of the church, to Robert bishop of Argyll of the right of patronage of the church of Kilberry. Aros, 6 December 1492.

Omnibus hoc scriptum visuris vel auditoris Johannes de Ilay dominus Insularum et patronus ecclesie de Kilbery in Knapdaill salutem in Domino sempiternam. Noveritis nos pro salute anime nostre necnon salute animarum predecessorum et successorum nostrorum ac in subsidium utilitatis ecclesie Lesmoriensis que parve importantie existit accommodum prelatorum eiusdem necnon relevacionem nostram et successorum nostrorum ad ipsam ecclesiam ydoneas personas presentare ig-

norancium totum jus nostrum patronatus dicte ecclesie de Kilberry pro nobis heredibus et successoribus nostris reverendo in Christo patri et domino Roberto Dei et apostolice sedis gracia Lesmorensis episcopo moderno et successoribus suis dicte Lesmorensis sive Ergadensis (sic) diocesis episcopis in puram et perpetuam elimosinam cum consensu et assensu Thome Flemyng rectoris moderni dicte ecclesie dedisse concessisse altarsse et perpetualiter assignasse sic quod eidem reverendo patri et suis successoribus dictam ecclesiam in mensalem sue sedi episcopali annexare vel alias de eadem disponere licebit. Tenendum et habendum dictum jus patronatus cum dispositione dicte rectorie ac singulis suis aliis pertinentiis comoditatibus et libertatibertatibus (sic) dicto reverendo patri et suis successoribus in puram et perpetuam elimosinam et adeo libere quiete plenarie integre bene et in pace sicut aliqua elimosina aut jus patronatus infra regnum Scotie ubilibet datur aut conceditur. Reddendo inde annuatim dicti reverendus pater et sui successores nobis heredibus aut successoribus nostris parte suffragii oracionum suarum pro omnibus aliis oneribus exactionibus questionibus aut demandis que pretextu dicti juris patronatus quomodolibet exigi poterint vel requiri. Et nos vero Johannes dominus Insularum et patronatus predicte ecclesie huiusmodi nostras donacionem concessionem alteracionem assignacionem et confirmacionem juris patronatus dicte ecclesie ut premittitur factas reverendo patri et suis successoribus dicte ecclesie Lesmorensis sive Ergadiensis episcopis contra omnes mortales warantzabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium sigillum nostrum unacum sigillo dicti Thome pro approbacione sui consensus presentibus est appensum. Apud Arois die sexto mensis Decembris anno Domini millesimo quadringentesimo nonogesimo secundo. Coram hiis testibus Alexandro de Insulis de Lochage, Celestino Eugenii, Martino Duncani et diversis aliis.

SOURCE: SRO, C2/xiv/389 (Great Seal Register) (confirmation dated 26 September 1507).

PRINTED: *RMS*, ii, 3136.

COMMENT: This grant is one of the few pieces of direct evidence

on the patronage of churches. Alexander, lord of the Isles, made a supplication to the pope on behalf of Duncan Patricii who already held Kilchrist (in Skye) to hold also the canonry and prebend of Kilberry, called St Berthan in Knapdale (no. B11). The above is the only known dated charter to have been granted by John, lord of the Isles, alone after 10 July 1486 (no. 120), supporting the impression that his influence had declined in his later years, perhaps since the quarrel with his son and the accommodation between them which may be inferred from no. 119. The second witness has not been identified with any certainty (see app. C); for Martin Duncani see no. 122 comment.

126

Note of a charter by the late earl of Ross to Kenneth MacKenzie of the lands of Meyne, Scatwell, 'Innermany', Inverchoran, Kinloch Beannacharain. n.d.

'De quibus allocate compotanti de firmis terrarum de Mayne . . . duarum Eskatellis . . . Innermany . . . Innerquhowran . . . Kenloch Benquherane . . . existenciam in manibus Cayniti Makkenze hereditarie ut asserit, et de quibus ex deliberacione dominorum consilii ostendit transsumptum carte sue per quondam comitem Rossie concessa eidem ex tolerancia domini regis . . .'

SOURCE: SRO, E38/289 (Exchequer Rolls).

PRINTED: *Exchequer Rolls*, ix, 405.

COMMENT: The entry in *ER* is dated 1486; the 'late earl' who made the grant may have been Alexander, but more probably it was John, who was no longer earl of Ross by 1486. A hereditary right to 'Meyn in Strathquhonane' and the other lands in this charter was claimed by John MacKenzie in 1504 (*ER*, xii, 241); the lands of Meyne and Scatwell were included in a confirmation under the great seal in favour of John MacKenzie of Kintail on 25 February 1508/9 (*RMS*, ii, 3313); and in 1538 the lands were declared to belong to him, and orders were given for

them to be 'delete and put furth' from the Exchequer Rolls (*RSS*, ii, 2697). Kenneth was not retoured heir to his father until September 1488 (*SP*, vii, 497 quoting Seaforth charters), but his father was of a great age when he died and Kenneth apparently held a crown tack for other lands in his own name at least by 1479 (*ER*, viii, 597). All lands in this charter lay in Strathconon, a name applied to the valley of the River Meig as well as the Conon into which it flows. The name Meyne or Main apparently survived in Cladh Meinn, the burial ground at Porin, and perhaps also in Glenmeanie and its river; Innermany was probably where that river joins the Meig, now Glenmeanie (Watson, *PNRC*, 154). The two Scatwells were Meikle and Little (*ER*, xii, 663; *OPS*, ii, 507). Kenloch Benquherane was presumably at the head of Loch Beannacharain and near the present Scardroy, although *OPS* map placed it near the loch foot or outlet.

127

Note of a charter by John, lord of the Isles, with the consent of Angus his son to the abbey of Saddell of the lands of Knockhanty and Killypole in the lordship of Kintyre. 1449 × 1490(?).

'... evidencia factam per Johannem dominum Insularum et Angusium eius filium de omnibus et singulis terris de Knockantebeg et duodecim unciatis terrarum nuncupat[is] Kellipull cum pertinenciis.'

SOURCE: SRO, C2/xiv/408 (Great Seal Register) (confirmation dated 1 January 1507/8).

PRINTED: *RMS*, ii, 3170 (7).

COMMENT: The probable date for this grant is the 1480s, when Angus is seen to be associated in making grants along with his father (e.g. no.117).

Chronologically the following two documents should be placed between nos. 64 and 65.

128

Charter by John, earl of Ross and lord of the Isles, to Robert, lord Fleming, of the lands of Dumbulis in the barony of Forgandenny in the sheriffdom of Perth following a resignation by Patrick lord Glamis. Dingwall, 6 December 1457.

Omnibus hanc cartam visuris vel auditoris Johannes comes Rossie et dominus Insularum salutem in Domino sempiternam. Noveritis nos dedisse concessisse et hac presenti carta nostra confromasse (sic) dilecto consanguineo nostro Roberto domino Flemyng totas et integras terras de Dunbulis cum pertinenciis jacentes in baronia de Forgunduny infra vicecomitatum de Perth quequidem terre de Dunbulis cum pertinenciis fuerunt dilecti consanguinei nostri Patricii domini Glammys hereditarie et quas terras de Dunbulis cum pertinenciis idem Patricius non vi aut metu ductus nec errore lapsus set (sic) sua mera et spontanea voluntate in manus nostras apud Dyngvel per fustem et baculum coram subscriptis testibus personaliter sursum reddidit puraque simpliciter resignavit ac totum jus et clameum que in dictis terris de Dunbulis cum pertinenciis habuit seu habere potuit pro se et heredibus suis omnino quittclamavit imperpetuum. Tenendas et habendas totas et integras prenominatas terras de Dunbulis cum pertinenciis dicto Roberto domino Flemyng heredibus suis et assignatis de nobis heredibus et successoribus nostris imperpetuum per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in boscis planis moris marresiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupacionibus venacionibus piscacionibus petariis turbariis carbonariis lapide et calce fabrilibus brasinis brueriis et genestis cum curiis et eorum exitibus herezeldis bludewitis averagiis cariagiis et marchetis mulierum ac cum omnibus aliis et singulis libertatibus commoditatibus asiamentis ac justis pertinenciis suis quibuscumque tam non nominatis quam nominatis tam sub terra quam supra terram

tam prope quam procul ad dictas terras de Dunbulis cum pertinenciis spectantibus seu quovismodo juste spectare valentibus in futurum et adeo libere quiete plenarie integre honorifice bene et in pace in omnibus et per omnia sicut dictus Patricius dominus Glamis aut sui predecessores prenomatas terras de Dunbulis cum pertinenciis de nobis aut predecessoribus nostris ante dictam resignationem nobis factam liberius tenuit seu possedit tenerunt seu possederunt. Reddendo inde annuatim dictus Robertus dominus Flemyng heredes sui et assignati nobis heredibus et successoribus nostris unum denarium argenti usualis monete Scocie apud capitale messuagii de Dunbulis ad festum Penthecostes nomine albe firme si petatur tantum pro omni alio onere exactione questione demanda seu servicio seculari que de dictis terris cum pertinenciis per quoscumque juste exigi poterunt quomodolibet seu requiri. Et nos vero dominus Johannes comes Rossie et dominus Insularum omnes et singulas prefatas terras de Dunbulis cum pertinenciis adeo libere in omnibus et per omnia ut predictum est dicto Roberto domino Flemyng heredibus suis et assignatis contra omnes mortales warantizabimus acquietabimus et imperpetuum defendemus. In cuius rei testimonium presenti carte nostre nostrum sigillum apponi fecimus. Testibus honorabilibus viris Celestino de Insulis de Lochelche, Johanne Ross de Balnagoune, Johanne Munroy de Foulis, Willelmo Urcharde de Cromati, Alexandro Flemyng, domino Thoma Dingwel capellano, Johanne Vaus de Lochislyne, Johanne Nicoleson de Dingwel et Jacobo Weke cum multis aliis. Apud Dingwel sexto die mensis Decembris anno Domini millesimo quadringentesimo quingentesimo septimo.

SOURCE: Original. NLS, Ch. 16062 (Fleming of Wigtown Papers).

PRINTED: Summary in *Wigtown Charter Chest*, no.781.

DESCRIPTION: 38.7 × 22cm; 34.2 × 16.8cm; one slit, no tag or seal.

COMMENT: The lands of Dumbuils seem to have passed from Fleming to Glamis and back again about this time, with the lord of the Isles as superior. On 3 March 1452/3 Robert lord Fleming

took an instrument on a debate before the king's council about an excambion between him and Patrick, lord Glamis, of Dumbuils for Pitkennie, Corvence and Balverdie in the barony of Kinghorn (NLS, Ch. 16060, *Wigtown Charter Chest* no.779; and see *RMS*, ii, 449), in which Fleming produced a charter and sasine in his favour of Dumbuils from John, earl of Ross and lord of the Isles. There seems to be no evidence as to how or when John or his predecessors had acquired the superiority of these lands SW of Perth. The charter of 1457 was preceded by an instrument dated at Dingwall on 11 November 1457 (NLS, Ch. 16061) by which Patrick, lord Glamis, resigned Dumbuils into the hands of John de Ile, earl of Ross and lord of the Isles, to be passed back to lord Fleming; the procurator for Glamis was Thomas Dingwall subdean of Ross, and for Fleming, John Vass of Lochsclin; the notary was James Wick, and the instrument was witnessed by 'Hugone de Insulis de Sleyt, Lachlano McFyngevyn de Muychness, Alexandro Flemyng, Donaldo Mcgillemore iudice Insularum, dominis Willelmo Gray et Ferchardo de Dingvale capellanis'. Robert, lord Fleming, master of the king's household in 1454, was a son of Sir Malcolm Fleming of Biggar and Cumbernauld by a daughter of Robert, duke of Albany (*SP*, viii, 532, 533), and so was John's second cousin, as was Patrick lord Glamis, all being descended from king Robert II. On 19 September 1480 Robert, lord Fleming, resigned the lands once again into the hands of John now called lord of the Isles and baron of Kingedward, superior of the lands of Dumbuils (NLS, Ch. 16068); but John appears to have lost the superiority almost immediately, as a crown charter probably dating from the autumn of 1480 granted Dumbuils and other lands to David grandson and heir of Robert lord Fleming following Robert's resignation (*RMS*, ii, 1453). For notes on witnesses, including Donald Mcgillemore *iudex Insularum* (s.v. 'Brieve'), see app. C. We are indebted to Mr Alan Borthwick for drawing our attention to this series of documents.

Precept of sasine by John, earl of Ross and lord of the Isles, addressed to William Halket, Walter Oliphant, John Moncreiff

and David Fleming following no.128. Dingwall, 10 December 1457.

Johannes comes Rossie et dominus Insularum dilectis consanguineis nostris Willelmo Hakket, Waltero Olifant, Johanni Muncreiff et David Flemyng burgensi de Pertht et eorum cuilibet coniunctim et divisim ballivis nostris in hac parte specialiter constitutis. Quia concessimus hereditarie dilecto consanguineo nostro Roberto domino Flemyng terras de Dunbulis cum pertinenciis jacentes in baronis de Forgundevny infra vicecomitatum de Pertht pro ut in carta nostra sibi inde confecta plenius continetur. Vobis precepimus et mandamus quatenus dicto Roberto vel suo certo actornato latori presentium sasina dictarum terrarum de Dunbulis cum pertinenciis secundum tenore dicte carte nostre quam id habet juste habere faciatis et sine delacione et hoc nullo modo ommittatis. Ad quod faciendum vobis et cuilibet vestrum coniunctim et divisim in hac parte nostram plenariam tenore presentium committimus potestatem. Scriptum sub nostro sigillo apud Dingvell decimo die mensis Decembris anno Domini millesimo quadingentesimo quingentesimo septimo.

SOURCE: Original. NLS, Ch. 16063 (Fleming of Wigtown Papers).

PRINTED: Summary in *Wigtown Charter Chest*, no.782.

DESCRIPTION: 34.5 × 8cm; 31 × 4.3cm; one tag and seal.

SEAL: Style 2.

COMMENT: NLS, Ch. 16064 (*Wigtown Charter Chest*, no.783) is an instrument of sasine following on this precept sealed by Walter Oliphant dated 11 May 1459.

APPENDICES

APPENDIX A

ROYAL GRANTS OF LORDSHIP LANDS

For reasons of space, the names only of lands are given in these shortened abstracts from the published records. Measures of extent or value, where they are included in the MS. Register of the Great Seal, will be found in the printed *RMS* abstracts.

Place-names have been modernised, except those given in quotation marks, which are either unidentified or else included in any comment following the text.

A1. Charter to Angus, son of John de Insulis, of the island of Islay, all the land of Kintyre, the island of Gigha, the island of Jura, the island of Colonsay, the lands of Morvern, and lands in Mull called Mornish. c.1341. (*RMS*, App., i 114; *RRS*, vi, 505.)

COMMENT: The most likely Angus here seems to be the son of Ian Sprangach, founder of the Maclans of Ardnamurchan (app. D, table 1/8). Gregory says the grant to Angus appears never to have taken effect (*History*, 26-27), as the same lands were granted to John de Yle in 1343 (no.A2), with the exception of Kintyre, which by 1376 was also in his hands (no.A10); but he left a MS. memorandum arguing that the grantee's name might be a mistake for John son of Angus de Insulis (NLS, MS. 2131, pp.145-7). Morvern appears in this charter as Morware, and in no.A2 as Morimare; from the context there seems to be no reason to doubt this identification. Morar, with which it is sometimes confused, appears along with Moidart, Arisaig and Knoydart, in nos.A3 and A6, and also in no.7; cf. Watson, *CPNS*, 123, 124.

A2. Charter to John de Yle of the islands of Islay, Gigha, Jura, Colonsay, Mull, Tiree and Coll with their small islands, Lewis,

and the lands of Morvern, Lochaber, Duror, Glencoe, and the keepership of the castles of Cairn na Burgh More, Cairn na Burgh Beg, and Dun Chonnuill. Ayr, 12 June 1343. (*RRS*, vi, 113; *APS*, xii, Supp. no.9.)

COMMENT: For identification of Morvern see no.A1; for Duror and Glencoe, and Cairn na Burgh Beg (Iselenorgh in *RRS* should be Iseleborgh), see no.5.

A3. Charter to Reginald son of Roderick de Insulis of the islands of Uist, Barra, Eigg, Rum, and lands of Garmoran viz: Moidart, Morar, Arisaig and Knoydart. Ayr, 12 June 1343. (*RRS*, vi, 114-15; *APS*, xii, Supp. no.11.)

COMMENT: Reginald was head of the MacRuari family, see app. D, table 1/16.

A4. Inspection of a charter of William, earl of Ross, dated at Urquhart Castle on 4 July 1342, to Reginald son of Roderick de Insulis of ten davachs of the land of Kintail in North Argyll. c.12 June 1343. (*RRS*, vi, 505; *APS*, xii, Supp. no.10.)

COMMENT: For lands in the earldom of Ross see Introduction, p.xxxii.

A5. Confirmation to John de Insulis of all lands, tenements, annual rents and possessions which he already owned. Edinburgh, 4 July 1363. (*RMS*, i, 156.)

COMMENT: With no further details of the lands concerned, it is difficult to decide whether the unusual designation of John de Insulis for de Ile (see Introduction, p.lxxxii) is anything more than a variation on a style not yet fixed. The lord of the Isles may well have been involved in the rebellion of Douglas, Stewart and March early in 1363, but this quickly collapsed, while the lord of the Isles continued in his opposition (Nicholson, *Middle Ages*, 178) until late in 1369 when he submitted (no.6). The designa-

tion might suggest that the confirmation was given to another member of the family, perhaps the lord's eldest son John who was dead by 1369, but no royal grant of lands to him has survived.

A6. Charter to John de Yle of lands formerly owned by Alan son of Roderick viz: Moidart, Arisaig, Morar, Knoydart, Uist, Barra, Rum, Eigg, and 'Heryce/Hyrte'. Scone, 9 March 1371/2. (*RMS*, i, 412, 551.)

COMMENT: John's father-in-law succeeded to the throne as Robert II in February 1370/1; Alan was grandfather of John's wife Amy MacRuari. For identification of Heryce/Hyrte (so spelt in two versions of this charter) as St Kilda, cf. no.7.

A7. Confirmation of grant by John de Yle to his son Reginald (no.7). 'Arnele', 1 January 1372/3. (*RMS*, i, 520.)

COMMENT: Arnele is presumably Ardneil near West Kilbride, a barony of which Portincross castle was the principal messuage (MacGibbon and Ross, *Castellated and Domestic Architecture*, iii, 156).

A8. Charter to John del Yle of the island of Colonsay, resigned by John and now to be held by John and his wife Margaret daughter of Robert II and their heirs, whom failing to John's heirs. Stirling, 6 June 1376. (*RMS*, i, 567.)

A9. Charter to John de Yle of all the lands of Lochaber resigned by John and to be held by John and Margaret (as in no.A8). Stirling, 6 June 1376. (*RMS*, i, 568.)

A10. Charter to John del Yle of the lands of Kintyre and part of Knapdale to be held by John and Margaret and their heirs. Stirling, 6 June 1376. (*RMS*, i, 569.)

COMMENT: For Kintyre and Knapdale lands see Introduction, pp.xxv-xxvii.

A11. Confirmation of charters by Donald, lord of the Isles, three to Lachlan MacLean dated 12 July 1390 (nos. 11, 12 and 13) and one to Hector Maclean dated 1 November 1409 (no. 17). Perth, 30 October 1431. (*RMS*, ii, 2264.)

COMMENT: for further confirmation see no. A46.

A12. Confirmation of a charter by Alexander, earl of Ross and lord of the Isles, to Sir John Scrymgeour dated 10 October 1444 (no. 43). Stirling, 3 November 1444. (*RMS*, ii, 281.)

A13. Confirmation of a charter by Alexander, lord of the Isles and earl of Ross, to Sir William Innes of that ilk dated 22 February 1438/9 (no. 27). Kildrummy, 19 August 1453. (SRO, GD1/220/66; not in *RMS*.)

A14. Precept issued by James III to John, earl of Ross and lord of the Isles, to give sasine to Mariota Sutherland daughter of the late Alexander Sutherland of the lands of Dunbeath following a retour. Falkland, 2 March 1461/2. (NLS, Dep. 313/3296 (Sutherland Papers).)

COMMENT: see no. 83.

A15. Confirmation of a charter by John, earl of Ross and lord of the Isles, to Thomas younger of Dingwall dated 12 April 1463 (no. 78). Inverness, 14 August 1464. (*RMS*, ii, 801.)

A16. Confirmation of three charters by John, earl of Ross and lord of the Isles, to his brother Celestine dated 2 February 1462/3 (no. 76), 10 January 1463/4 (no. 82) and 8 November 1463 (no. 80). Elgin, 21 August 1464. (*RMS*, ii, 806.)

A17. Confirmation of a charter by John, earl of Ross, lord of the Isles and baron of Kingedward, to William Cumming of Culter dated 27 June 1461 (no. 72). Edinburgh, 11 April 1475. (*RMS*, ii, 1196.)

A18. Confirmation to George, earl of Rothes and lord Leslie, of the lands of 'Wodfeld', 'Fresky', and Pitnamoon, with the mills of Kincardine and Fettercairn; the lands of 'Esly', Balmain, and Meikle and Little Strath in the thanage of Fettercairn, sheriffdom of Kincardine; and the annual rents of Kincardine: all held by George from the earl of Ross before forfeiture. Edinburgh, 8 February 1475/6. (*RMS*, ii, 1226.)

NOTE: The following reference to John's forfeiture on 1 December 1475 (see Introduction, p.000) appears in this and following charters—'. . . *quas dictus Geo. tenuit de comitibus Rossie ante forisfacturam Johannis olim comitis Rossie ac domini Insularum in Parlamento, in proditorem convicti et judicati, pro ejus proditoriis criminibus et rebellionibus productam, et propter quam forisfacturam superioritas dictarum terrarum cum molendinis et annuis redditibus regi devenit, et quas dictus Geo., post productionem dicte forisfacture, resignavit.*'

COMMENT: Of the place-names, Fresky appears as Fysk 1475, Fesky 1510 (*RMS*, ii, 1204, 3460), probably Fasque; Esly is Eshlie in Blaeu, just S of Fettercairn, possibly Gossesslie (for Gos- cf. Watson, *CPNS*, 210).

A19. Charter to Elizabeth, countess of Ross and wife of John once earl of Ross and lord of the Isles, for her maintenance: lands of Greenan, sheriffdom of Ayr; baronial lands of King-edward, with the patronage of churches, earldom of Buchan, sheriffdom of Aberdeen; and the lands of Rogie, Coul, Achterneed, Park, Ulladale, Davochcam, Davochpollo, Ussie, Urray, Balvraid, Dreim, Balnagown, Hilton Tarradale, Blair of Tarradale, castle lands of Tarradale, 'Middilhill', mill and brew-house of Tiompan, in the earldom of Ross sheriffdom of Inverness, which she held jointly with John before his forfeiture: also for service to the king his father, the king himself and his consort, and because Elizabeth gave no help to John in his crimes, she receives for her lifetime £100 of lands and annual rent in the same earldom, viz: Delny, lands and toun of Meddat with its two mills, Meikle Meddat, 'Drumgill', Calrossie, Meikle Allan, Little Allan, Kinncraig, Culkenzie (or Rosebank),

Contullich (?), Culcraggie, Over and Nether Culmalochy, Tarbat in Ross; and also annual rent of Cawdor in Moray, sheriffdom of Nairn; all in the king's hands by reason of forfeiture. Edinburgh, 8 February 1475/6. (*RMS*, ii, 1227.)

COMMENT: Varied forms of these place-names appear in no. A30 and in lists of crown lands allotted to Elizabeth, countess of Ross, 1479 to 1489 (*ER*, viii, 596; ix, 59, 116, 403, 533; x, 25, 94). In place of Middilhill *ER* has Midilkinkell, and Tympane is expanded as le Timpane of Ardovel; the Pictish symbol stone known as Clach an Tiompan stands at E end of Strathpeffer (Watson, *PNRC*, 99). Davochcarn and Davochpollo were included in the farm of Brae 1777 (*ibid.*, 100), Culkenzie has become Rosebank (*ibid.*, 70), Culmalochy Over and Nether are represented by Teaninich (*ibid.*, 76), and Drumgill near Pitmaduthy is obsolete (*ibid.*, 59). Although the two Queneleiches or Quentleiches might be Contulich (*OPS*, ii, 474, and cf. *Munro Writs*, 113), they appear in *ER* as Culyeomekill and Culyeomanach (Tullochmoir and Tullichmanich in 1586, *RSS* per *OPS*, ii, 471, and cf. Coilymore in Watson, *PNRC*, 70).

A20. Confirmation to Hugh Rose of Kilravock of the baronial lands of Kilravock and the lands of Easter Geddes which were annexed to the said barony, in the sheriffdom of Nairn; formerly held from John, once earl of Ross, now in the king's hands by reason of forfeiture and resigned personally by Hugh. Edinburgh, 11 March 1475/6. (*RMS*, ii, 1232.)

COMMENT: see comment on no. 34.

A21. Confirmation to Sir Alexander Dunbar of Westfield of Clava with the mill, Clune, and half 'Uthirurchill' in the sheriffdom of Nairn; Byth and Scattertie in the barony of Kingedward in the sheriffdom of Aberdeen; formerly held by Alexander from John once earl of Ross and resigned by Alexander following the forfeiture of John. Edinburgh, 26 March 1476. (*RMS*, ii, 1235.)

A22. Confirmation to William thane of Cawdor of the thanage lands of Cawdor and the lands of the barony of Clunas and Boath, Balmakeith and half of Rait in the sheriffdom of Nairn; Moy in the sheriffdom of Forres; Dunmaglass, Easter and Wester Kinkells, Kindeace, Invermarkie, Maolchaich and Dunvornie in the sheriffdom of Inverness: of which the lands in Nairn and the two Kinkells, Kindeace and Invermarkie were formerly held of John, once lord of the Isles, and were resigned by William and his wife Mariota. Edinburgh, 29 May 1476. (*RMS*, ii, 1241.)

COMMENT: This charter is noticed in an account of the family of Calder (*HP*, i, 124-5) and in *Cawdor Book*, 55-58. For Boath cf. no.38; the two Kinkells, Maolchaich and Dunvornie (Watson, *PNRC*, 114-15) are all in the parish of Urquhart or Ferintosh in the Black Isle, and Kindeace used to be in the neighbouring parish of Nigg (cf. no.51). On a supposition that Invermarkie would be in the same general area, Watson postulated an obsolete place-name at the mouth of the Rosemarkie Burn (*PNRC*, 114, 128); but the Invermarkie which William Calder had from the earl of Ross in 1467 clearly lay in Badenoch (see no.91 comment).

A23. Confirmation to Duncan Mackintosh, captain of clan Chattan, of Moy, 'Terichaenglassane', Strone, 'Achinhervy', Inverskilavulin, 'Daldundarg', Brunachan, Tulloch, 'Inverany', Murlaggan, Glen Glas Dhoire, Cille Choiril, Bohenie, Bohaskey, Achaderry, Coille Chaoruinn (?), Bohuntine, 'Blarenofingone', Bohuntinemale, Cranachan, Keppoch, Achavady, Acha na Croise, Bhreac Achaidh, Inverroy Beg, 'Bochlaine', and Inverroy More in the lordship of Lochaber and sheriffdom of Inverness; held by Duncan from John, once earl of Ross, and resigned into the king's hands following forfeiture. Edinburgh, 4 July 1476. (*RMS*, ii, 1243.)

COMMENT: Many of these Lochaber place-names are found also in nos.42, 73, 88. Stroncroy is apparently Stronchur of no.86, perhaps Strone at mouth of Glenloy; Inverskilavulin, on record

1505 as Innernuskullyn (*Mackintosh Muniments*, no.22) has been taken as two places (cf. *OPS*, ii, 184; *RMS*, ii, 1243); Inverany (unid.), probably in Glenspean, is apparently Invercam of no.42, between Tulloch and Murlaggan; Cille Choiril is a notable church site shown but unnamed in 1" OS map; for Blarenofingone cf. no.42.

A24. Charter to John, once earl of Ross and lord of the Isles, after his forfeiture in parliament creating him once more lord of the Isles and making a new grant of the following lands: the island of Islay and all island territories held by John before forfeiture, Morvern, Garmoran, the lordship of Lochaber, lands of Duror and Glencoe sheriffdom of Inverness; lands of Kingedward sheriffdom of Aberdeen; Greenan sheriffdom of Ayr; and all lands islands and possessions which he held before forfeiture except the lands of the earldom of Ross, of the lordships of Knapdale and Kintyre with their castles, etc., and the offices of sheriff of Inverness and Nairn and other offices within the said earldom and lordships which are reserved to the king himself and his successors: all to be held by John and his legitimate heirs male, whom failing by his natural son Angus, whom failing by his natural son John, all whom failing by John's nearest legitimate heir: to be held for usual services and for obedience to laws and customs by John and his tenants as other barons, freemen and lieges observe. Edinburgh, 15 July 1476. (*RMS*, ii, 1246.)

COMMENT: A grant of the same date and in similar terms appears in *APS*, ii, 189-90. On 10 July 1476 John had been created a lord of parliament (*APS*, ii, 113; and see nos.109a and b) and the earldom of Ross had been annexed to the crown to be held by the king's second son, see no.A34.

A25. Charter to Sir Alexander Dunbar of Westfield of the lands of Moyness in the sheriffdom of Nairn, held by Thomas Cumming of Altyre from John, lord of the Isles, and resigned by him into the king's hands after John's forfeiture. Edinburgh, 2 August 1476. (*RMS*, ii, 1250.)

COMMENT: Moyness is Muchness in this charter, cf. Mothnys in no. 103.

A26. Confirmation of charter by Alexander, earl of Ross and lord of the Isles, to Walter Ogilvy of Beaufort dated 24 October 1443 (no. 40). Edinburgh, 4 August 1476. (*RMS*, ii, 1252.)

A27. Renewal of grant to Elizabeth Livingston, wife of John once earl of Ross and lord of the Isles, of lands, annual rents, and the patronage of churches written therein, for her support during her lifetime, and declaring that the revocation in the last parliament does not apply to her. Edinburgh, 14 December 1476. (*RMS*, ii, 1272.)

COMMENT: See no. A19, and also A30 and A31. The Act of Revocation was passed on 10 July 1476, and on the same day Elizabeth's position was safeguarded (*APS*, ii, 113.)

A28. Confirmation in the name of James, duke of Rothesay and earl of Carrick, of the charter by John, lord of the Isles, to John Davidson dated 20 August 1476 (no. 111) with added provision that the liferent right of Elizabeth, countess of Ross, be not prejudiced. Edinburgh, 13 January 1476/7. (*RMS*, ii, 1277.)

COMMENT: Greenan was in the earldom of Carrick, which was held by the king's eldest son.

A29. Confirmation to Alexander MacKenzie of Kintail of lands of Strathconon, Strathgarve, Strathbraan, etc., forfeited by the earl of Ross, and resigned by Alexander into the king's hands. September 1477. (*SP*, vii, 497, citing Inventory of Allangrange Papers.)

COMMENT: Sir George MacKenzie (Fraser, *Cromartie*, ii, 474 and see no. 22 comment) says that the resignation took place in May and the confirmation in September.

A30. Confirmation on reaching full age to Elizabeth Livingston, wife of John once earl of Ross and lord of the Isles, of all gifts made to her under the great seal for her maintenance during her lifetime (see no.A19). Edinburgh, 15 October 1477. (*RMS*, ii, 1318.)

COMMENT: See also no.A27. There are alternative spellings of place-names in SRO, C2/viii/40 (Great Seal Register) but they are not printed in *RMS*, ii, 1318.

A31. Confirmation on reaching full age to John, lord of the Isles, of all lands, etc., granted on 15 July 1476 (no.A24). Edinburgh, 16 December 1478. (*RMS*, ii, 1410.)

COMMENT: The only change from no.A24 is the omission of his natural son John from the list of heirs.

A32. Confirmation of charter by John, lord of the Isles, to Alexander Leslie of Wardis dated 22 December 1478 (no.113). Edinburgh, 4 February 1478/9. (*RMS*, ii, 1419.)

A33. Confirmation in the name of James, duke of Rothesay and earl of Carrick, of a charter by John, lord of the Isles, to John Davidson dated 6 March 1478/9 (no.115). Edinburgh, 26 July 1480. (*RMS*, ii, 1449.)

A34. Charter to James Stewart, second son of the king, marquis of Ormond, of the lands of the earldom of Ross and the castle of Dingwall in the sheriffdom of Inverness, now in the king's hands by reason of the forfeiture of John, lord of the Isles formerly earl of Ross. Edinburgh, 23 January 1480/1. (*RMS*, ii, 1457.)

COMMENT: James included the title of earl of Ross with the marquisate of Ormond in a charter of 12 April 1481 (*RMS*, ii, 1472) and was created duke of Ross on 29 January 1487/8 (*APS*, ii, 181).

A35. Charter to Colin, earl of Argyll lord Campbell and Lorn, of the 160 merk land of the lordship of Knapdale with the custody of Castle Sween in the sheriffdom of Perth, now in the sheriffdom of Tarbert;^a viz: the islands of Danna, Ulva, Taynish and the lands of Knapdale within the bounds of Lochfyne on the east, the sound of Jura on the west, from the water of 'Dowkassich' on the south extending to 'Kantracrenane' on the north, and from 'Garsolene' in the south to Loch Gilp in the north, all made into the free barony of Kilmichael. Edinburgh, 26 February 1480/1. (*RMS*, ii, 1464.)

NOTE: *a.* 'et tunc per novam creationem et statutum Parliamenti infra vicecomitatum de Tarbart'.

COMMENT: An ordinance of 1293 set up a sheriffdom to include the lands of Kintyre and Bute which seems to have been effective for a few years (Dunbar and Duncan, 'Tarbert Castle', 4). It is usually believed that it was the unrest in the Highlands following the rising of Donald Dubh that led to the appointment by act of Parliament (*APS*, ii, 249; Nicholson, *Middle Ages*, 546) of new sheriffs, including one for the south isles at Tarbert or Loch Kilkerran; but this charter makes it clear that some move had been made before February 1480/1, and although no sheriff of Tarbert is named at this time the sheriffdom continues to appear (see nos. A37, A56, and *RMS*, ii, 2261, 2669). The charter does not say that the lands named had been forfeited by the lord of the Isles, and their earlier ownership is not clear. The Campbells already had lands in Knapdale: John of Menteith, lord of Knapdale, c.1353 gave Archibald Campbell of Lochawe the pennyland in which Castle Sween was situated, Apenad, Barmore in Danna, Ulva, Dal-lechelicha, Strondoure and Dreissaig in Knapdale, and the keeping of Castle Sween (*AT*; *OPS*, ii, 41; Fraser, *Menteith*, ii, 236), and Sir Duncan of Lochawe (d. 1453) gave lands in Knapdale near Crinan to Saddell Abbey (*RMS*, ii, 3170 (8)). In 1376 John, lord of the Isles, received an unspecified part of Knapdale from the crown (no. A10), and the MacNeills were constables of Castle Sween under his successors, 1440 and 1455 (nos. 33, 60); Hector MacTorquil, constable in 1472 (no. 102), is

said to have possessed the greater part of North Knapdale (MS. quoted in *NSA*, Argyle, 637). Knapdale then extended from the River Add on the N to the Fox Burn or Allt na Sionnach on the S (*H.P.*, i, 48; *Clanranald Book*, 162, 163) – to the S lay ‘all Kintyre fra Mule to Altasynnoch’ 1539 (*RSS*, ii, 3098, 4600); on the E side of Kintyre peninsula Knapdale reached at least as far S as Oragaig (see comment in no. A37).

Lands granted to John, lord of the Isles, on 11 August 1481 (no. A37) all lie to the S of Loch Caolisport, and this charter to Argyll deals only with lands to the N of that loch. North Knapdale was bounded on the NW by Kantacrenane (clearly at the head of Loch Crinan, where the River Add flows into it), and on the NE by Loch Gilp (cf. *RMS*, ii, 1431); its southern limit is less clear, as the Water of Dowcassich on the Sound of Jura does not appear on the maps examined, and Garsolene has also vanished as a place-name; but it included Castle Sween and the peninsula facing it across the loch, with the islands of Ulva and Danna. The division between North and South Knapdale ran probably from the head of Loch Caolisport to somewhere near Inverneil (*OPS*, ii, 36, and map showing Garsolene just N of Inverneil); the parish boundary places Kilmory Knap and the E side of its peninsula within South Knapdale, and Dowcassich may be an old name for one of the streams in that area (such as the Amhainn Mhor or the Allt Cinn Locha, or the unnamed burn flowing into Loch Sween just S of the castle).

A36. Charter to Tearlach MacAlexander for his lifetime of the stewardship of the lands of Kintyre from ‘Sannych’ to the water of ‘Sanys’, and the 40 merk lands viz: Machrimore of Dunaverty, (Glen) Remuil, Eden, Knockstapplemore, Kerranbeg, Glenmucklach, Kildavie, Polliwilline, Gartnagerach, Eardale, Socach, Glenehervie, Feochaig, Corphin, ‘Barfarnay’, Achaleck, Kilmichael, and Craigs. Edinburgh, 10 July 1481. (*RMS* ii, 1480.)

COMMENT: No mention of the lord of the Isles. It is not easy from this charter to deduce the limits of jurisdiction in this stewardry, although most of the lands that went with it are

readily identified. Sannych is a puzzle, as it can hardly be the same as Sionnach in the name Fox Burn (cf. no. A35 comment). Aquam de Sanys must be Blaeu's Loch Sannish or one of the streams associated with it, surviving in the farm name of Lochsanish, while nearby Machrihanish contains the same Gaelic element *sonas* (Watson, *CPNS*, 506, 522), quite distinct from *sionnach*. In a crown rental of 1505 (*ER*, xii, 699-703), the lands in this charter are listed as pertaining to the 'senescallus' (who also had lands in 'Kyntyre Superior'), and are recorded (*ibid.* 363) as being occupied by Alexander MacAlexander, 'ballivus' - the offices may be the same, and this tenant one of the 1481 steward's family. The lands are mostly in the eastern half of Southend parish, E of the Conieglen Water, with a few named at the end lying in the plain between Campbeltown and Machrihanish. Langlands (1793) has Laigh and High Remuill, of which the former appears in the 1869 6" OS map, and also Erradill in Socach Glen above Glenehervie. Barfarnay (unid.) is Barfarn or Barquharn in the 1505 lists (*ER*, xii, 363, 700).

A37. Charter to John, lord of the Isles, for his lifetime of lands claimed by MacNeill in the lordship of Kintyre in the sheriffdom of Tarbert: Killeonan, Wigle, Achnaslishaig, Oatfield, and Cuinachan(?); two Knockriochs(?), Glen Muril, 'Altnabay', 'Baduff', and Arinascavach; Tirfergus and Largybaan; 'Keynethane' and Innean; Knockhanty and Killypole; Losset and Glenahanty; Ballygreggan and Craigaig; Cattadale, Gartvain, Gartloskan, Brecklate(?) and Keprigan; Balnabraid; Killellan; Achnaclach; 'Terindonyll'; Lecknacreive; 'Kerowsoyre'; Gartloskan; Glenramskill; 'Glenvey'; Brunerican, 'Drumtyrenoch', Dalsmeran, 'Lagnadaise' and Innean Coig Cailleiche; Kildalloig and 'Lenochane'; 'Ellerich' and Arinarach; 'Cralekill', Machrihanish, 'Darbrekane' and Clochkeil; and also lands claimed by MacLean and MacNeill in the lordship of Knapdale in the sheriffdom of Tarbert: Arivore; Oragaig, 'Achtydownegall', Scotmill, Druimnaleck, Dunskeig, Loup, Leamnamuic, Gartavaich and Eascairt(?); Barr Mor, 'Garalane', Acha nam Fiadh, Srondoire, 'Glenmolane', Glenralloch, 'Largbanan', Barnellan, Culdrynoch, Glenefiach,

Ardpatrick, Ardminish, (Allt) Learg an Uinnsinn, 'Forleyngloch', Crear and Drumnamucklach; Cill Maluaig; Druimdrishaig; Sean-ghairt; Ballyaorgan; Clachbreck; Baranlongart; Allt Beithe; 'Cragkeith'; Achadh da Mhaoilein(?), Dunultach, Ronachan, Kilchamaig, Gartnagrenach and Ormsary, all in the sheriffdom of Tarbert. Edinburgh, 11 August 1481. (*RMS*, ii, 1485.)

COMMENT: This charter (misdated 1478 in *Clan Donald*, i, 559) shows the portions of the lordships of Knapdale and Kintyre – both excepted from the lands regranted to John in 1476 (nos.A24, A31) after his first forfeiture – which were returned to him in 1481. As it is the only surviving charter to the lord of the Isles with any substantial list of holdings in these lordships, and many of the place-names are missing or not easily identified on modern maps, an attempt has been made to locate them. For names not included on current 1" or 6" OS maps, earlier editions, and maps by Dorret (1750), Langlands (1793 and 1801), and Thomson (1831) have been used.

The lands are listed in two parts: (1) those claimed by MacNeill in the lordship of Kintyre, and (2) those claimed by MacLean and MacNeill in the lordship of Knapdale. Lands in (1) are widely distributed in the part of Kintyre S of Campbeltown and the Machrihanish Water, but not including the portion granted a month earlier to the steward (no.A36); most of them also appear in the chamberlain's accounts and crown rental of 1505 (*ER*, xii, 352-66, 698-701), which incidentally note which lands pertained to the mair, poet and harper, from the days when the lords of the Isles were overlords of Kintyre before the forfeiture of 1475 (see MacEachern, MacVurich, McOhanak in app. C). The MacNeill claim to these lands is not specified, but may be explained by the fact that the head of the MacNeills of Carskey (Hector Makane M'Gillecallum) in 1505 held lands in South Kintyre and was pledge along with the earl of Argyll for the tenant in Killeonan (*ER*, xii, 699, 700). Lands in (2) lie in South Knapdale, either between Loch Caolisport and West Loch Tarbert, or in the northern part of Kintyre peninsula down to Ronachan on the W coast and Oragaig and

perhaps Eascairt on the E. The MacNeill claim here was probably on behalf of the MacNeills of Gigha (later of Taynish), whose chiefs appear as constables of Castle Sween in 1440, 1455 and 1472 (nos.22, 46, 102), Torquil in 1440 also being named toiseachdeor of Knapdale; the reason for the MacLean claim in Knapdale is less clear, but two places S of West Loch Tarbert (Dunultach and Ronachan) and another perhaps near Ormsary (Achadh da Mhaoilein) were among the lands granted to Maclean of Duart in 1496 (no.A50), and the MacNeills and MacLeans were later in dispute over lands in Gigha, Kintyre and Knapdale (RSS, ii, 3098, 4600; ADCP, 482-3).

(1) *Kintyre*: Achenacork is modern Oatfield, shown in Langlands (1801) as Achahoirk. Kenochane is Cuinahan in Langlands, upstream from Wigle on Chiscan Water; the two Knokrenochis (K. more and beg in 1505, ER, xii, 354), perhaps Knockrioch. For prefix 'Innean' in Hening and Enyngokaloch cf. no.12 comment. Brecklate just N of Keprigan, with which it is linked, is perhaps Bredelaide of charter. Balnabraid is named in 6" OS map of 1869 where latest edition shows a sheepfold. Gartloskan, High and Laigh, shown on SW slope of G. Hill on 6" OS map 1869, and Elerick on NE slope on Langlands (1793 and 1801) maps.

(2) *Knapdale*: For Arymore/Arivore see no.89 comment. Achtydownegall not on OS maps, but Langlands (1801) shows Achadadounan near Achaglass. Langlands (1793) shows Loup at present farm, Loup House called Somerville Bank. Tescard is more likely to be Eascairt S of Skipness than Eascard near head of W Loch Tarbert – both in Langlands (1801); for bounds of Knapdale see no.A35. Barmore, Garalane and some other lands in the same group are not identified with certainty: Barmore is probably the island off Stonefield near Tarbert, and not the place of same name on N shore of W Loch Tarbert; Garalane, on OPS map near head of loch, is not on Langlands (1793 and 1801). Dorret and Langlands show Drumamucklach on site of Balure, and Bargawregane of RMS is Barraghevragan on Langlands (1801), on site of present Ballyaurgan.

A38. Confirmation to John Dempster of Auchterless of the superiority and tenandry of Laithers in the sheriffdom of Aberdeen; also 5 parts of land of Fortrie, Ardmiddle, Muiresk, and Kinnermit; and a sixth part of the lands and Mains of Laithers; a sixth part of Dorlaithers, Glasslaw and their mills; the superiority belonged to John, lord of the Isles, as baron of Kingedward and was resigned by him into the king's hands. Edinburgh, 22 October 1481. (*RMS*, ii, 1494.)

COMMENT: see no.A39 and comment on no.49. For lands of Kingedward see Introduction, pp.xxxv-xxxvi.

A39. Charter to James, earl of Buchan lord of Auchterhouse, of the lands of the barony of Kingedward with the patronage of churches pertaining to the said barony in the sheriffdom of Aberdeen, resigned by John, lord of the Isles, at Aberdeen. Arbroath, 27 July 1490. (*RMS*, ii, 1969.)

COMMENT: see no.A38 and comment on no.49.

A40. Charter to William Douglas, son of Archibald earl of Angus, of the lands of Greenan sheriffdom of Ayr formerly owned by John, once lord of the Isles. Durisdeer, 29 August 1493. (*RMS*, ii, 2172.)

COMMENT: the wording is '*quequidem terre cum pertinenciis fuerunt Johannis olim domini Insularum et nunc ad manus nostras ratione forisfacture super eum deducte legitime devenerunt*'. This is the first intimation of the forfeiture of the lord of the Isles; the years for which no record of James IV's parliaments exist include 1493, and statutes for May of that year printed in *APS*, vol. ii, are from the first printed edition of 1566 along with some MS. sources (T. Thomson's preface, p.xiv). For Douglas and the Davidson family in Greenan see comment in no.A68.

A41. Confirmation of the charter by John, lord of the Isles, to Duncan Mackintosh, captain of clan Chattan, dated 14 Novem-

ber 1466 (no.88). Edinburgh, 5 January 1493/4. (*RMS*, ii, 2191.)

A42. Charter to John MacLean of Lochbuie of the lands of Gruline, Callachally, Kilbeg, Goadhail(?), 'Chowour', Bradhadail, Tomsleibhe, 'two Russillis', 'Coroch', Pennygown, 'Lettir-arnacreill', Fishnish, Leth Thorcaill, Garmony, Scalcastle Mor, and Scallastle Beg in Forsa in the isle of Mull; also Arinasliseig, Drumnatain, 'Kowillay', Garmonyreoch, Barachandroman, Kinlochspelve, 'Juredill', Glenlibidil(?) and Dishig(?), Laggan, Moy with the castle, Cameron, Glenbyre, 'Crosta', 'Inegard', Rossal, and 'Darnakowlane' in 'Moloros' in the isle of Mull; also Tavool, Coille Chrion, Culliemore, Scobull, Tiroran, 'Brekach', Knockroy, Shiconnel, and 'Cammys' in Ardmeanach in the isle of Mull; also Ardlussa and Barnhill in Jura; and Kilmory in Scarba; and Lunga; with the lands of Achabeg and 'Yecomys', Cul a'Chaolais, Achafors, Acha nan Gamhna, Unibeg, Areanas, Crosben, Clounlaid and 'Cormawin' in the lordship of Morvern; all which were held by John from John, once lord of the Isles, and were in the king's hands by reason of forfeiture. Edinburgh, 22 March 1493/4. (*RMS*, ii, 2200.)

COMMENT: Most of the Mull and Morvern place-names in this charter also appear in the crown rental of 1509 (*ER*, xiii, 212-219), and some in charters of 1538 and 1542 (*RMS*, iii, 1745; *RSS*, ii, 4732). In 1509 Growding is Crouding, Chowour is Tuoachir, 2 Russillis are Ronseilye moir and beg, Lettir Arnacreill is Lettir (Blaeu has Letir Ardintrail near Salen), Moloros is Mulinros, Kowillay is Caulyea, and Crosta is le Croft; Kailtrene is Kailchirn in 1542, Sowecomyll is Soweconnell in 1538 and Sowconnell in 1542 (Shiconnel in Gleann Seiliseir on Langlands 1801 map), Yecomys is Iernis in 1509 and Yirnes in 1542 (Gaskell, *Morvern*, 147, suggests Ardness, at NM 6645), and Cormawin is Corvaine in 1509. Brayadill appears as Bradullemore and Bradullbege in 1509, and Blaeu makes the same distinction; but Langlands 1801 map shows Bradildubh upstream from Tomslea in Glenforsa, and Bradilal-

trich in Glencannel; Mam Bradhadail on S side of Beinn Talaidh is the only related name on OS maps. Moloros or Mulinros does not appear on modern maps, but it is shown by this charter and 1509 rental (*ER*, xiii, 212-13) to have extended along the S shore of Mull from the mouth of Loch Spelve to the W side of Loch Buie, and inland from the Lussa River (the traditional boundary between Duart and Lochbuie) at E end of Glen More to the head of Loch Scridain; Dishig on Loch na Keal also appears to have been included. In Morvern, for Cul a Chaolais, Achadh na Gamhna, Unibeg and Corrivaine, cf. Gaskell, *Morvern*, 148, 142, 144, 138. In Jura, Blaeu has Knockintaul at N end, and in 1880 OS 6" map above Barnhill is its Gaelic equivalent, Cnoc an t-Sabhail, Knokinsawyll of this charter.

A43. Charter to John MacLean of Lochbuie of Banavie, 'Mikeannich', 'Fyelin', 'Creglong', Corpach, Annat, 'Achido', Kilmallie, 'Achmoleag', Druim Farmolach, 'Faneworwille', Fassfern, Suileag, Corribeg, Achdaliew, Kinlocheil, Drimsallie, Callop, Wauchan, 'Clerechaik', Muir-shearlich, Crieff, Salachan, and half Lindalie, in Locheil within the lordship of Lochaber and sheriffdom of Inverness; and also the 53 merkland of Duror and Glencoe in the sheriffdom of Perth; and also half the office of bailie of the island of Tiree viz: the southern part; which lands were held by John from John, once lord of the Isles, and in the king's hands by reason of forfeiture. Edinburgh, 22 March 1493/4. (*RMS*, ii, 2201.)

COMMENT: Although not declared to be so, this is in fact a confirmation of no.73. For Lochaber place-names, some still unidentified, see nos.73, 88, 124; and no.5 for Duror and Glencoe. Precept of sasine, of same date, was directed to Donald MacTerlach MacHector Ragannach as sheriff of Inverness for this purpose, who gave sasine accordingly (*AT*, 31 March, 1 and 4 April 1494); his patronymic shows that Donald was a cousin of Lochbuie. See also no.A47.

A44. Charter to John MacLean of Lochbuie of the lands of Achleanan, Drimnin, Achagavel, 'Auchtycht in Arnfflane',

Alltachaich, half of Dubh Dhoire, An Coire, Durinamast, and Barr in the lordship of Morvern with the office of bailie of all the lands of Morvern which were held by John of John, once lord of the Isles, and in the king's hands by reason of forfeiture. Edinburgh, 22 March 1493/4. (*RMS*, ii, 2202.)

COMMENT: For place-names see nos. 11, A67; Yaore appears in 1509 as Ycory and Ycorrie (no. A67; *ER*, xiii, 218), identified as Agh Choire (Gaskell, *Morvern*, 143), apparently An Coire of OS 1" map.

A45. Charter for obedience and good service to John MacIain of Ardnamurchan of the fourth part and half the fourth part of Scanistle, half the fourth part of 'Kynbelloquhane', the fourth part of Keppolmore, Robolls, Keppolsbeg, Cill Bhraenan, 'Dulloch' 'Ochtownwruch', 'Balluchter', 'Achvern', 'Balleclachtach', 'Arrevore', Corrary, Curlach, and Eilean na Muice Duibhe, in the island of Islay within the lordship of the Isles; also Auliston, Laudale and 'Dawundak', and Innimore(?) in Morvern; and also the office of bailie of the lands and island of Islay which were held by John from John, once lord of the Isles, and in the king's hands by reason of forfeiture. Edinburgh, 14 June 1494. (*RMS*, ii, 2216.)

COMMENT: For John MacIain see app. C, and app. D, table 1a/3. Precept of sasine was issued on 16 June, but AT says that sasine was not given till 4 May 1507. For Islay place names see nos. 16, A58, A64, and rental of 1507 (*ER*, xii, 587-90; *Islay Book*; Ramsay, *Stent Book*; Thomas, in *PSAS*, xvi, 241-76; MacEacharna, *Lands of the Lordship*, and maps). Some locations are doubtful or unknown; site of Cill Bhraenan or Kilbrenan near Daill now unnamed on 1" OS map; Dulloch perhaps near Coile na Dalach (NR 3763); Ochtownwruch, otherwise Ouchinfreich, Octofreigh, etc. (Thomas, 252); Achvern and Balleclachtach may be Eachvarnach and Ballyclach of McDougall's 1749 map, and Balluchter and Arrevore may be Baliachar and Arevain in Thomson's *Atlas* - these four all shown N of Proaig on E coast; Eilean na Muice Duibhe (Alane

Mackindow, Ellannamakduff, etc., 'isle of the black pig') lies between Laggan and Duich rivers. In Morvern, the first three names appear as Anlastill, Laldie and Davenak in AT and *Hist. MSS Comm.*, iv, 479; Gaskell (*Morvern*, 156, 162, 131) identifies the first two as Auliston and Laudale, third is unidentified, and Nynnemor is probably Inninmore – cf. Inivea in no.12.

A46. Confirmation of a charter by James I dated 30 October 1431 (no.A11) in which he confirmed to Hector MacLean of Duart the charters of Donald, lord of the Isles, to Lachlan and Hector MacLean dated 12 July 1390 (nos.11, 12 and 13) and 1 November 1409 (no.17). Glasgow, 13 July 1495. (*RMS*, ii, 2264.)

A47. Confirmation of a charter by Celestine of the Isles of Lochalsh to Alan son of Donald duff captain of clan Cameron dated 29 November 1472 (no.102), and charters by Alexander of the Isles of Lochalsh to Ewen son of Alan captain of clan Cameron dated 29 July 1492 (no.122) and 26 August 1492 (no.124). Edinburgh, 24 October 1495. (*RMS*, ii, 2281.)

COMMENT: see no.A43 and comment on no.73.

A48. Confirmation of a charter by John, lord of the Isles, to Hugh son of Alexander of the Isles, lord of Sleat, dated 28 June 1409 (should read 1469) (no.96). Stirling, 10 November 1495. (*RMS*, ii, 2286.)

A49. Confirmation of a charter by Alexander, lord of the Isles and master of the earldom of Ross, to Gilleonan MacNeill dated 23 June 1427 (no.21). Stirling, 12 November 1495. (*RMS*, ii, 2287.)

A50. Charter to Lachlan natural son of Hector MacLean of Duart of Torosay with the castle and mill of Duart, Brolas, Ardmeanach, Burgh, Glencannel(?), Gometra, Treshnish, in Mull; Calgary, Inivea, Calach, Lag, Sunipol, Cillchraisd, Penmore, 'Arderenis' in Mornish; Mannal, Crossapoll, 'Herne', in

Tiree; with the stewardry of all the lands of Tiree; Cairn na Burgh with its islands; Achnaha, Kinlochaline, Dubh Dhoire, Kinloch (teacuis), Achranich, with the Strath(shuardail), Claggan, Clais Bhreac, Achtidonile, Uladail, Sron, Achnatavish-ruskline, in Morvern; Dun Chonnuill with its islands; Maol Buidhe in Scarba; 'Troeg', Uamh nan Giall, Gleann nam Muc, 'Ardskalanis', 'Cammys', 'Ernystill', Ardmenish, in Jura; Dunultach, Ronachan, Acha da Mhillein, in Knapdale; Inverlochy, Achintore, Torlundy, 'Drumfowre', Auchnadaull, 'Toulik', 'Dony', 'Corocoulee', 'le Sockach', 'Auchinquhare', Tomacharich, in Lochaber; and 'Torlissay' in Islay; resigned by Hector. Edinburgh, 8 October 1496. (*RMS*, ii, 2329.)

COMMENT: These lands were incorporated into the barony of Duart, and liferent reserved to Hector MacLean. Many but not all of the Mull and Morvern names appear in 1390 charters to MacLean (nos. 11-13), already confirmed in 1431 (no. A11) and 1495 (no. A46). In Mull, Inivea is explained in no. 12; Caliach and Lag are on Langlands 1801 map. In Morvern, Gaskell (p. 140) identifies 'le Clasche' with Claggan. In Jura, Troack is shown at extreme NE tip in Blaeu, and Ardskalanis was probably near Beinn Sgaillinish (NR 6168); Cammys may be at Lagg (Budge, *Jura*, 66); Ernystill may be represented in Cill Earnadaill (Watson, *CPNS*, 83), at Keils, but it appears as Egistill from 1603 (*Retours*, i, Argyll nos. 7, 16 and 67). Lochaber names present some new problems: Toulik appears as Thomlerk in 1509 and Thomelekebeg in 1510 (*RMS*, ii, 3281, 3440), and Corocoulee is Correquoile in 1509, probably modern Corriechoille.

A51. Charter to Alexander MacLeod, son and heir of the late William son of John MacLeod of Dunvegan, of lands called Ardmanach in Harris with all the small islands belonging to it; Duirinish, Minginish, Bracadale, Lyndale, and Trotternish with the office of bailie of the lands of Trotternish, in Skye within the lordship of the Isles, formerly held by William in chief from

John, once lord of the Isles, and in the king's hands by reason of forfeiture. Stirling, 15 June 1498. (*RMS*, ii, 2420).

COMMENT: These lands were to be held for ward, relief and marriage, and for the service of one galley of 26 oars and two galleys of 16 oars in peace and war, and reserving for the king the eyries or nests of falcons within the said lands.

A52. Charter to Torquil MacLeod of Lewis of the office of bailie of the lands of Trotternish with the lands of Duntulm and 'Ardvetfullane' belonging to that office in the island of Skye; office and lands in the king's hands by reason of forfeiture of John, lord of the Isles. Kilkerran, in Kintyre, 28 June 1498. (*RMS*, ii, 2424.)

COMMENT: The lands and office were to be held by Torquil and his heirs by Katherine sister of Archibald, earl of Argyll. Ardvvetfullane appears to have been at N end of Trotternish peninsula; if 'c' is read for 't', it can probably be identified as Ard or Aird Mhic Eolain or Ardviceolain (Forbes, *Place-Names of Skye*, 50; Nicolson, *Skye*, 43), which later became known simply as The Aird (*Clan Donald*, iii, 540-5).

A53. Charter to Ranald Makallane of lands in South Uist viz: Kilpheder, Askernish, Frobost, Garryvaltos, Kildonan, and Bornish in the king's hands by reason of the forfeiture of John, once lord of the Isles. Kilkerran in Kintyre, 3 August 1498. (*RMS*, ii, 2437.)

COMMENT: Ranald of this charter and the next was son and successor of Allan, head of the Clanranald family (see app. D, table 2/7). 'Garbalteos' is not on current OS maps, but in the 1878 survey Garryvaltos is shown at Milton House between Frobost and Kildonan.

A54. Charter to Ranald 'Makallane' of lands of Howmore, and Griminish in the island of Uist; Kildonnan in the island of Eigg; lands of Sandaveag, Sandavore, Grulin Uachdrach,

Grulin Iochdrach, Laig, Cleadale, 'Knokeltok', 'Balle-meanach', and 'Houland' in the said island of Eigg; Ard-nish, Borrodale, Druimindarroch and Brunery, 'Gadeoll', 'Sandaig' and 'Ardauliss', 'Kilnehake' 'Duff' 'Cammass' and Glen Beasdale, Kinloid, Ard nan Fuaran and 'Drumchoulich' in Arisaig within the lordship of the Isles: the lands belonged to Hugh of the Isles who held them from John, once lord of the Isles, as superior; John son and heir of Hugh resigned them in favour of Ranald and gave into the king's hands what right he had either as heir to his father or by virtue of the promise made by the king to Sir Alexander of the Isles of Lochalsh about the liberties of all free tenants of the lordship of the Isles. Kilkerran in Kintyre, 5 August 1498. (*RMS*, ii, 2438.)

COMMENT: The last clause reads as follows: 'Omne jus quod habuit ad dictas terras, sive jure hereditario dicti patris sui, sive virtute promissi regis quondam Alexandro de Insulis de Lochalche militi penes infeodationem omnium libere tenentium domini Insularum.' For Ranald, John and Sir Alexander see app. D, tables 2/7, 6/15 and 6/3. For Uist place-names see no.96. In Eigg, Sandaveag Burn is named just N of Sandavore in earliest 1" OS map; Grudleng Neyvaidean is perhaps Grulin Uachdrach to SW of Grulin Iochdrach to S of An Sgurr. In Arisaig, Gadeoll, Sandaig and Ardaulis were apparently all on S side of Rhue peninsula (*OPS* map).

A55. Charter to Angus 'Rewochsoun Makranald' of the lands of Benbecula in the island of Uist; Galmisdale in the island of Eigg; Gruline Uachdrach, Sandabeg, 'Knokelturk', Cleadale, and 'Ballemeanach' in the island of Eigg; and lands in Arisaig viz: Keppoch, 'Torbey', 'Arduaksemmon', and two thirds of Brunery; and lands of Morar within the lordship of the Isles: the lands belonged to Hugh of the Isles who held them from John, once lord of the Isles as superior; John son and heir of Hugh resigned them in favour of Angus and gave into the king's hands what right he had either as heir to his father or by virtue of the promise made by the king to Sir Alexander of the Isles of

Lochalsh about the liberties of all free tenants of the lordship of the Isles. Kilkerran in Kintyre, 5 August 1498. (*RMS*, ii, 2439.)

COMMENT: This Angus was a cadet of the clan Ranald (app. D, table 2/26); for others named, and final clause, see no.A54, also some Eigg place-names (see no.A54 comment).

A56. Charter to Adam Rede of Starquhyte of the fortalice of Airds Castle with Glencarradale in the lordship of North Kintyre in the sheriffdom of Tarbert: Adam has to install 6 archers well supplied with bows and arrows to serve the king in war if he has to proceed against the islanders. Stirling, 15 September 1498. (*RMS*, ii, 2454.)

COMMENT: Sir Adam Rede had a further charter of lands in Kintyre about a year later (no.A60), and he appears in the crown rental of 1507 as holder of Arcardale (*ER*, xii, 702). The Ayrshire property of Starquhyte was also called Barskimming (Paterson, *County of Ayr*, ii, 439); Adam was known as one of the 'Lollards of Kyle' from his part in a debate reported by John Knox (*History*, i, 10-11, and see *Juridical Review*, xlvi 126-8). In both charters he was held bound to remain in the castle during the wars with the Islesmen.

A57. Charter to John MacIain of Ardnamurchan of the lands of Ardnamurchan with the castle and fortalice of Castle Mingary within the sheriffdom of Inverness to be held from the king for services as performed for the same lands and castle to John, sometime lord of the Isles, conform to the old infeftments thereof. Castle of Tarbert, 29 March 1499. (*AT*; not in *RMS*.)

COMMENT: As with no.A45, *AT* says that sasine was not given until 4 May 1507.

A58. Charter to John MacIain of Ardnamurchan, for his good and faithful service and especially for taking rebels Sir John of the Isles and the Glens, John 'Caynoch' his son, and their accomplices, and for surrendering the lands of mid Kintyre with

the office of steward – of the lands of Sunart; lands in Jura; lands in the Rinns, Oa and Largie of Islay; Kintour; Glenegedale and Tycarmagan; Rosquern(?), Nosebridge and Mulindry; Corsepoll and 'Keirhous'; 'Yairsay', 'Kilneynabulelag', and 'Balmus'; 'Balleachdracht' 'Balleclach' and 'Ardacht'; Eorrabus and 'Eskillis'; Barr, Storakaig and Airigh Ghuaidhre; Terrabolls and Octovullin; Duisker, 'Kalcharwuch' and 'Stanelous'; and Keppolmore and Keppolsbeg, all in Islay. Castle of Tarbert, 29 March 1499. (*Islay Book* 28; AT; not in RMS.)

COMMENT: For John MacIain see app. C, and app. D, table 1a/3, and for Sir John and his son app. D, table 3/4 and 5. Islay was divided into three parts – Largie and the Oa in the south, the Middleward and Heights (Harie, Englished as Harris), and the Rinns (*Islay Book*, 480-1; Macfarlane, *Geog. Coll.*, ii, 188-9; *PSAS*, xvi, 254). Places individually named in this charter seem to be in the Middleward. There are many variations in spelling in the precept of sasine (AT), but these have not been given; the grouping of lands suggests that Eskillis is Eskinish of McDougall's 1749 survey, Eskinish of OS; Aregoware the Ariquary of 1749; Rosker the Rosquern of 1749 and Thomson's *Atlas*; and Kaloharwuch the Ballyharvey of 1749.

A59. Charter to Colin MacEachern of lands of Killellan(?), Pennygown, Gartloskan, Ellarg, and Arinascavach in the lordship of south Kintyre with the office of mair; held by Colin hereditarily from John, once lord of the Isles, and now in the king's hands by reason of forfeiture. Rothesay, 1 April 1499. (RSS, i, 368.)

COMMENT: For Colin MacEachern, see app. C.

A60. Charter to Adam Rede of Starquhyte of the lands of Airds Castle with the fortalice and Glencarradale, Auchensavil, Rhondale, Auchenbreck, 'Keironasche', Auchenrioch, 'Corrymakkonnon', and Carradale near Airds Castle in the lordship of north Kintyre forfeited by Sir John de Insulis; Adam

to keep 6 archers there equipped to support the king when he has to make war on the islanders. Stirling, 27 August 1499. (*RMS*, ii, 2500.)

COMMENT: See no.A56. For Sir John see nos.A58, A64.

A61. Charter to Alexander, lord Gordon, of the lands of Mucomir, Rathlies, Invergloy, 'Agherom', Stronenaba, Blairour, Tirandrish, Achaneich, Fersit, Inverlair, 'Auchaneheithin', Monessie, 'Elanach', Inch, Killiehonnet, Unachan, Brackletter, Kilmonivaig, Lindalie, Lianachan, Sithean in Achadrome, Balnaglaster, 'Culyncross', and Letterfinlay, with their forests and woods, in the lordship of Lochaber; in the king's hands by reason of the forfeiture of John, once earl of Ross and lord of the Isles and of Lochaber. Stirling, 2 December 1500. (*RMS*, ii, 2559.)

COMMENT: Alexander, lord Gordon, was son and heir of George, second earl of Huntly, chancellor of Scotland, whom he succeeded (*SP*, iv, 531-2). For place-names, see nos.73 and 88. Agherom is perhaps the same as unidentified Achrone; Culyncross, at N end of Loch Lochy on *OPS* map, appears as Culross in Thomson's *Atlas*.

A62. Charter to Ranald 'Alansoun' of Caisteal Bheagram of the lands of Sleat with the castle and fortalice of Dun Scaich; and lands in North Uist viz: Illeray, Paible, Paiblesgarry, Balranald, 'Holf', 'Watna', Scolpaig and Grinish, Vallay, Sollas, Walis, 'Ylandgarvy', Oronsay, Balmartin, Sand and Boreray, and Garry-Meari, in the lordship of the Isles; resigned at Stirling by John, son and heir of Hugh of the Isles, Stirling, 23 August 1505. (*RMS*, ii, 2873.)

COMMENT: Ranald is the same to whom nos.A53 and A54 were granted; Sleat and the lands in North Uist later went back to the descendants of Hugh through his other son Donald Gallach (see app. D, table 6/16). Watna unidentified (Beveridge, *North Uist*, 101-2); for Walis, Garbh Eilean and Balmartin, see no.96; Sand

was one of the two former parochial divisions of North Uist (Beveridge, 91-92); Garry-Meari is near Trumisgarry (*ibid.*, 63).

A63. Confirmation to John MacIain of Ardnamurchan of all charters and gifts of lands in the islands of Islay and Jura and in 'bassa terra' of Ardnamurchan and Sunart with the castles of Mingary in Ardnamurchan and Dunyveg in Islay, and the office of bailie of all our lands in Islay; and all other lands and offices previously granted '*tam in bassa terra quam in dominio Insularum*'. Edinburgh, 25 November 1505. (*RMS*, ii, 2895.)

A64. Charter to John MacIain of Ardnamurchan of $\frac{1}{4}$ land of Balitarsin, $\frac{1}{8}$ of Tiervagain, and Proaig, in the island of Islay, as held by the late John Alexandri Johannis of Ardnamurchan his grandfather from Alexander, earl of Ross and lord of the Isles: also lands in Jura viz: $\frac{1}{8}$ of Knocknafealaman, $\frac{1}{8}$ of 'Aridsearnula' and which his said grandfather held of the late Donald de Insulis, lord of Dunyveg and the Glens; in the king's hands by reason of the forfeiture of John, once lord of the Isles and son and heir of the said earl, and of the treason of the late Sir John de Insulis of Dunyveg, son and heir of the said Donald. Edinburgh, 19 November 1506. (*RMS*, ii, 3001.)

COMMENT: This shows that MacIain's grandfather held lands in Jura of Donald Balloch (although there is no evidence of a charter being given of them to or by him), but in Islay directly of the lord of the Isles. Knocknafeolaman is the name given in Langlands (1801) to houses near Craighouse in Jura (*cf.* Budge, *Jura*, 152).

A65. Confirmation of charters to the Cathedral church of Lismore including one by John lord of the Isles to Robert, bishop of Argyll, dated 6 December 1492 (no. 125). Edinburgh, 26 September 1507. (*RMS*, ii, 3136.)

A66. Confirmation of charters to the abbey of Saddell including one from John, lord of the Isles, son of Angus (no. 8); one

from Alexander, lord of the Isles (no.48); and one from John, lord of the Isles and Angus his son (no.127). Edinburgh, 1 January 1508/9. (*RMS*, ii, 3170).

COMMENT: By this charter the king incorporated all the lands belonging to Saddell into a free barony in favour of David, bishop of Argyll, with licence to build castles there. James IV had recently written that Saddell abbey had 'within living memory no monastic life and has fallen to the use of laymen. There is no hope of reviving monastic life' (*Letters of James IV*, 93-94). But it seems probable that this was a somewhat exaggerated claim, although Saddell was certainly suppressed at this time (Brown, 'Saddell', 135-7). See also no.48.

A67. Charter to Ewen, son of Hector of Kilmalieu of lands of Blaich, Kilmalieu, 'Drummella', 'Inghgerane', 'Grenane', Sron, 'Kilbedane', 'Skeanloghe', 'Conyche', 'Nydraste', 'Torbrek', 'Keankilze', Lochuisge, Shalachain Coire, 'Ardnacarny', 'Caygyne', 'Reismagawane', Airigh Shamhraidh, 'Trene', 'Arymane', 'Leahald', 'Cronaik', Altachonaich, 'Ycory', Durinemast, and Carna, in the lordship of Morvern, sheriffdom of Inverness; which Ewen had held of the late John, once lord of the Isles, and in the king's hands by reason of forfeiture of the said John. St Andrews, 6 January 1508/9. (*RMS*, ii, 3284.)

COMMENT: The lands were to be held by Ewen (MacLean) for the service of one galley of 22 oars '*quotiens regi videretur expediens*', with remainder to a series of named heirs; for Hector MacLean see app. C. Many place-names in this charter are also recorded in 1613 (*RMS*, vii, 959), which provides some alternative forms. Blooech, Blaach in 1613, also rendered as Laach, Blaachis, Ballachis (*OPS*, ii, 191-2), seems to have given a designation to the MacLeans of Blaich and Achnadale, cadets of the Ardgour family (Seneachie, *Clan MacLean*, 283); Port a' Ghearain between Kilmalieu and Inversanda was named on 6" OS map now superseded; Kilbedan, Kilboyden 1613, is Cill Bhaodain (Watson, *CPNS*, 122) or Cille Mhaodain (*Argyll*

Inv., iii, no.272); Skeanloch alias Kingarloch 1613 (*RMS*, vii, 959; Steer and Bannerman, *Sculpture*, 130), but Corry is the site of present Kingairloch House (*Argyll Inv.*, iii, 227); Keankilze is on Langlands 1801 map between Corry and Loch Uisge; Ardnacarny is Ardnacarnane 1613; Caygyne gives present Camus a' Chaiginn and Rubha a' Chaiginn; Reismagawane has 'n' for 'm' 1613; for Aryhawry as Airigh Shamhraidh, see Gaskell, *Morvern*, 168, and *Argyll Inv.*, iii, no.348; T'rere is Toer in 1613; Leahald, Beahald 1613, but probably same as Laald in no.A45, perhaps now Laudale.

A.68 Charter to William Douglas, son of Archibald earl of Angus, of the lands of Greenan in the earldom of Carrick, sheriffdom of Ayr; in the king's hands by reason of the forfeiture of the late John, lord of the Isles. Edinburgh, 28 January 1508/9. (*RMS*, ii, 3292.)

COMMENT: Sir William Douglas of Glenbervie and his elder brother George master of Angus were killed at Flodden, 1513 (*SP*, i, 183-4). Greenan had been given to John son of Gilbert Davidson, and he had several charters from 1475 onwards (nos.105, 107, 111, 115), but following the forfeiture of John it was granted to William Douglas in 1493 (no.A40). Thomas Davidson, successor and probably son of John, is said to have protested against William's infestment in a notarial instrument of 1 July 1510 (Paterson, *County of Ayr*, ii, 353); the property continued in the Davidson family, and Thomas's son Gilbert had a crown charter 8 May 1543 (*RMS*, iii, 2912).

A69. Charter to Malcolm, son of the late Rory MacLeod of Lewis, of the lands and castle of Lewis and Vaternish within the lordship of the Isles; the lands of Assynt within the earldom of Sutherland; and of Coigeach in the sheriffdom of Ross sheriffdom of Inverness (sic); with fortalices, houses, buildings, lakes, fishings, patronage of churches and chapels, with mills, etc.; in the king's hands by forfeiture, non-entry and other reasons; the king incorporates the lands into a free barony and lordship of

Lewis with the castle of Stornoway as principal message. Edinburgh, 29 June 1511. (RMS, ii, 3578.)

COMMENT: Malcolm's elder brother, Torquil MacLeod of Lewis, had been forfeited for his leading part in Donald Dubh's rising (see app. C).

A70. Charter to John MacLean of Coll of the lands of Coll viz: Breacacha, Feall, Crossapol, Uig, Cliadh, Totronald, Ballyhaugh, 'Cardnaha', Grimisary, Grishipoll, 'Arnapoldo', Gallanach, 'Gar', 'Knok', 'Treela', Killunaig, Torastan, Gorton; lands in Quinish viz: Penmollach, Auhecher, Mingary, Keills, Drimnacroish, Aintuim, Achnasaul, Torrasa, 'Areganchane', Achnadrish, 'Towoung', Dervaig, in the island of Mull; and the island of Rum; which John MacLean grandfather of the said John received from James II, and for which the evidence was destroyed by his enemies and the register burnt. Edinburgh, 1 December 1528. (RMS, iii, 712.)

COMMENT: Rather than being held direct of James II, these lands and those in no.A71 are more likely to have been held from the lord of the Isles in his reign. For Coll place-names, see Rev. Dugald McEchern in *TGSI*, xxix, 314-35; Langlands 1794 plan of Coll (SRO, RHP 3368) and 1801 map of Argyll. Grimisary lies S of Totamore (6" OS, 1881); Arnapoldo was probably at or near Arnabost; Gar and Knok may be one place (Killunaig was on Knock farm 1794); Treela is Trialn 1794 and 1801, N of Arnabost and Gallanach, near modern Bagh a Trailleach; Kirktown was at Killunaig (*Argyll Inv.*, iii, 137, 148). In Quinish district of Mull (Cowinis in this charter), Langlands 1801 shows Penmollach where Quinish house now stands, Auhecher just N of it, and Auchnasaul farther E; Kirkland was presumably at the old parish church of Kilmore on hill road to Tobermory E from Dervaig.

A71. Charter to John MacLean of Coll of the lands of Achleanan and Drimnin in Morvern; and the lands of Locheil in the lordship of Lochaber; which John MacLean grandfather of

the said John received from James II, and for which the evidence was destroyed by his enemies and the register burnt. Edinburgh, 1 December 1528. (*RMS*, iii, 713.)

COMMENT: See comment on nos. 73 and A70.

A72. Charter to Ivor Mackay More of the office of crowner of North Kintyre and of the lands of Arnicle and Ugadale in Mid-Kintyre belonging to the office, held by him and his predecessors from the lords of the Isles beyond the memory of man: to be held by Ivor and his descendants provided they remain faithful to the king. Edinburgh, 11 August 1542. (*RMS*, iii, 2756.)

COMMENT: For Mackays of Ugadale see app. C. Lands in 'Kyntyr Superior' are listed in crown rental of 1505 (*ER*, xii, 701-3), with Arnegyll and Ogyddil shown as '*dantur maro pro suo salario*' or '*servitio*'.

A73. Charter to Hector MacLean of Duart (son of Lachlan MacLean) and Hector his son of lands in Mull viz: Oskamull, Corkamull, 'Kilmychaell', 'Ardualeig', Fanmore, Torloisk, Tostarie, 'Ardesganye', Burg, Reudle, 'Glaikewgarye', Ensay, Crossapol, Langamull, 'Knokowir', Kildavie, Druimghigha, 'Duchoren', 'Aremolkeyne', 'Tunadill'; and lands in Islay viz: Sunderland, Coul, 'Arehallich' and Foreland, Corsapool, 'Garrynsay' and Killinallan, 'Garbolse' and 'Dowach', Daill, Robolls and Keppols(more), Scanistle, 'Killelegane' and Scanistle, 'Meglyne' and 'Owo', Bolsa, Scanistle; which belonged to Hector MacLean, grandfather to Hector senior, and for which the evidents were burnt and destroyed by the late Angus master of the Isles in time of mortal enmity between him and the said Hector, so that Lachlan could not obtain entry. Falkland, 12 November 1542. (*RMS*, iii, 2835.)

COMMENT: For Hector MacLean of Duart, grandfather of Hector senior and father of Lachlan, see no. A50, and app. C; for the time of mortal enmity, when the earlier Hector supported

John, lord of the Isles, against his son Angus at Bloody Bay, see Introduction, p.xxii. For the lands in NW Mull, Langlands 1801 map locates Corkamull, Crossapol and Kildavie; Ardesgenye is probably at or near Dun Aisgain; most of these names appear also in 1509 rental (*ER*, xiii, 215-16). In Islay, Corsepoolis is shown on McDougall's 'Survey', and if 'Owo' is one of several caves (*uamh* = cave) near the principal cave at Bolsa, it may be Cove on the same map; Killelegane is presumably Cill Eileagain, the name of two church sites in Islay (*Argyll Inv.*, v, nos.333, 334), one of which is near Scanistle.

APPENDIX B

THE LORDSHIP AND THE PAPACY

The following is a list of petitions to the Vatican by the lords of the Isles and members of their immediate families (nos.B1 to B21), followed by marriage dispensations relating to the same (nos.B22 to B44). Where individuals named in the dispensations have been identified in appendix D, the appropriate table and numbered note are added in square brackets at the end of the item. The lords themselves – John, Donald, Alexander and John – and their marriages are noticed in order of their succession in that appendix.

Petitions

B1. 18 January 1388/9. Reg. Supp., 75, 64.
Donald of Yle, lord of the Isles, on behalf of his chaplain and faithful servant Bean Johannis Andree, rector of the parish church of Kilmonivaig, for the deanery of Lismore.

B2. 18 January 1388/9. *CPP*, i, 573.
Donald of Yle, lord of the Isles, on behalf of his chaplain and secretary David Macmuirechard, vicar of the church of 'Lysmore', for the archdeaconry of Lismore.

B3. 18 January 1388/9. Reg. Supp., 76, 31.
Donald of Yle, lord of the Isles, on behalf of his chaplain and secretary Bthan Macgilleaus, rector of the parish church of Kilmonivaig, for a canonry and prebend in each of the dioceses of Dunblane, Dunkeld, Moray, and Ross.

B4. 12 November 1390. Reg. Supp., 78, 2v.
Donald of Yle, lord of the Isles, on behalf of his kinsman Nigel Ymari, rector of the parish church of St Symioge, for the archdeaconry of the Isles.

- B5.** 25 July 1403. *Benedict XIII Letters*, 106.
Donald Johannis, lord of the Isles, and Mariota his wife, for the right to choose a confessor.
- B6.** 24 November 1421. *HP*, iv, 165; *CSSR*, i, 268.
Donald of Yle, lord of the Isles and of the earldom of Ross, on behalf of his chaplain and familiar Adam Dominici, vicar of the parish church of Kilviceuen, for dispensation to hold further benefice.
- B7.** 3 December 1421. *HP*, iv, 168; *CSSR*, i, 271.
Donald of Yle, lord of the Isles and of the earldom of Ross, that the three perpetual vicarages of Soroby in Tiree, Kilfinichen and Kilcolmkill in Mull be united to the monastery of Iona.
- B8.** 17 December 1421. *HP*, iv, 172; *CSSR*, i, 275.
Donald of Yle on behalf of Adam Dominici (as above) for extension of benefice for life (licence given for 2 years on 24 November and now granted for 7 years).
- B9.** 5 June 1426. *CSSR*, ii, 133.
Alexander, lord of the Isles and master of the earldom of Ross, on behalf of Roger O'Brolchan, rector of the parish church of St Firmoe, his secretary, for the rectory of St Columba in Morvern and dispensation for plurality.
- B10.** 7 and 19 December 1427. *CSSR*, ii, 177.
Alexander, lord of the Isles and of the earldom of Ross, on behalf of Celestine Celestini called MacGillemichael, rector of the parish church of Kilmelfort, for dispensation to hold another benefice.
- B11.** 8 December 1427. *CSSR*, ii, 177.
Alexander, lord of the Isles and of the earldom of Ross, on behalf of Duncan Patricii for confirmation of the canonry and prebend of Kilberry and the rectory of Kilmichael in Kintyre, and dispensation for plurality.

B12. 29 February 1427/8. *CSSR*, ii, 188.
Alexander, lord of the Isles and of the earldom of Ross, on behalf of Celestine Celestini called MacGillemichael, rector of the parish church of Kilmelfort, for the canonry and prebend of Kilchousland and dispensation for plurality.

B13. 29 February 1427/8. *CSSR*, ii, 189.
Alexander, lord of the Isles and of the earldom of Ross, on behalf of Celestine Celestini (as above) for correction to 7 December (above) so that it shall be for life instead of the 2 years allowed by Rules of Chancery.

B14. 19 October 1433. *CSSR*, iv, no. 105.
Angus, bishop of Sodor, grandson of the King of Scots and son of the lord of the Isles, for licence to transfer his cathedral from Suusperdy (Snizort) to some honest place within the diocese and to create 12 canonries and as many prebends.

B15. 19 October 1433. *CSSR*, iv, 106; *Reg. Supp.*, 289, 253.
Alexander of Yle, lord of the Isles, and Jacobella his wife, for a portable altar. Also in the supplication are included: Donald Johannis de Insulis Ballac, grandson of the lord of the Isles, Lachlan M^calyean lord of Muly, Roderick M^cleoyd lord of Leows, John M^cleoyd lord of Dunbegayn, and John M^cean lord of Ardnamurchan, and their wives (unnamed).

B16. 18 December 1443. *CSSR*, iv, no. 968.
James king of Scots, the patron of the monastery of Iona [the lord of the Isles], the other temporal lords and nobles of the Isles, and the abbot and convent of Iona, for absolution for the convent and annulment of letters to Fyngon Fyngonii. (Mandate issued on 8 January 1443/4 gives full narrative: printed in *HP*, i, 86-92, translation in *CPL*, ix, 407-9.)

B17. 19 June 1445. *HP*, i, 92; *CSSR*, iv, no. 1222.
Hugh, Alexander and Donald de Ylis, sons of Alexander of the Isles, earl of Ross, for dispensation for illegitimacy.

B18. 24 March 1445/6. *HP*, i, 94.
Elizabeth, wife of Alexander of Yele, earl of Ross and lord of the Isles, for redress against Christiana Maclaide concubine of Alexander.

B19. – March 1447/8. *CPL*, x, 10.
Alexander, earl of Ross and lord of the Isles, for a portable altar (at the same time as the king and other lords).

B20. 26 January 1463/4. *CPL*, xi, 671.
Elizabeth Livingston, countess of Ross, against her husband for putting her away and living with an adulteress.

B21. 11 March 1477/8. *HP*, iv, 206.
Bull following a petition from Elizabeth, countess of Ross, to absolve her from the jurisdiction of Angus or any bishop of the Isles and to empower the bishops of Brechin and Orkney to decree what is canonical anent her separation or divorce from her husband John, lord of the Isles.

Marriage Dispensations

B22. 4 June 1337. *HP*, i, 74.
John Engusii de Ile and Amie, sister of Reginald Roderici de Insulis. [I/7, I/17]

B23. 25 May 1342. *CPL*, iii, 85.
William, earl of Ross, and Mary, daughter of the late Angus de Ile. [See I/7]

B24. 14 January 1342/3. *Theiner, Vet. Mon.*, 278.
John Senescallus (Stewart) and Fingola Angusii de Insulis. [See I/8]

B25. 18 July 1350. *Theiner, Vet. Mon.*, 294.
John de Insulis, lord of the Isles, and Margaret, daughter of Robert called Senescallus.

- B26.** 13 May 1367. *HP*, i, 80.
Lachlan Johannis, called Maguilleon, and Mary de Insulis,
daughter of John, lord of the Isles. [4/6].
- B27.** 30 March 1373. *Theiner, Vet. Mon.*, 348.
Duncan, son of Walter Aulani, and Elena, daughter of Gillespat
Cambel, formerly wife of John de Insulis. [2/1]
- B28.** 30 October 1397. *Lamont Papers*, no.19.
Robert Duncani MacLagmayn and Ana Donaldi domini Insul-
arum. [5/4]
- B29.** 13 February 1419/20. *CSSR*, i, 172.
Celestin Cambel and Mariot de Insulis, daughter of Donald,
lord of the Isles and of Ross. [5/5]
- B30.** 24 February 1432/3. *CSSR*, iv, no.21.
Walter Stewart and Anna de Insulis.
- B31.** 15 December 1438. *CSSR*, iv, no.504.
Alexander de Sutherland and Mariota de Ile, widow of Thomas
de Dunbar and of David Fleming. [5/5]
- B32.** 10 July 1443. *CSSR*, iv, no.936.
Reginald Johannis de Insulis and Catherine Patricii Sabais
(Savage).
- B33.** 14 December 1443.
Reg. Supp., 393, 175v. (error in *CSSR*, iv, no.965).
Alexander, son of John Alexandri of Ardnamurchan, and Anne,
daughter of John Macleoid of Glenelg. [1a/2]
- B34.** 14 December 1443. *CSSR*, iv, no.966.
Alexander, son of John Macleoid of Glenelg, and Anne,
daughter of John Alexandri of Ardnamurchan. [1a/14]
- B35.** 17 April 1445. *CSSR*, iv, no.1192.
John Ewart (?Stewart) and Agnes de Insulis.

- B36.** 16 November 1447. Reg. Supp., 421, 35v.
John de Lorn and Fingula de Insulis.
- B37.** 10 December 1448. Reg. Supp., 432, 62.
'Hesplanus' Alexandri de Ilis and Margaret Patricii.
- B38.** 5 May 1450. Reg. Supp. 443, 219v.
Roderick Alani and Margaret Johannis de Insulis. [2/5, 3/13]
- B39.** 5 July 1450. Reg. Supp., 443, 220.
Alexander Johannis de Insula (sic) and Fingula, daughter of
John Alexandir (sic). [1a/15]
- B40.** 30 December 1454. Reg. Supp., 476, 259v.
Celestin Alexandri de Yle and Fyngill Lachlane Macgilane. [6/2]
- B41.** 13 September 1465. ASPA, 13, 32v.
Roderick Macliode and Marcella Celestini de Insulis. [6/11]
- B42.** 13 September 1465. ASPA, 13, 32v.
Kennacius Alexandri Kennaci and Finvola Celestini de Insulis.
[6/10].
- B43.** 19 June 1466. ASPA, 14, 24v.
John Larmondson and Agnes, daughter of John Donaldi de
Insulis. [3/13]
- B44.** 15 December 1466. Reg. Supp., 604, 281.
Alexander Mackenych and Catherine, daughter of John
Ranaldi.

APPENDIX C

NOTES ON CHARTER WITNESSES, OFFICE HOLDERS, etc.

In this list each name is followed by the reference number given in the text to the document or documents in which it appears. Names are arranged alphabetically in modern English form, if possible, with cross-references where necessary; if a surname is unknown or uncertain, the individual is indexed under his paternal name (e.g. Colini), and in the few cases where neither of these is known, under his forename. The notes include place and year of all charters witnessed, offices held, or other transactions, based for the most part on documents printed in this volume. For those shown to have been more than casually connected with the immediate circle of the Lords of the Isles, further information from other sources is included, with parentage; relationships, and relevant dates where known. All charter witnesses, whether fully identified or not, have a separate entry, and other names not included will be found in the general index.

For convenience, members of the family of the Isles and its cadet branches are grouped together at the beginning (after a key to the names of office holders), with cross-references to appendix D.

Key to Office Holders

Chamberlain	Dingwall, Thomas (1466, 1467)
Chancellor	Fergusii, Colin (1485)
Chaplain	MacGillandris, Bean (1389)
	MacMurchie, David (1389)
	Lyon, John (1411)
	Wick, James (1461, 1476)
	Wick, James (1456, 1476)
Clerk	
Judge or lawman (<i>iudex</i> , <i>archiudex</i>), see surname Brieve	
Poet (<i>archipoeta</i>)	MacVurich, Lachlan (1485)
Secretary	MacGillandris, Bean (1389)
	MacMurchie, David (1389)
	Obrolchan, Rogellus (1426)

	Fleming, Neil (1427, 1443, 1447)
	Munro, Thomas (1463, 1469)
	Wick, James (1472)
	Auchinleck, James (1475)
Steward of household	MacLean of Duart, Lachlan (1390)
	MacLean of Ardgour, Ewen yr (1463)
	MacLean of Duart, Lachlan yr. (1467, 1471)
Steward	MacLeod, Neil (1437/48?)
Bailie of Islay	MacIan of Ardnamurchan, John (pre-1493)
Bailie/Steward of Lochaber	Mackintosh, Malcolm (1447, 1456)
	Mackintosh, Duncan (1466)
Bailie of Morvern	MacLean of Lochbuie, John (pre- 1493)
Bailie of Mull	Maclean, Colin son of Lachlan (1463)
Bailie of Tiree (south half)	MacLean of Duart, Lachlan (1390)
	MacLean of Lochbuie, John (1492)
Bailie of Trotternish	MacLeod of Dunvegan, William
	MacLeod of Lewis, Torquil (both pre-1493)
Constable of Cairnburgh More and Beg	MacLean of Duart, Lachlan (1390)
More only	MacLean of Duart, Hector (1409)
Constable of Castle Sween	MacNeill, Torquil (1440)
	MacNeill, Neil MacTorquil (1455)
	MacNeill, Hector MacTorquil (1472)
Constable of Dunchonnuill and Dunkerd	MacLean of Duart, Lachlan (1390)
Fragramannach and Armannach of Iona	MacLean of Duart, Lachlan (1390)
Mair of South Kintyre	MacEachern of Killellan, Colin (pre-1493)

Mair/Coroner of North

Kintyre	Mackay of Ugadale (pre-1493)
Toiseachdeor of Knapdale	MacNeill of Gigha, Torquil (1440)
Toiseachdeor of Lochaber	MacSorlie, Somerled Johannis (1456)

Surname *De Insulis*, *MacDonald*, *MacRanald* (for Maclan see that name):

Alexander de Insulis of Lochalsh (nos. 122, 123, 124, 125), son of Celestine of Lochalsh, below: witness at Aros in 1492 (called 'de Lochage'); he granted three charters in the year, two in his own name at Colonsay and Iona to Ewen son of Alan captain of clan Cameron, and one along with his uncle John, lord of the Isles, at Oronsay to John MacLean of Lochbuie. See app. D, table 6/3.

Angus, bishop of the Isles (no. 21): son of Donald, lord of the Isles. Witness at Finlaggan in 1427. See app. D, table 5/2.

Angus de Insulis, son of Alexander (no. 80): witness at Dingwall in 1463, name follows John, son of Alexander (see below). See app. D, table 3/26.

Angus, bishop of the Isles from 1472 (no. 110): probably the petitioner who, despite papal provision, in 1465 failed to secure the abbacy of Iona to which John MacKinnon was appointed (*CPL*, xii, 581; *Reg. Supp.*, 582, 137v.); witness at Edinburgh in 1476 to John's protest against papal decree regarding wife Elizabeth; both bishop and abbot attended parliament in July 1476 (*APS*, ii, 113, 190). Son of previous bishop Angus. See app. D, table 5/2a.

Angus, son of Angus MacRanald (no. 119): witness to charter by Angus, master of the Isles, in 1485. See app. D, table 2/26.

Angus, son of Godfrey (no. 20): present at Rosemarkie in 1420. See app. D, table 2/29.

Celestine de Insulis of Lochalsh, also called *Gillespie*, son of Alexander lord of the Isles (nos. 47, 50, 73, 78, 91, 96, 98): witness at Dingwall in 1447, Kessock undated 1436 × 1449, Ardtornish 1461, Dingwall 1463 and 1467, Aros 1469, Dingwall 1470. Received lands from father and brother, and held various crown appointments. See app. D, table 6/2.

Donald de Insulis (called Balloch) of Dunivaig and the Glens,

son of John (nos.63, 64, 73, 76, 78, 89, 96, 107, 111): witness at Cara in 1456, Ardtornish 1461, twice at Dingwall 1463, Ayremore 1467, Aros 1469, Islay 1476, always being named first, and in 1475 called *primus et principalis conciliarius* of John, lord of the Isles. See app. D, table 3/3.

Gilleasbuig/Gillespic: see Celestine above.

Hugh de Insulis of Sleat, son of Alexander, lord of the Isles (nos.73, 76, 98, 100): witness at Ardtornish in 1461, and Dingwall 1463, 1470 and 1471. Received lands from brother, confirmed by the king. See app. D, table 6/14.

John de Insulis, son of Alexander (no.80): witness at Dingwall in 1463, named before Angus son of Alexander (see above); there was a John son of Alexander in both the Ardnamurchan family (see app. D, table 12/1 or 3) and in the Glengarry line (ibid. table 2/20).

John de Insulis, son and successor of Donald of Dunivaig and the Glens (nos.75, 80, 120): associated with his father in the treaty of Ardtornish in Feb. 1461/2; witness at Dingwall 1463, and apparently also at Islay in 1486. See app. D, table 3/4.

John MacDonald, son of John and brother of Donald, lords of the Isles (nos.15, 16): probably petitioner to Richard II from Armagh in Feb. 1394/5, and witness to brother Donald's Gaelic charter of Islay lands in 1408; for the first see no.15 comment. John was the first lord of Dunivaig and the Glens (see app. D, table 3/2). It has been objected that a man of his position would have signed with his name and not by a mark (*Clan Donald*, ii, 557-8; Cameron, *Celtic Law*, 215), but this is not conclusive; Cosmo Innes, who thought the 1408 witness was Donald's nephew (see app. D, table 3/14), assumed that Donald's brother John was dead by 1408 (*Nat. MSS. Scot.*, ii introduction, xiii).

John, son of Ranald son of Godfrey (no.78): witness at Dingwall in 1463. See app. D, table 2/33.

Margaret of the Isles, lady (no. 104): witness at Dingwall in 1475 to Ross of Balnagown and MacLean of Lochbuie marriage contract. John, lord of the Isles, is said to have had a daughter Margaret who married Kenneth MacKenzie of Kintail (Macfarlane, *Gen. Coll.*, i, 60), but see below under MacKenzie, and app. D, table 7/5.

Ranald de Insulis (called Ban), son of John and brother of Donald of Dunivaig (nos. 74, 75, 78): one of two ambassadors to the King of England appointed at Ardtornish in 1461, and named in the treaty 13 February 1461/2; witness with brother Donald at Dingwall 1463. See app. D, table 3/15.

Ranald or *Reginald*, 'son of the Lord of the Isles' (no. 119): witness to Angus's 1485 charter; perhaps the Ranald Roy de Insulis who seems to have been a pensioner of the court in 1496 (*ER*, x, 567, 589). See also app. D, table 7/5.

Other witnesses

Achlik, James: see Auchinleck.

Alexandri, Rolland (no. 54): witness to notarial instrument recording a decision by the council of John, earl of Ross, at Dingwall in 1450, the only one not recognisable as a member of the council or otherwise; Rolland is probably equivalent to Lachlan (cf. MacLean of Duart below).

Arde, John de, son of William (nos. 35, 35a): witness at Inverness in 1440, also named John son of William de Fothnes, presumably Phoinneas in the Aird, where the del Ard family were considerable landowners (*Beaully Charters*, 84-97, 303; Sellar, 'Family Origins', 112-14).

Argyll, archdeacon of: see MacMurchie, David
 dean (later bishop) of: see MacGillandris, Bean
 earl of: see Campbell, Colin

Auchinleck, Alexander (no. 124): notary public, witness at Iona in 1492.

Auchinleck (*Achlik*), James (no. 104): witness as secretary to John, earl of Ross, at Dingwall in 1475 (in the same list is James Wick, who witnesses as secretary in 1472 and 'clerk and writer' in 1476); notary public by 1484 (Fraser, *Cromartie*, ii, 337); precentor of Caithness c. 1479-97 (Watt, *Med. Fasti*, 66).

Bean (surname unknown) (no. 26): witness at Inverness in 1437. The translator of this lost charter to the Dominican friary names the last witness 'Lord Beane' (*Invernessiana*, 109; *Clan Donald*, i, 475 has 'Lord Blanc'), which would be 'dominus Beane . . .', possibly the clerical writer of the document whose patronymic,

surname or office should follow. Bean occurs elsewhere as a forename in the period and area of the lordship of the Isles and earldom of Ross (see e.g. nos.62-64; *Benedict XIII Letters*, 69, 74; *ER*, vi, 222).

Beaton: see MacBeth.

Boncle (*Bonkyll*), Edward (no.110): provost of Holy Trinity Collegiate Church, Edinburgh, witness at Edinburgh in 1476; he was first provost of the church, founded 1462 (Watt, *Med. Fasti*, 358).

Brieve (*Breyff/Brehiff*), *Donald* (nos.63, 64): witness at Cara in June 1456. Brieve, from Gaelic *breitheamh*, *brithem*, was the designation of a hereditary judge or lawman, such as the Morison dynasty in Lewis (*Sutherland Earldom*, 269-70; Matheson, 'Morisons', 60; Thomson, 'Learned Orders', 58-60; Bannerman, 'Lordship', 227, 233-4). Donald Iudex, who witnessed at Dingwall in 1447 (no.47), may have been the same person as Donald in 1456; and this is made more likely by the fact that *Donaldus Mcgillemore iudex Insularum* witnessed a document relating to the lord of the Isles at Dingwall in November 1457 (no.128 comment) – an important and hitherto unnoticed link between the name Morison, Gaelic *Mac Gille Mhoire*, and the profession of law in the Isles. William archiudex witnessed the only surviving charter by Angus master of the Isles, granted with the consent of his father and the council in 1485 (no.119, and see Introduction, p.xliv), but neither his surname nor the place of issue was recorded. See also *McAbhriuin*, Pat, below.

Bullock, John: bishop of Ross, 1420-c.1440 (no.20); payments to him for 'labouring between the Earl of Ross and the King's council anent the pacification of the country' are recorded in public accounts, 1 Jan. 1440 to 2 Sep. 1441 (*ER*, v, 101-2); dead by 26 Sep. 1440 (Watt, *Med. Fasti*, 268).

Caithness, bishop of: see Strathbrock, Robert de.

Calder (*Cawdor*), Donald de (nos.20, 23, 25, 35, 35a, 36): son of Andrew, confirmed in office as sheriff of Nairn by Robert, duke of Albany calling himself lord of the ward of Ross, in 1405 (*Cawdor Book*, 4-5), and held the thanage of Calder or Cawdor of the king as earl of Ross in 1430 (*RMS*, ii, 176); present at

Rosemarkie in 1420, at Dingwall in 1437, and along with son William at Inverness in 1440, and named as bailie in precepts; dead by 17 Aug. 1442 (see son William below).

Calder (Cawdor), William de (nos. 28, 35, 35a, 38, 51, 53, 54, 55, 66, 79): son of Donald above; witness (without designation) at Dingwall in 1439 and along with father at Inverness in 1440; had thanage, sheriffdom and constabulary as his late father's heir from earl Alexander in 1442, and Balmakeith in 1458; witness at Inverness in 1449; sat in earl's council at Dingwall, acted as his bailie and perhaps also member of inquest at Dingwall in 1450; witness at Tain in 1463, and was procurator for earl John in parliament of 1467 (*APS*, ii, 87); died between 6 Nov. 1467 and 27 March 1468 (nos. 91, 93).

Calder (Cawdor), William de (nos. 68, 91, 93): son of William above; does not appear as a charter witness, but with his wife Mariota of Sutherland received lands of Easter Kindeace in 1458 and Innermarkie in 1467; after his father's death, lands in Nairn and the sheriffdom were confirmed to him. (See also no. 93 comment.)

Cameron, Alan (no. 102): son and successor of Donald Dubh, captain of clan Cameron; constable of Strome castle, had lands of Kishorn from Celestine of Lochalsh in 1472; wife Mariota was daughter of Angus of the Keppoch family (see app. D, table 3/31).

Cameron, Ewen (nos. 122, 124): son and successor of Alan above, son of Donald; first wife was a daughter of Celestine of Lochalsh (*HP*, i, 54); he had a charter from her brother Alexander of lands of Lochiel in 1492, confirmed by the crown in 1495 (no. A47) and erected into the barony of Lochiel in 1528 (*RMS*, iii, 534); reserved his service to the same Alexander 'my lord and master' in a bond of manrent to Farquhar Mackintosh, son and heir of Duncan captain of clan Chattan, 1493 (*Stewart, Camerons*, 264); Ewen supported Donald Dubh's rising, and also after his death the claim of James of Dunivaig and the Glens as nearest heir of the Isles (*Gregory, History*, 99, 178, 179) and was captured and executed.

Cameron (?), John (no. 124): son of Alan son of Donald; witness at Iona 1492 in charter to Ewen (see above), whose brother John

is said to have been in the company of Angus, master of the Isles, at Inverness on eve of Angus's murder (*HP*, i, 52).

Campbell, Colin, earl of Argyll (no. 113): earl from 1457, Master of the King's Household from 1464 (*SP*, i, 334); at Perth with lord Montgomerie, lord Kennedy, and the king's treasurer on mission to John, earl of Ross and lord of the Isles, in 1463 (*ER*, vii, 204); at meeting of lords in Edinburgh in October 1464 he and Kennedy were procurators for John (*APS*, ii, 84); immediately after the 1475 forfeiture Colin was commissioned to invade John's territories in Argyll and Lorn (*RMS*, ii, 1210; *Hist. MSS. Comm.*, iv, 487); three years later he was witness along with island chiefs at Edinburgh to charter no. 113; received crown charter (no. A35) of lands in Knapdale, which clan Donald traditions say the lord of the Isles had already given him (*HP*, i, 48, *Clanranald Book*, 163), with custody of Castle Sween; Chancellor of Scotland 1483, died 10 May 1493 (*SP*, i, 334). Daughters married Angus master of the Isles, Torquil MacLeod of Lewis, and Lachlan Og MacLean of Duart.

Cawdor: see Calder.

Celestini, Neil, rector of Kilchoman in Islay (no. 21): witness at Finlaggan in 1427, styled bachelor of both laws, named immediately after Angus de Insulis bishop of the Isles. In 1421, while rector of this parish, and as vicar general in spirituals of Richard bishop of Sodor (see Watt, *Med. Fasti*, 203), he had mandate from Rome to inquire into the revenues of the monastery of Iona before delivering apostolic letters confirming the election of Dominic Kenythy as abbot in succession to John Goffredi (Cameron, *Apostolic Camera*, 3; *CPL*, vii, 194).

Charles: see Tearlach.

Chisholm, Robert (nos. 35, 35a): witness at Inverness in 1440.

Chisholm, Wiland (nos. 40, 42): witness at Dingwall in 1443, and Inverness in 1444. Welland Chesholme of Comar (in Strathglass) is on record in 1499 (*Family of Rose*, 169).

Clerk, William (no. 71): witness to retour before Celestine at Dingwall in 1461.

Cockburn, Henry, bishop of Ross from 1461 (no. 110): witness at Edinburgh in July 1476; attended parliament in the same month

(*APS*, ii, 113, 190), demitted office or died before 20 August 1476 (*Watt, Med. Fasti*, 269).

Colini, Neil (no.17): as Nigellus, rector of Kilcolmkill in Morvern, bachelor of decreets, was witness at Ardtornish in 1409. Nigellus was the normal Latin equivalent of Gaelic Niall, Scottish Neil (Steer and Bannerman, *Sculpture*, 125), and his patronymic is known from Vatican records which describe him as 'of noble birth on both sides', and show him rector in 1408, 1409 and 1411 (*Benedict XIII Letters*, 187, 194, 240-1). His church was at Lochaline in Morvern, a district formerly known as Cineal Bhaodain (*Argyll Inv.*, iii, 129; Watson, *CPNS*, 122); it was under the patronage of the lord of the Isles (cf. Obrolchan, Rogellus), whose castle of Ardtornish was nearby. Earlier in 1409, Neil was permitted to hold also the parish church of Kilmonivaig in Lochaber (*Benedict XIII Letters*, as above).

Crawford, earl of: see Lindsay, David.

Dingwall, John (no.104): parson of Kilmon (?), witness at Dingwall in 1475; possibly the kinsman of Thomas Dingwall, subdean of Ross, and brother-german of Thomas Dingwall, younger, lord of Kildun, named in charters of 1456 and 1466 (*Fraser, Cromartie*, ii, 328, 331).

Dingwall, Thomas, subdean of Ross (nos.71, 77, 78, 87, 91, 93): witness at Dingwall or otherwise mentioned from 1463 to 1468 as earl John's chamberlain (for Ross, 1466, 1467, 1475), also treasurer for the time in 1463. Son of a priest, kinsman of a race of barons and magnates of the earldom of Ross (*Reg. Supp.*, 548, 24), he was presented by earl Alexander to the vicarage of the chapel of St Laurence in the castle of Dingwall, with papal dispensation January 1444/5 (*CPL*, ix, 464; *CSSR*, iv, no.1140); subdean of Ross by 1456 (*Fraser, Cromartie*, ii, 328-9); resigned rectory of Kilchoman in Islay c.1463 (*CPL*, xi, 480); was granted the lands of Ussie 1463, and became founder of Dingwalls of Kildun (*OPS*, ii, 839); still subdean in 1475 (*ADC*, i, 347), but dead by February 1476/7 (*CPL*, xiii, 84).

Duncan (surname unknown), archdeacon of the Isles (nos.74, 75): one of two ambassadors to the King of England appointed at Ardtornish in 1461, and named in the treaty 13 Feb. 1461/2.

Probably had ordinary collation and local possession as archdeacon (Watt, *Med. Fasti*, 210).

Duncani, Angus (no. 124): witness at Iona in August 1492;

Duncani, John Duff (no. 122): witness at Colonsay in July 1492;

Duncani, Martin (nos. 124, 125): witness at Iona in August 1492 and Aros Dec. 1492. These three *Duncani* probably form a family group.

Durisdeer or *Muirhead*, Andrew de, bishop of Glasgow from 1456 (no. 72): witness at Bute in 1461; died 1473 (Watt, *Med. Fasti*, 148).

Ewen (*Eugenii*), Celestine son of (no. 125): witness at Aros 1492; named immediately after Alexander of Lochalsh, son of Celestine, and not otherwise known; one of Alexander's sisters married Ewen Alanson, captain of clan Cameron (see above under Cameron), but no son Celestine is known.

Faid: see MacFaid.

Farquhar (surname unknown) (no. 71): witness at Dingwall to retour by Celestine in 1461; presumably a churchman.

Fearn, abbot of: see MacFaid, Finlay.

Fergusii, Colinus (Colin or Malcolm) (no. 119): witness as chancellor (*domini cancellarius*) in Angus's charter of 1485; according to a crown rental of 1505 the lord of the Isles used to give lands in Kintyre for services to his '*cancellarius et scriba*' (*ER*, xii, 703). On the forename, cf. MacNeill of Gigha below; on the surname, there is mention of Donald Ferguson, grandson of 'Baron Ferguson' connected with Iona (*HP*, i, 33): later, MacFhearguis or Ferguson was invoked along with MacVurich in a Maclean elegy, but no learned family of the name has been identified (Watson, *Bardachd*, 1959 edn, 205, 318; Colm O Baoill, *Eachan Bacach and other Maclean Poets* (SGTS, 1979), 14-15, 171-3), although this MacFhearguis has strangely been called 'Clerk Register of Icolmkill' ('Eigg Collection', ed. R. MacDomhnuill, Edin. 1776, 85).

Fleming, Alexander (nos. 51, 62, 63, 64): witness (as 'of Perth') at Inverness in 1449, and (as '*armiger*') at Finlaggan and Cara in 1456. Payments to Alexander Fleming, burgher of Perth, constable of the castle of Inverness, for structural repairs are recorded in 1456-60 (*ER*, vi, 221, 317, 469, 482, 483, 589).

Alexander Fleming, burghess of Inverness, who had held Petquhyn, in the sheriffdom of Nairn, from John, earl of Ross, before forfeiture of the earldom, died 31 October 1487 (*RMS*, iv, 993). For John Fleming (1458) and William Fleming, burghess of Nairn (1450, 1458, 1468) see nos.65; 53, 66, 93.

Fleming, Neil (nos.21, 37, 40, 47, 50): witness at Finlaggan in 1427; '*dominus Nigellus clericus domini Insularum*' received payment for the lord in the year 1425-6 (*ER*, iv, 414); probably the same Neil Fleming who was witness at Inverness in 1442, and witnessed as 'our secretary' at Dingwall in 1443 and 1447, and at Kessoock undated 1437 × 1449.

Fleming, Thomas (no.120): witness (styled '*magister*') at Islay in 1486. A rector of Kilberry of this name is recorded in 1492 (no.125), and an archdeacon of the Isles died in 1516 (*Watt, Med. Fasti*, 211).

Fothnes, de: see Arde, de.

Fraser of Lovat, Hugh (nos.20, 24): present at Rosemarkie in 1420; granted one-third of Glenelg to Alexander, earl of Ross, in 1437. Had son and successor Thomas, and probably also Alexander of Galford (see no.25), and died before July 1440.

Fraser of Lovat, Thomas (nos.35, 35a, 37): witness at Inverness in 1440; gave bond of manrent to Alexander, earl of Ross, in 1442. Omitted by family annalists, he was the son of Hugh above, and father of Hugh who was created lord of parliament between 1456 and 1464 (*SP*, v, 522).

Glasgow, bishop of: see Durisdeer, Andrew de.

Goffredi, John son of Ranald: see above under De Insulis.

Grant, John (nos.35, 35a, 38): witness at Inverness in 1440; perhaps John Grant, sheriff depute of Inverness, to whom precept of 1442 was directed as bailie (see Fraser, *Grant*, i, 59, for tentative identification).

Greffsone, William (no.87): witness at Dingwall in 1466. An unusual surname, perhaps meaning son of the grieve (Black, *Surnames*, 329; cf. Sir John Greveson in Chanonry of Ross, 1566, Macgill, *Old Ross-shire*, 16).

Hamilton, James lord (no.72): witness at Bute in 1461; lord of parliament from 1445, former supporter of the Douglasses,

nephew of Sir James Livingston, owner of Isle of Arran and father of James, first earl (*SP*, iv, 349-56).

Hectoris, Alexander (no.124): witness at Iona in 1492; not identified.

Hullialmus archiudex (no.119): see under Brieve.

Iona, abbot of: see MacKinnon, John.

Isles, archdeacon of: see Duncan (surname unknown); MacGillebrede, Neil.

bishop of: see De Insulis, Angus; Michael (surname unknown).

Iudex, *archiudex*: see under Brieve.

Johannis Andree, Bean: see MacGillandris.

Johannis Somerledi, Somerled: see MacSorlie.

Kennedy, Gilbert lord (no.72): witness at Bute in 1461. Elder brother of bishop James, first cousin of James II, lord Kennedy by March 1457/8, one of the early guardians of James III (*SP*, ii, 453). Was at Perth with Argyll and others on the way to meet earl John in 1463 (*ER*, vii, 204); at meeting of lords in Edinburgh in Oct. 1464 he and Argyll were procurators for John (*APS*, ii, 84; *RMS*, ii, 811). His son *John*, bailie of Carrick, was required to give sasine to John Davidson of lands of Greenan (no.106).

Kennedy, James, bishop of St Andrews (no.72): witness at Bute in 1461 along with brother Gilbert. Son of James Kennedy of Dunure by princess Mary, daughter of Robert III; bishop of Dunkeld 1438, translated to St Andrews 1440; briefly Chancellor of Scotland 1444, prominent in government during minority of James III, particularly from 1463 until his own death in 1465 (*SP*, ii, 449-50).

Kilchoman (Islay), rector of: see Celestini, Neil; Dingwall, Thomas.

Kilcolmkill (Morvern), rector of: see Malcolm (1409); Obrolchan, Rogellus (1426).

Kilcolmkill (Mull), rector of: see Colini, Neil.

Kilmonivaig, rector of: see MacGillandris, Bean.

Kilmuir Easter, rector of: see Wick, James.

Lachlan Dubh, Tearlach son of (no.119): witness to charter by Angus, master of the Isles, in 1485. Not otherwise known.

Leslie, William, sheriff of Inverness (nos. 27, 28, 35, 35a): witness at Dingwall in February 1438/9, on inquest at Tain in April 1439, witness at Inverness in 1440. Not otherwise identified.

Lindsay, David, earl of Crawford (no. 72): witness at Bute in 1461. Succeeded father 1453, (his uncle Walter Ogilvy had lands of Beaufort); later chamberlain of Scotland and Master of the Household, justiciar with Huntly north of the Forth 1488 and created duke of Montrose (*SP*, iii, 22); may have been one of those intended to force submission of John, earl of Ross and lord of the Isles, 1476 (Macdougall, *James III*, 122; cf. *HP*, i, 49).

Lismore, diocese of: see Argyll.

vicar of: see MacMurchie, David.

Livingston, James lord (no. 72): witness at Bute in 1461. Father-in-law of earl John; had seized power in James II's minority, forfeited 1450 but restored to favour, made keeper of Urquhart and Inverness castles 1451 and lord of parliament 1455, etc. (*SP*, v, 429-30).

Lochmaloney, Thomas, chancellor of diocese of Ross (no. 51): witness at Inverness in 1449. On record as chancellor 1428 × 1456 (Watt, *Med. Fasti*, 278).

Lock, John, canon of Brechin (no. 110): witness at Edinburgh in 1476; provost of college of St Salvator and rector of university of St Andrews by December 1476, dead by 1479 (Watt, *Med. Fasti*, 383).

Lyon, John: not a charter witness, but as 'chaplain of the Lord of the Isles of Scotland' had safe conduct for himself and six others to visit Henry IV as often as he pleased, June 1411 (*Cal. Docs. Scot.*, iv, no. 806); entered service of James I in England, archdeacon of Teviotdale 1418, dead by 1423 (Balfour-Melville, *James I*, 46-50, 55n, 66-67, 73n, and in *SHR*, xx, 29; Watt, *Med. Fasti*, 176).

McAbhriuin, Pat (no. 16): witness to Gaelic charter of Islay lands in 1408. It has been suggested that he was the chief 'brehon' or lawman of Islay (Lamont, 'Islay Charter', 171), but the name Briun occurs in Iona in St Columba's time (Watson, *CPNS*, 522), and a lawman might have been expected to have signed and indeed written the charter, but this witness did neither.

MacBeth, Fergus (no. 16): witness to Gaelic charter of Islay lands in 1408, and probably also the scribe who drew it up; presumably a member of the famous medical family of MacBeth or Beaton (Bannerman 'Lordship', 235, and *The Beatons* (1986)).

McCane (no. 113): see MacIan.

McChore, Gilchrist (no. 104): witness at Dingwall in 1475.

MacCulloch of Plaids, Alexander (nos. 23, 26, 28, 29, 31, 35, 35a, 54, 55): had charter of Scardy, Plaids, etc., with office of bailie of immunity of Tain in 1437; witness at Inverness in 1437, 1439 and 1440, and at Dingwall (with territorial designation) in 1443; probably member (with George MacCulloch) of inquest at Tain in 1439; gave evidence before earl John and his council at Dingwall in May 1450, but dead by 10 November.

MacCulloch of Plaids, John (nos. 55, 69): retoured as heir to his father Alexander in 1450; addressed as bailie of the girth of St Duthus by earl John in 1458.

MacDonald: see above under De Insuliis, etc.

MacDuffie, Donald (nos. 78, 102): witness at Dingwall in 1463, and as Donald Cristini Makduff at Inverlochy in 1472. He was probably elder brother of Malcolm, named as lord of Dunevin in Colonsay on a graveslab at Iona to his wife's brother John MacIan of Ardnamurchan, and as son of Cristinus MacDuffie on a cross at Oronsay (Steer and Bannerman, *Sculpture*, 112, 120). The MacDuffies are said by tradition to have kept the records of the Isles (*HP*, i, 25); the name was later shortened to Macfie (cf. *APS*, ii, 333; *RSS*, iii, 1814).

MacEachern of Killellan, Colin: not in lordship charters, but the office of mair (*marus de feodo*) of the lordship of South Kintyre, with Killellan and other lands, were in 1499 stated to have been held by Colin hereditarily from John once lord of the Isles and were in the king's hands by reason of forfeiture (no. A59). Colin was made crown chamberlain of South Kintyre in 1507 and held his lands there for services as mair (*RSS*, i, 1549; *ER*, xii, 700-1); he had six sons legitimated in 1510 (*RSS*, i, 2125).

MacFaid, Finlay, abbot of Fearn (nos. 43, 79, 90): witness at Inverness in 1444, and at Tain in 1463; the abbot and monastery

had a grant of lands in 1467. Finlay died at Fearn on 17 March 1485 after 44 years as abbot (*Ross Chron.*, 17), and an effigy was placed in St Michael's aisle (*NSA, Ross and Cromarty*, 441n). The lands of Invereathie were granted to 'Finlay Ford', probably Faid, in 1470 (no.99).

MacGillandris, Bean (otherwise Bean Johannis Andree): does not appear in charters, but described as chaplain and secretary to Donald, lord of the Isles, and nobly born, when in 1389 as rector of Kilmonivaig he had papal provision to the deanery of Argyll on petition by Donald (*Clement VII Letters*, 143; *CPP*, i, 573), confirmed in 1393 on petition of Robert III on behalf of Bean, described as the king's chaplain (*Clement VII Letters*, 192-3); bishop of Argyll, 17 September 1397, still in office 1411, successor appointed 31 January 1419/20 (*Watt, Med. Fasti*, 27; *HP*, iv, 162-5; *Benedict XIII Letters*, 243).

MacGillebrede, John (no.104): witness at Dingwall in 1475.

MacGillebrede, Neil, archdeacon of the Isles (nos.111, 115): witness at Islay in 1476 and 1479. He is the only holder of this office recorded between 1472 and 1501, including a vacancy in the bishopric 1480-87 (*Watt, Med. Fasti*, 204, 211).

McGilleoin, *Makgillane*, etc.: see MacLean.

MacGillespic, Dougal (no.115): witness at Islay in 1479. Perhaps the same as Dougald McGillaspik, one of those appointed to give sasine of lands in Islay to John MacIlan of Ardnamurchan in 1499 (*Steer and Bannerman, Sculpture*, 123).

Machesse (?), Donald (no.120): witness at Islay in 1486. Surname, printed as Mackessie in *Aberdeen-Banff Coll.*, 458, not otherwise known (see Black, *Surnames*, 527), but this witness list is imperfect.

MacIlan of Ardnamurchan, Alexander (nos.62-4, 89, 96, 113, ?120): son of John, who is on record in 1420 (no.20) and 1433 (no.B15), but Alexander had evidently succeeded by 1456, when he is named as a pledge for Malcolm Mackintosh; witness at Ayremore in 1467, Aros 1469, and Edinburgh 1478, and he or his son John at Islay 1486; also appears in 1443 as son of John Alexandri de Ardnamurchan (no.B33; app. D. table 1a/2); dead by 1 August 1492 (see John below).

MacIlan of Ardnamurchan, John (nos.?80, ?120, 123): son of

Alexander above, witness at Oronsay 1492, and he or his father at Islay in 1486; might also be John Alexandri de Insulis, witness at Dingwall 1463; bailie of lands and island of Islay for John, lord of the Isles, before forfeiture in 1493; received crown charters in 1494, 1499, 1505 and 1506 (nos. A45, A57, A58, A63, A64); killed c. 1518 (see app. D, table 1a/3).

Mackay of Strathnaver, Angus Dubh (no. 19): said to have opposed Donald of the Isles at Dingwall in 1411 (*Sutherland Earldom*, 63); married his sister Elizabeth; had charter of Strathhalladale and Ferincoskry in 1415 to him and their son Neil; one of the chiefs taken at Inverness by James I in 1428, died 1433 (*SP*, vii, 159-60).

Mackay, Brian, vicar (no. 16): granted lands in Islay by Donald's Gaelic charter of 1408. Brian was probably connected with the Rhinns family, but in what degree has not been established (Lamont, 'Islay Charter', 167-70); for words denoting ecclesiastical rank placed between the forename and surname in Gaelic context, see Steer and Bannerman, *Sculpture*, 88).

Mackay, Hugh (no. 16): witness to Gaelic charter of Islay lands in 1408. One of the principal Islay families were the Mackays of the Rhinns, whose representative was said to have been a member of the Council of the Isles (*HP*, i, 24). Gaelic Aodh or Aed is latinised Odo, English Hugh, and Mackays of that name are recorded as parson of Kilchoman in 1393, and as holding land in Islay in 1506 (Steer and Bannerman, *Sculpture*, 125).

Mackays of Ugadale: members of this family do not appear as charter witnesses, but in 1542 the office of *coronator* of North Kintyre and the lands of Arnicle and Ugadale were stated to have been held by Ewir M^cCay More (Ivor Mackay *mor*) and his predecessors of the lord of the Isles beyond the memory of man (no. A72, and cf. *ER*, xii, 702, 706); an earlier Ivor Mackay had a charter from Robert I (*RMS*, i, app. i, no. 99; Steer and Bannerman, *Sculpture*, 156-7).

MacKenzie of Kintail, Alexander (nos. 281, 100): witness at Dingwall in 1471; said to have had a charter from earl John in 1464, and a crown charter of some of his forfeited lands in September 1477 for help in securing the earldom of Ross for the king (*SP*, vii, 497); probably succeeded by son Kenneth by 1480

(*RMS*, ii, 1451). It has been suggested that Murchardus Revach armiger, witness at Dingwall in 1439 (no.27) may also have been a MacKenzie (Matheson, 'Mackenzies', 210).

MacKenzie of Kintail, Kenneth (no.126): son of Alexander, said in 1486 to have had a charter of lands in Strathconan from the 'late earl of Ross'; opposed the MacDonalds at battle of Park c.1491 (*HP*, ii, 21-22; Macfarlane, *Gen. Coll.*, i, 60, 208; Fraser, *Cromartie*, ii, 475-7), and known as Coinneach a' Bhlair; died 7 February 1491/2 (tomb in Beaully Priory). Papal dispensation for marriage of Kennacius Alexandri Kennaci and Finvola daughter of Celestine de Insulis, granted 13 September 1465 (B42) may explain Mackenzie tradition that he married a daughter or sister of a lord of the Isles, as this Finvola would be sister of Alexander of Lochalsh (see app. D, table 6/10).

MacKinnon, John, abbot of Iona from 1467 (nos.119, 123): son of Lachlan below; the abbey was granted lands in Mull in 1485, and John was witness at Oronsay in 1492; he had been provided to the abbacy on petition by the bishop and lord of the Isles (*CPL*, xii, 581-2), despite prior papal provision of another candidate; attended parliament in July 1476 (*APS*, ii, 113, 190); with his father set up a cross on Iona in 1489, and died before 15 June 1499 (Steer and Bannerman, *Sculpture*, 110, 112; *HP*, iv, 185).

MacKinnon, Lachlan (no.17): witness without any designation at Ardtornish in 1409, one of two named before the bishop of the Isles; probably the first of two MacKinnon chiefs named Lachlan, son and grandson of Neil (Steer and Bannerman, *Sculpture*, 110, from NLS Kilbride MSS.).

MacKinnon of Mishnish, Lachlan (nos.91, 100, 128): witness at Dingwall in 1457, 1467 and probably also 1471 (as 'of Mosh-reig'; may be due to miscopying rather than a different designation); probably the second of the two chiefs named Lachlan, he was living in 1489, but his wife Margaret MacLeod of Lewis died a widow in 1503 (Steer and Bannerman, *Sculpture*, 97, 110).

Mackintosh, Duncan, captain of clan Chattan (no.88): son of Malcolm, had a charter of lands in Lochaber and the office of

bailie in 1466, and crown charters in 1476 and 1494 (nos.A23, A41).

Mackintosh, Malcolm (nos.42, 47, 62-64): son of William, he was styled captain of clan Chattan in 1442 (*Mackintosh Muniments*, no.7); one of Donald's principal leaders at Harlaw in 1411, but took the king's side in 1429 (Macfarlane, *Gen. Coll.*, i, 184-7); resuming his allegiance, he had charters of lands in Glenroy and Glenspean in 1444 and of the office of bailie or steward of Lochaber in 1447; as lord of Moy and Keppoch in Lochaber, Malcolm's right to these lands and the stewardship of Lochaber was called in question before earl John in 1456; he is styled bailie of Badenoch in 1440 (*Family of Rose*, 130-1), and held the lands of Moy in Strathdearn as well as others in Moray (*ER*, vii, 130, 135; cf. *Gen. Coll.*, i, 189); dead by 17 May 1464 (*Mackintosh Muniments*, no.7).

Mackintosh, William (no.4): during the lifetime of his father Angus, said to have received a right to the lands of Glenloy and Locharkaig from John, lord of the Isles, in 1336; this may have been through his mother, for his father's marriage in 1291 to Eva, only child and heiress of the chief of clan Chattan, is the traditional basis of the family's hereditary right to that chiefship (Macfarlane, *Gen. Coll.*, i, 166, 390; *Mackintosh Muniments*, no.549). Angus is said to have died in 1346, and William in 1368, the latter choosing to be buried in the island of Locharkaig (*Gen. Coll.*, i, 173).

MacLean, Charles: see MacLean, Tearlach.

MacLean, Colin (no.79): son of Lachlan; bailie of Mull 1463, when he was witness at Tain. Colin was an unusual MacLean name, as was Malcolm for which *Colinus* might be a latinisation (Steer and Bannerman, *Sculpture*, 152), but there is a papal dispensation for marriage of Colin son of Lachlan MacLean and Mor daughter of Paul in 1456 (*ASPA*, 6, 218v.). For office of bailie see Introduction, pp.li-lii.

MacLean of Ardgour, Donald (no.87): son of Lachlan; witness with father Lachlan Bronnach of Duart at Dingwall in 1466. Donald was the first MacLean of Ardgour, which he is said to have acquired by force with consent of his father and of the lord of the Isles (Macfarlane, *Gen. Coll.*, i, 126, and *Geog. Coll.*, ii,

164; Sleat seanachie, in *HP*, i, 27); probably dead by Nov. 1472 (see Ewen below).

MacLean of Ardgour, Ewen (nos. 78, 80, 91, 100, 102, 115): son of Donald son of Lachlan; witness at Dingwall twice in 1463, and again in 1467 and 1471 (with surname added); he was steward of the household in 1463, an office hereditary in the Duart family, which had passed to Lachlan younger of Duart by 1467 (nos. 89, 91); having presumably succeeded his father, witness as Ewen of Ardgour at Inverlochy in 1472 and Islay in 1479.

MacLean of Duart, Hector (no. 17): son of Lachlan, and nephew of Donald lord of the Isles; does not appear as a charter witness, but he was granted constabulary of Cairn na Burgh More castle by uncle at Ardtornish in 1409, with land in Coll instead of meal and cheese wont to be given yearly to constable by people of Tiree (*OPS*, ii, 322); with two servants had safeconduct from Henry IV to visit King James in England in 1407 (*Cal. Docs. Scot.*, iv, no. 698); called by MacLean genealogists *Eachuinn Ruadh na'n Cath* or *Hector rufus bellicosus* (Macfarlane, *Gen. Coll.*, i, 126; Seneachie, *Clan Maclean*, 10), he was killed at Harlaw in 1411, where he is said to have been Donald's second-in-command or lieutenant-general (Major, *History of Great Britain*, book vi, chap. x, 'campiductor'; *Chron. Bower*, book xv, chap. xxi, 'armidoctor').

MacLean of Duart, Hector (no. 121): son of Lachlan Og; does not appear as a charter witness; said to have commanded the lord of the Isles' forces at Bloody Bay (Macfarlane, *Gen. Coll.*, i, 127), and may be the Hector MacLean who received charter of lands of Lethir Baile Neil from Angus master of the Isles, in 1488; had crown confirmation of predecessors' 1390 and 1409 charters in 1495 (no. A46) but in 1496 resigned his lands subject to liferent which were erected into the barony of Duart in favour of his natural son Lachlan (no. A50) (perhaps the bailie of south part of Tiree recorded in 1492, no. 123), who was legitimated (*RSS*, i, 68). Hector then disappears from record, and is said to have been killed at Flodden (*Gen. Coll.* i, 127; A. M. Sinclair, *Clan Gillean*, 68, 69); but it has been argued that he was dead by 1500 (MacLean, *Clan MacLean*, 60ff), and Lachlan is on record as chief from 1499 onwards (*RSS*, i,

487, etc.), although he had difficulty in obtaining entry to his lands owing to destruction of charters (no.A73).

MacLean, Hector (nos.29, 34, 73); son of Tearlach below; witness at Inverness or vicinity in 1439 and 1440, and at Ardtornish 1461, his name appearing in both Gaelic and Latin forms as Aychyn Carlichson and Hector Tarleti or Torleti; he seems to be the Hector of Kilmalew whose son Eugenius or Ewen had crown charter of lands in Morvern formerly held of the lord of the Isles in 1509 (no.A67), which included Kingairloch under its earlier name Skenloghe (Steer and Bannerman, *Sculpture*, 130); he has also been identified with '*Hector Tarlachson senescallus de Urchard*' named in the resignation by John Rose of Kilravock of lands into the hands of Alexander, earl of Ross, in 1440 (*Family of Rose*, 130-1).

MacLean of Lochbuie, Hector (nos.104, 111, 113): son of John below; witness at Islay 1476 and at Edinburgh 1478; with consent of earl John and his council, entered into contract with John Ross of Balnagown at Dingwall in 1475 for marriage of Hector's daughter and John's grandson.

MacLean of Lochbuie, John (nos.21, 42, 51, 73, 76, 96): son of Murdoch; witness at Finlaggan (no territorial designation) in 1427, at Inverness ('of Kinlochbuie') 1444 and ('of Fishnish') 1449, and at Dingwall and Aros ('of Lochbuie') 1463 and 1469; Fishnish across the Sound of Mull from Lochaline was held by MacLeans of Lochbuie from the lord of the Isles and thereafter from the crown (no.A42); John had a charter of lands in Lochaber in 1461; he was probably dead by February 1474/5 (see son Hector above).

MacLean of Coll, John (nos.42, 51, 54, 96): son of Lachlan; witness at Inverness in 1444 and 1449, sat in earl's council at Dingwall in 1450, and witness at Aros in 1469; on all these occasions Lachlan Bronnach of Duart (see below) was also witness, and in 1469 his son Lachlan as well; John is usually said to be son of the former, and elder half-brother of the latter (e.g. Macfarlane, *Gen. Coll.*, i, 126); but a different though still close relationship has been suggested (N. Maclean-Bristol in SWHIHR, *Notes and Queries*, xiii, 3-11). As well as Coll, John had lands in NW Mull and Rum, said to have been granted in

the reign of James II (nos.A70, A71); for Lochaber lands see no.73 comment.

MacLean, John (no.80): son of Hector; witness at Dingwall 1463, with no territorial designation to help to identify him.

MacLean of Lochbuie, John (nos.119, 123): son of Hector (Douglas, *Baronage*, 369-70); lent his seal to Angus, master of the Isles, 1485; had a charter from John, lord of the Isles, and Alexander of Lochalsh in 1492 of the bailiary of south half of Tiree, and three crown charters after the forfeiture including that office and the bailiary of Morvern (nos.A42, A43, A44); was involved in the post-forfeiture risings (Gregory, *History*, 99).

MacLean of Duart, Lachlan (nos.11, 12, 13): founder of the family, known as Lachlan Lubanach (the wily), 'got from McDonald the greatest estate and the most honourable alliance' (Macfarlane, *Gen. Coll.*, i, 123); married Mary, daughter of John, lord of the Isles, papal dispensation 13 May 1367 (no.B26); does not appear as charter witness, but in three charters granted by his brother-in-law Donald at Ardtornish in 1390 he received the office of constable of Duart castle in Mull, and a half share of that of Dun Chonnuill and Dunkerd in the Garvellach Isles, with other rights granted by Donald's father; constabulary of Cairn na Burgh More and Beg in the Treshnish Isles, and the office of 'fragramannach and armannach' in Iona; and the offices of bailie of all Donald's lands of Tiree, and the stewardship of his household ('*officium senescallatus nostre domus*'); for the keeping of castles he received lands in the neighbourhood of each, along with unspecified rights and liberties pertaining to the offices.

MacLean of Duart, Lachlan (nos.19, 21, 29, 34, 42, 51, 54, 64, 73, 76, 78, 80, 87, 89, 91, 96): known as Lachlan Bronnach (bigbellied), son of Hector, on whose death at Harlaw in 1411 he succeeded (Macfarlane, *Gen. Coll.*, i, 126); head of his clan for 60 years, one of the chief councillors of the lords of the Isles; witness at Isle Arkaig (with no territorial designation) in 1415, at Finlaggan 1427, at Inverness and vicinity 1439, 1440, 1444 and 1449 (at Nairn in 1436 he witnessed an agreement between the bailies and community, and Donald thane of Cawdor, *Cawdor*

Book, 13); sat in earl's council at Dingwall 1450; witness at Cara with son Lachlan 1456, at Ardtornish 1461, at Dingwall three times in 1463 and (with no designation, see also Jonata Stewart his wife) in 1466, at Ayremore and Dingwall 1467, and at Aros 1469. Lachlan had confirmation from James I in 1431 of charters granted to Hector in 1409 and to his grandfather Lachlan in 1390 (no.A11); said to have been one of the leading Islesmen who invaded Lennox in 1439 and caused the death of Sir John Colquhoun of Luss (*Asloan MS.*, i, 216; Pitscottie, *Historie*, i, 29). Date of death unknown, but after Nov. 1472, when his son Lachlan 'master of Duart' witnessed without him, and probably before August 1476, when the name Roland of Duart makes its first appearance (see below).

MacLean of Duart, Lachlan or Roland (nos.63, 64, 78, 89, 91, 96, 100, 102, 111, 113, 115, 120): son of Lachlan Bronnach above; known as Lachlan Og (Macfarlane, *Gen. Coll.*, i, 127); witness as father's son and heir at Cara in 1456; at Dingwall 1463, at Ayremore and Dingwall 1467, and at Aros 1469, all with father; at Dingwall 1471 and Inverlochy 1472, both without father; called 'master of Duart' 1467, 1469 and 1472, and '*senescallus domus nostre*' 1467 and 1471. Having apparently succeeded his father, witness as Roland (sometimes used as a Latin equivalent for Lachlan) of Duart at Islay in 1476, as Lachlan at Edinburgh 1478, as Rolland at Islay 1479, perhaps again as Lachlan (no territorial designation) at Islay 1486, but son Hector (see above) had command at Bloody Bay; Lachlan married Catherine Campbell, daughter of Colin, first earl of Argyll.

MacLean, Tearlach (nos.21, 29, 34, 73): son of Farquhar; witness at Finlaggan in 1427 in charter to his sister's son Gilleonan MacNeill of Barra, at Inverness or vicinity in 1439 and 1440, and at Ardtornish 1461, being named variously Terletus Ferchardi Makgilleoin, Carlich Makkerchyre, Tarletus M^cErthir, and Torlet Ferchardi of Carna; that he was progenitor of the MacEachans or MacLeans of Kingairloch (a designation not recorded until 1545) appears from a grave-slab at Keil church, Lochaline, in memory of Terletus of Carna and his sons (Steer and Bannerman, *Sculpture*, 129-31).

MacLeod of Dunvegan/Glenelg, John (nos.20, 23, 29, 34, 47, 50,

?55, 63, 64, 76): present at Rosemarkie in 1420, witness probably (though undesignated) at Dingwall 1437, at Inverness or vicinity 1429, 1440 and undated 1436 × 1449, at Dingwall 1447, and at Cara 1456; he may also be the John MacLeod at Dingwall inquest 1450. Styled 'of Dunvegan' in 1439 and 1440, 'of Glenelg' in 1420, 1447 and 1456, and 'of Dunvegan' again in 1463; known in MacLeod tradition as Iain Borb (fierce, turbulent); fought at Harlaw in 1411 and probably Inverlochry 1429. He appears to have died between 1463 and 1469 and not in 1442 as stated by tradition.

MacLeod of Minginish, Malcolm (nos.63, 64): witness at Cara along with John of Dunvegan in 1456. Minginish in Skye was held by the MacLeods of the lord of the Isles (see no.A51; Steer and Bannerman, *Sculpture*, 99-100), but Malcolm's place in the genealogy is unknown (Grant, *MacLeods*, 68).

MacLeod, Neil (nos.37, 40, 42, 50): witness at Inverness in 1442, at Dingwall in 1443 and Inverness 1444, and at Kessock undated 1436 × 1449; described in the last as 'our steward', and always placed near the end of the witness list.

MacLeod of Lewis, Roderick (no.19): as lord of Lewis had papal indult for a portable altar in 1405 (*Benedict XIII Letters*, 139); probably one of two undesignated witnesses at Isle Arkaig in 1415. One genealogy states that he married Margaret, daughter of (unnamed) lord of the Isles (Douglas, *Baronage*, 384).

MacLeod of Lewis, Roderick (nos.85, 96, 113, 123): son of Torquil below, acknowledged as heir to lands of Lewis and Waternish in 1464; witness at Aros in 1469, at Edinburgh 1478, and at Oronsay 1492; witnessed a crown charter at Edinburgh to Archibald, earl of Argyll (*RMS*, ii, 2221), whose sister was Roderick's daughter-in-law. He was apparently living in 1496 (Matheson, 'MacLeods of Lewis', 330), but dead by 28 June 1498 (no.A52).

MacLeod, Roderick, son of Alexander (no.122): witness at Oronsay in 1492. Might be expected to be Roderick of Lewis who witnessed at Colonsay three days later (no.123, and see above), but that Roderick's father was Torquil (Matheson, 'MacLeods of Lewis', 323, 330), and the name Alexander does not appear in the Lewis genealogy; Vatican documents show,

however, that John MacLeod of Glenelg had a son Alexander of marriageable age in 1443 (no.B34); a Roderick MacLeod had dispensation in 1465 to marry a daughter of Celestine de Insulis (no.B41).

MacLeod of Lewis, Torquil (nos.22, 26, 34, 47, 50, 62-64, 73, 76): said to have had charter of Lewis and Waternish in 1433; witness at Inverness and vicinity in 1437, 1440, and undated 1436 × 1449, and at Dingwall in 1447; named as a pledge for Malcolm Mackintosh in 1456, witness at Ardtornish in 1461 and Dingwall in 1463, and probably dead by 3 November 1464.

MacLeod of Lewis, Torquil: son of Roderick above; married a sister of Archibald, earl of Argyll, and had a crown charter in 1498 (no.A52); he was Donald Dubh's chief supporter in 1502-1506, and his lands were forfeited for rebellion (*APS*, ii, 263-4; *RSS*, i, 792, 1662), but restored to his brother Malcolm in 1511 (no.A69).

MacLeod of Dunvegan/Glenelg, William (nos.96, 113): son of John, witness at Aros in 1469 and Edinburgh 1478, in both styled 'of Glenelg'. Crown charter of 1498 describes his son Alexander as heir of the late 'Willelmus Johannis Makloidsoun de Dunvegane' (no.A51).

MacMartin: see Martini.

MacMhuirich: see MacVurich.

MacMillan, Alexander: not named in charters, but an unconfirmed tradition says he married a daughter of Hector MacNeill (see below) and succeeded him as constable of Castle Sween (*NSA Argyle*, 637-8; *MacMillan, The MacMillans*, 35-36; nos.102, A35 show that this could only have been between 1472 and 1481). The chief was said to be a member of the lord of the Isles' council, and Lachlan MacMillan to have fallen at Harlaw (*HP*, i, 24; *Clanranald Book*, 213); the MacMillans had lands in Knapdale, and Alexander raised a sculptured cross at Kilmory (Steer and Bannerman, *Sculpture*, 151-2). If their lands were lost in supporting the lords of the Isles, as has been suggested, it may have been for holding Castle Sween against the king after the forfeiture of 1475 (Steer and Bannerman, *Sculpture*, 152).

MacMurchie, David, archdeacon of Argyll: chaplain and secre-

tary to Donald, lord of the Isles, in 1389, when as vicar of the church of Lismore he was provided by the pope on petition by Donald to the archdeaconry of Argyll (no.B2); still archdeacon in 1391 (*Clement VII Letters*, 169). The surname is associated with Knapdale and Kintyre in the fifteenth century.

MacNeill of Gigha, Colinus: see Malcolm below.

MacNeill of Barra, Gilleonan (no.21): son of Roderick, had charter of Barra in 1427, which was confirmed by the crown to his grandson Gilleonan in 1495 (no.A49). The first Gilleonan was killed in a dispute with MacLean of Coll, and later chiefs were involved in the risings in favour of post-forfeiture claimants to the lordship of the Isles (Gregory, *History*, 79, 99, 170).

MacNeill of Gigha, Hector (nos.78, 102): son of Torquil, witness at Dingwall in 1463, and as constable of Castle Sween at Inverlochry in 1472; Torquil and Neill (see below) were presumably his father and brother.

MacNeill of Gigha, Malcolm (nos.113, 122, 123): witness at Edinburgh in 1478, and as Colinus (= Gille-Coluim, Steer and Bannerman, *Sculpture*, 147, 152-3) at Colonsay and Oronsay in 1492. An action by Archibald, earl of Argyll, against Gil-lecallum M^cNele of Geay before the Lords of Council is on record in 1494, and he must have died soon after (*ADC*, i, 327; *RMS*, iv, 800). Malcolm's son Torquil, commemorated on a grave-slab at Keills in Knapdale, was described as 'cheif and principle of the clan and surname of Maknelis' in 1531 (*RSS*, ii, 790; see Steer and Bannerman, *Sculpture*, 147-8 for discussion of a puzzling succession; also Campbell 'MacNeill Inventory', 122, 123).

MacNeill of Gigha, Neil (no.60): son of Torquil, had lands in Gigha and office of constable of Castle Sween confirmed to him in 1455; probably dead by 1472 (see Hector above), still a young man according to a contemporary lament (*Book of the Dean of Lismore*, 60-64; Steer and Bannerman, *Sculpture*, 147). There was also a Neil MacNeill who was accused in 1478 of 'stuffing' Castle Sween in aid of the lord of the Isles (*APS*, ii, 115).

MacNeill, Roderick (no.17): witness without designation at

Ardtornish in 1409, one of two named before the bishop of the Isles; presumably son of Murdoch and father of Gilleonan, who had a charter of Barra in 1427.

MacNeill of Gigha, Torquil (no.33): received island of Gigha and lands in north Knapdale, with keeping of Castle Sween and office of toiseachdeor of Knapdale in 1440. He is the first of the Gigha and Taynish family on record; Neil and Hector (see above) were presumably his sons.

McOhanak, Duncan (no.62): witness at Finlaggan in 1456, but not at Cara for associated documents in the same week (nos.63, 64); perhaps one of family of McIlischenoch harpers mentioned in later Kintyre crown rentals.

MacQuarrie of Ulva, Dunslaff (no.120): probably the witness named Makvirre at Islay in 1486, and son of John (Gregory, *History*, 81), but omitted by family genealogists or else called Donald (Douglas, *Baronage*, 508); appears constantly, under various forms of his Gaelic forename Donnsluibhe, in proceedings against those involved in the post-forfeiture risings in the lordship up to 1531 (*APS*, ii, 248, 255-9, 334-4; *ADCP*, 80, 88, and *SRO*, CS5/xx/237; *RSS*, i, 2878). His son John was one of Donald Dubh's councillors in 1545 (*Henry VIII Letters*, xx (1), no.1298, and (2) no.42).

MacQuarrie of Ulva, John (nos.78, 79): witness at Dingwall and Tain on the same day in 1463; he died c.1473 (*RMS*, iv, 801), and no other MacQuarrie chief is recorded until Dunslaff (see above). MacQuarrie has been identified as 'Mcnaie' who sat on the council of the Isles (Prof. Angus Matheson in *SHR*, xlii, 50).

MacRanald, Angus, son of Angus: see above under De Insulis, etc.

MacSorlie (Somerledi), Somerled, son of John (no.61): had grant of Glen Nevis and office of toiseachdeor in 1456; apparently died c.1495, and lands were in the king's hands in 1536 through non-entry since the death of 'Sorill McKane' (*RSS*, ii, 2079; *TA*, vi, 272); family came under the leadership of Lochiel and took the surname of Cameron (see no.61 comment, and Stewart, *Camerons*, 177-8).

MacVurich (MacMhuirich), Lachlan, chief poet (no.119): wit-

ness to the only surviving charter by Angus, master of the Isles, in 1485; said to have been in Angus's company at Inverness on the eve of his murder (*HP*, i, 45, 52). An alliterative prose-poem on the army of John, lord of the Isles, is thought to belong to the 1480s (*Clanranald Book*, ii, 259-65; Thomson, 'The MacMhuirichs').

Malcolm (surname unknown), rector of Kilcolmkill in Mull (no.17): witness at Ardtornish in 1409, bachelor of decreets. This parish, later called Kilmore, which had its church at Dervaig in north Mull (*Argyll Inv.*, iii, 144), was one of three annexed to Iona by 1421, when the lord of the Isles petitioned that the perpetual vicarage also be annexed on the death of the incumbent (no.B7).

Martini (?*MacMartin*), Angus and Duncan (no.122): witnesses at Colonsay in 1492 to charter by Celestine of Lochalsh to Alan, captain of clan Cameron. MacMartins of Letterfinlay beside Loch Lochy were associated with the Camerons, and there was a Duncan in this family in 1513 (C. Fraser-Mackintosh in *TGSI*, xvii, 37; Stewart, *Camerons*, 175).

Masson, Robert (no.87): witness at Dingwall in 1466. Not otherwise known.

Michael (surname unknown), bishop of the Isles (no.17): witness at Ardtornish in 1409; doctor in the sacred college. Translated from archbishopric of Cashel in Ireland in 1387 on deprivation of predecessor following the Great Schism (*Clement VII Letters*, 130; Watt, *Med. Fasti*, 202-3).

Montgomerie, Alexander, lord of Ardrossan (no.64): witness at Cara in 1456. Appointed the crown's joint custodian of Kintyre and Knapdale with brother-in-law Sir Robert Cunningham of Kilmaurs, and of Castles Sween and Skipness, 1430 (*RMS*, ii, 163); keeper of Brodick castle between 1442 and 1444, with lands in Arran (*ER*, v, 163; *RMS*, ii, 563); ancestor of the earls of Eglinton, created lord of parliament by 1445 (*APS*, ii, 59; *SP*, iii, 431-2). He was with the king at Inverness in October 1457 (Fraser, *Cromartie*, ii, 329), and was at Perth with Argyll and others on the way to meet earl John in 1463 (*ER*, vii, 204). His mother was probably a daughter of John, lord of the Isles, and Margaret Stewart (see app. D, table 4/3).

Muirhead, Andrew, bishop of Glasgow: see Durisdeer.

Muir (Mure), John, vicar general of the Preaching Friars of Scotland (no.110): witness at Edinburgh in 1476. He held this office by 1469 (R. W. Cochran Patrick, *Friars Preachers of Ayr*, 52), and is named in crown grants to the order, otherwise known as the Dominican or Black Friars, in 1473 and 1474 (RMS, ii, 1125, 1164); a Scottish province was established with him as first prior provincial in 1481 (Cowan and Easson, *Religious Houses*, 114; A. Ross in *Essays on the Scottish Reformation*, ed. D. McRoberts, 191).

Munro of Foulis, George (nos.23, 26, 27, 28, 31, 34, 35, 35a, 40, 42, 46, 50, 52): frequently witness at Dingwall and Inverness or vicinity from 1437 to 1444; member of inquest at Tain in 1439, acted as bailie for earl Alexander in 1440 and 1447 (both undesignated), and for earl John in 1449. Dead by 4 August 1453 (see John below). There was also a *Hugh Munro* named in the Tain inquest 1439 (no.28).

Munro of Foulis, John (nos.55, 56, 67, 68, 71, 77, 78, 79, 91, 98, 108): heir to his father George in the lands of Foulis, etc., had sasine on precept by earl John in 1453; witness at Dingwall and Tain in 1463, and at Dingwall in 1467 and 1470; acted as bailie in 1458, 1461, 1463, 1468 and 1475, and perhaps 1450. After the forfeiture of 1475, John was crown chamberlain of the earldom of Ross (ER, viii, 592-9); he was dead by 5 June 1491, and probably died in 1490 (*Munro Writs*, 20; Macfarlane, *Gen. Coll.*, i, 37). *Hugh Munro* acted as bailie in 1453 (no.56), *Lawrence* and *Duncan* sat on 1461 inquest (no.71), and *Duncan* was bailie substitute in 1463 (no.77).

Munro, Thomas (nos.78, 79, 96): witness as 'our secretary' at Dingwall and Tain on same date in 1463, and also with added designation 'rector of Kilmanawik' (Kilmonivaig) at Aros in 1469.

Murchardus Revach: see under MacKenzie, Alexander.

Nigelli: see MacNeill.

Obrolchan, Duncan, notary public (no.62): witness at Finlaggan in 1456. A rector of Kildalton in Islay of this name matriculated in Glasgow University in 1453 (*Glasgow Univ. Munimenta*, ii, 61), and perhaps the same Duncan had been rector of Kildalton

for 14 years when in 1467 he was allowed to hold the prebendal rectory of Kilcolmkill in Kintyre (Reg. Supp., 606, 30). For the O Brolchan family as churchmen, men of learning, and workers in stone, both in Ireland and Scotland, see Steer and Bannerman, *Sculpture*, 106-7.

Obrolchan, Rogellus: not named in charters, but as secretary of Alexander, lord of the Isles and master of the earldom of Ross, and rector of the parish church of St Firmoe (?) in Argyll diocese, he was permitted in 1426 to hold the rectory of Kilcolmkill in Morvern; this parish of which the lord of the Isles was patron (no. B9; CSSR, ii, 138), had been held by Donald's son Angus (see app. D, table 5/2), bishop-elect of the Isles in 1426.

Ogilvy of Inverquharity, Alexander (no. 44): acted as bailie in 1444; nephew of the elder Sir Walter (see below); was killed at Arbroath in 1445 (Douglas, *Baronage*, 49-50).

Ogilvy, John (no. 110): procurator for John, lord of the Isles, in matrimonial case against his wife Elizabeth in 1476.

Ogilvy, Sir Walter (nos. 35, 35a): witness at Inverness in July 1440. Sir Walter of Lintrathen, ancestor of the earls of Airlie, former royal treasurer and master of the king's household (*ER*, iv, 379; *SP*, i, 111-12), through whom a payment was made to Alexander, lord of the Isles (discharge 1425/26 in *ER*, iv, 414), was dead by June 1440, when his expenses as king's secretary at the Bute conference with the lord of the Isles were recorded (*ER*, v, 84, 87); this witness may be his son Sir Walter of Deskford, ancestor of the earls of Findlater (*SP*, iv, 17).

Ogilvy of Beaufort, Walter (no. 40): had a charter of lands in Kincardine in 1443; his Kincardine lands were in ward during earl John's minority in 1450 (*ER*, iv, 393, 394); he was son of Patrick Ogilvy of Auchterhouse and great-nephew of Sir Walter of Lintrathen, and his wife was heiress of Walter Fenton of Bewford or Beaufort in the Aird (*RMS*, ii, 220).

Ostillar, Andrew, burgess of Forres (no. 53): granted Kinnudie in Nairnshire in or about March 1449/50; probably the same who had a crown charter in 1430 and was member of an inquest in 1432 (*RMS*, ii, 177; *Family of Rose*, 127).

Reid, Andrew, provost of burgh of Inverness (nos. ?37, 51):

witness at Inverness in 1449 to earl John's first charter. Probably the 'burgess and commissare of Inverness' who attended the general council of the Estates at Stirling in 1439 and witnessed the indenture between the queen and Sir Alexander Livingston (*APS*, ii, 55), earl Alexander being also there (*Asloan MS.*, i, 215), and the alderman in whose house at Inverness Lovat's bond of manrent was presented in 1442; he and his wife Marjory Grant were dead by 1452 (*Invernessiana*, 120).

Ross, bishop of: see Bullock, John; Cockburn, Henry.

chancellor of: see Lochmaloney, Thomas.

subdean of: see Dingwall, Thomas.

Ross of Balnagown, Alexander (nos.87, 104): witness as son and apparent heir of John at Dingwall in 1466, and party with him to indenture in 1475. Killed in fight at Allt a' Charrais in 1486 or 1487 (*Sutherland Earldom*, 78; *Chron. Frasers*, 115), leaving son David as heir apparent to grandfather John in 1490 (*RMS*, ii, 1978, 1981).

Ross of Balnagown, Hugh (nos.23, 27, 28): witness at Dingwall in 1437, and probably (though without designation) in 1439; sat on the Tain inquest in 1439. Dead by January 1439/40 (see John below).

Ross of Balnagown, John (nos.31, 50, 54, 55, 57, 71, 87, 104): as heir to late father Hugh, had sasine of Balnagown in 1440; witness at Kessock undated 1436 × 1449 as John of Balnagown; appeared before earl's council at Dingwall, and member of inquest under Celestine as John Ross of Rarichies (the only case where this style is used), both in 1450; had charter of lands in Strathcarron and Strathoykell in 1454; member of inquest under Celestine in 1461, and acted as bailie in 1466; with consent of earl John and his council, he and his son Alexander made a contract with Hector MacLean of Lochbuie at Dingwall in 1475 for marriage of Alexander's son David to a daughter of Hector; still living in October 1490, when David was his heir apparent.

Ross of Little Allan, William (no.87): witness at Dingwall in 1466; son of Hugh of Balnagown and uncle of Alexander, and ancestor of the Rosses of Shandwick (*Chron. Ross*, 27; Reid, *Earls of Ross*, 26); apparently a churchman, but not brother Thomas's predecessor as subdean of Ross as sometimes stated

(Reid, 9, 26; cf. Watt, *Med. Fasti*, 282); killed with nephew Alexander at Allt a' Charrais in 1486/7.

St Andrews, bishop of: see Kennedy, James.

Smith, John (no.87): witness at Dingwall in 1466. No other information.

Somerledi: see MacSorlie.

Squiar, William (no.71): witness to Celestine retour at Dingwall in 1461. No other information.

Stewart, John, lord of Lorn (nos.51, 54): witness at Inverness in 1449 to earl John's first charter, and sat in his council at Dingwall in 1450; son of Robert Stewart, lord of Lorn, by a daughter of Robert, duke of Albany, and brother of Walter first lord Innermeath, John died at Dunstaffnage 20 December 1463 (*SP*, v, 3).

Robert Stewart, named as bailie for lands in the earldom of Moray in 1473 (no.103), and *Walter Stewart*, bailie for lands in the earldom of Buchan in 1455 (no.59), are both undesignated.

Stewart, Jonata, wife of Lachlan MacLean of Duart (no.87): witness with her husband at Dingwall in 1466, the only woman to witness any known charter of the lords of the Isles. Thought to be a natural daughter of Alexander, earl of Mar (*SP*, v, 589), who opposed Donald of the Isles at Harlaw and Donald Balloch at Inverlochy, she was the wife of Lachlan Bronnach by 1458, when she had a liferent lease of half the lands of Bonach and Bannachare – among those west of Inverness annexed to the crown in 1455 and previously let to an unidentified Robert Stewart – which she retained until her death about Martinmas 1485 (*ER*, vi, 467, and preface cxliii, continuing to *ER*, ix, 390).

Strathbrock, Robert de, bishop of Caithness from 1427 (no.43): witness at Inverness in 1444; dead by 1446 (Watt, *Med. Fasti*, 60; Cameron, *Apostolic Camera*, 35).

Sutherland of Dunbeath, Alexander (nos.28, 29, 30, 43, 51, 52, 83): there has been some doubt as to his position in the family but MacEwan in 'Sutherland of Dunbeath' argues that he was second son of Robert, 6th earl of Sutherland, and that as heir presumptive of his brother John, then unmarried and a hostage in London, he was referred to as the master of Sutherland (nos.28, 43); married Mariota or Marion, daughter of Donald, lord of the Isles (see 1438 dispensation, no.B31, and app. D table

5/5); had lands of Dunbeath and Reay 1439, and Easter Kindeace 1449; member of Tain inquest 1439, and witness at Inverness 1444; appears to have died soon after making his testament dated at Roslin 15 November 1456 (*Bannatyne Misc.*, iii, 96-101; Calder, *Caithness*, 292-7) in which he named the earl of Ross 'gud lord, manteynar, supplear, and defender to my barnes executoris and assigneys, and all my kyndmen and servandis'; he left a number of illegitimate sons and two legitimate daughters. For his daughter Mariota, see nos.67, 68, 83, 91,92.

Tearlach Og (surname unknown) (nos.?71, 87): witness at Dingwall in 1466; may be the same as Terletus oge M^cRanald, who sat on inquest before Celestine at Dingwall in 1461. Tearlach appears as a forename in the MacLean of Kingairloch family, but not associated with Ranald, which is more usual in clan Donald.

Urquhart, William (nos.27, 35, 35a): witness at Dingwall in 1439 and at Inverness 1440, probably one of the Urquharts of Cromarty, a family of which *Walter*, parson of Kiltearn, who received lands in the burgh of Cromarty in 1440 (no.32) was also a member. Urquharts had been sheriffs of Cromarty since 1358 (*Macfarlane, Gen. Coll.*, ii, 374, 377; *RRS*, vi, no.202): of these were *John* in 1420 (no.20), and at least two *Williams*, the second having been served heir to his father Sir *William* in 1449 (*Gen. Coll.*, ii, 358), had sasine of Inchrory, etc., 1472 (no.101), and died 8 Sep. 1475 (*Gen. Coll.*, ii, 360; *Fraser, Cromartie*, ii, 449); his son *Alexander* succeeded an elder brother *William* in lands in earldom of Ross 1475 (no.108), and was heir to father's barony and sheriffship 18 Nov. 1475 (*Gen. Coll.*, and *Cromartie* as before).

Vass of Lochslin, John (no.128): witness at Dingwall in charter to Robert lord Fleming in 1457, and was procurator for lord Fleming a month earlier (comment on no.128). John, who is the first of the family on record as owning Lochslin in easter Ross, was brother of Robert Vass of Barnbarroch in Wigtownshire (R. C. Reid, *Wigtownshire Charters*, 163).

Wick (*Wyke, Weik, Weke, Work*, etc.), *James* (nos.62, 72, 102, 104, 111): witness at Finlaggan in 1456 as clerk to John, earl of

Ross and lord of the Isles, at Bute 1461 as chaplain, and for Celestine at Inverlochy 1472 as rector of Kilmuir and secretary to the same John, and at Islay 1476 as his clerk and writer (*scriba*); as parson of Kilmuir witnessed indenture between MacLean of Lochbuie and Ross of Balnagown 1475. As well as being canon of Ross, prebendary of Kilmuir [Easter] and chaplain at Delny, he was by Feb. 1457/8 canon of Argyll and prebendary of Kilcolmkill (*CPL*, xi, 334); in 1464 James Weik, king's chaplain and rector of Kilmuir, was granted the lands of Castlehill in Inverness, which he resigned in 1478 (*RMS*, ii, 805, 1390). He was dead by 19 March 1486/7, being then last possessor of prebend of Kilmuir (*Reg. Supp.*, 868, 67v.).

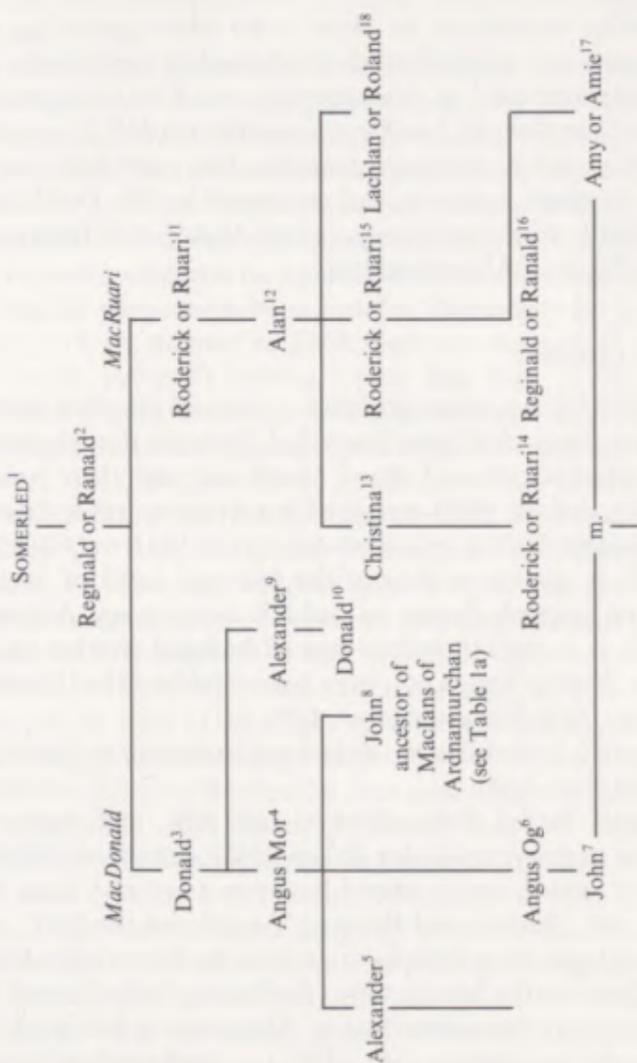
APPENDIX D

THE FAMILY OF THE ISLES AND ITS BRANCHES

Family relationships by descent and marriage are an important element in the history of the lordship of the Isles. Traditional accounts as they have come down to us, in part at least written long after the event, are often confused and contradictory, and they are sometimes obscured or oversimplified by later genealogical writings. The aim here has been to relate as far as possible the record and traditional evidence, and to make clear what kind of authority exists for each statement. Secondary sources have been cited when they explain or assess earlier material, or add something significant of their own.

Except for concise and fully referenced summaries relating to the four lords of the Isles with whom this volume is primarily concerned, and also on a lesser scale to their immediate predecessors and heirs, no attempt is made to give complete biographical and historical information. The tables and notes which follow show the relationships between these lords and the members of their family and branches during the period 1336-1493. These have been extended at the beginning to include the ancestry of the MacDonalds of Islay and the MacRuairis of Garmoran, which were united by the marriage of the first John, lord of the Isles, and Amy MacRuairi, and the likely origin of the Maclans of Ardnamurchan, and at the end to take in Donald Dubh (d. 1545), and the participants in the various attempts made during his lifetime to restore the lordship.

Wherever possible contemporary sources are founded on, including the genealogies in the MS. of 1467, related when appropriate to the clan Donald chronicles in the MacVurichs' *Book of Clanranald* and the seventeenth-century Sleat family seanachie Hugh MacDonald's 'history', and a few entries in the Irish annals. Significant dates are included, even although not always exact or reliable, and also the recorded designations (usually phonetic forms adopted by Lowland scribes) which often help towards recognition of individuals and by their

Table 1: *Descent from Somerled* (see also numbered notes on pp.280-4)

(see Table 2)

patronymical forms make correct placing in the genealogies possible.

Further references to those who also appear as charter witnesses, etc., will be found as indicated in appendix C. Special abbreviations used in this appendix are: C = *Clanranald Book*; CD = *Clan Donald*; S = Sleaf seanachie (in *HP*, i, 5-72); S and B = Steer and Bannerman, *Sculpture*. For '1467 MS.' see Skene, *Celtic Scotland*, app. viii, and comment by W. D. H. Sellar in *SWHIHR, Notes and Queries*, xxviii (1986). Full titles are given in the Table of Abbreviations.

Table 1 (notes).

1. This table is not comprehensive. It is not intended to show all the lines descended from Somerled, but only the relationship of John MacDonald and Amy MacRuari and their immediate families, and the likely origin of the Ardnamurchan line.
2. *Reginald*. Called 'mic Somairli' (1467 MS.) or 'filius Sorleti' (*RMS*, ii, 3170); as king of the Isles and Lord of Argyll and Kintyre granted charter to Saddell abbey *temp.* Alexander III (*RMS*, ii, 3170(1)), and as lord of Inchgall another to Paisley abbey (*Paisley Reg.*, 125); may have died by 1192 (Duncan and Brown, 'Argyll and the Isles', 198n.).
3. *Donald*. Styled *dominus de Incheval* in charter to Paisley abbey (*Paisley Reg.*, 126).
4. *Angus*. Styled Angus Mor in 1467 MS., and Angus son of Donald in grant to Paisley abbey of the church of Kilkerran in Kintyre which can be dated between 1241 and 1249 (*Paisley Reg.*, 128; Duncan and Brown, 'Argyll and the Isles', 200n.); holding lands from both kings, joined the Norwegian Haakon's expedition to the Isles in 1263 (Anderson, *Early Sources*, ii, 617-18, 625, 649), but submitted to Alexander III and gave his son Alexander as hostage 1264 (*ER*, i, 5, and preface lxiii; *Early Sources*, ii, 617-19, 649; *APS*, i, 109); one of the magnates who recognised the Maid of Norway as heir to Alexander III in 1284 (*APS*, i, 424); styled 'Engus de Yle filius Domnaldi' on his seal, and 'Angus fitz Dovenald des Isles' in document of 7 July 1292 (*Paisley Reg.*, 127; *Cal. Docs. Scot.*, ii, no.622); said to have died

in Islay and buried in Iona (C, 159; S, 14; S, 17), probably by 1294 or 1295 and perhaps earlier (Duncan and Brown, 197, table 1, says 1292).

5. *Alexander*. First appears as a child hostage in 1264 (see previous note), and later as legitimate son with his father at Turnberry 20 Sep. 1286 (Stevenson, *Documents*, i, 22, no.12); as *Alexander de Hyle filius et heres domini Engusii filii Dovenaldi domini de Hyle*, made grants in Kintyre between 1286/94 (*Paisley Reg.*, 128-9); his seal on a document of 1292 is inscribed 'S Alexandri de Isle', in correspondence he styles himself Alexander de Insulis but in English documents he is usually 'Alexander de Insula' (PRO, SC 1/18/47, printed in *SHR*, vol. 50, 16-17; *Cal. Docs. Scot.*, ii, 235-6; Rymer's *Foedera*, i, 761; *Rot. Scot.*, i, 216; *Cal. Patent Rolls (Edward I)*, iii, 52, 200, and comment in S and B, 126). Alexander married Juliana MacDougall of Lorn (by 1295, *Rot. Scot.*, i, 21; *Cal. Docs. Scot.*, ii, 236), and had several sons from whom some of the Irish galloglass leaders were descended (A. McKerral, 'West Highland Mercenaries in Ireland', in *SHR*, xxx, 8). The date of Alexander's death has not been ascertained; a lost charter of Robert I granting lands in Mull, Tiree, etc. to Alexander de Insula (*RMS*, i, app. 2, no.653) suggests that he lived into Bruce's effective reign, and his death has been put in 1308 (*CD*, i, 90) or after 1309 (Duncan and Brown, 'Argyll and the Isles', table 1); but he may be the Alexander MacDomnaill killed by Alexander MacDubghaill in 1295 or 1299 (*AU*, 1295; *Annals of Loch Cé*, 1299), or 'Ri Innse Gall' who fell with Edward Bruce at Dundalk in 1318 (*AU*, ii, 433); cf. note 15 below and Lamont 'Alexander of Islay'.

6. *Angus*. Legitimate son by a daughter of Sir Colin Campbell of Lochawe (S, 17, unrecorded in Campbell genealogies), succeeded his brother Alexander, and also probably Donald; mentioned in 1297 as acting under Alexander against the MacDougalls and MacRuaris (Stevenson, *Documents*, ii, 189-191), styled Engus de Yle in letter to Edward I (*ibid.*, ii, 436, usually dated 1301 but possibly 1310, SWHIHR, *Notes and Queries*, xxiv, 1-7); as Angus of Ile or Ylis figures in Barbour's *Brus*, first as lord of Kintyre in 1306 and later at Bannockburn (STS edn. 1894, ed. Skeat, book iii, line 659; book ix, line 336);

among lost charters of Robert I are three to Angus de Ile or Iley of lands of Lochaber, Ardnamurchan, Morvern, Duror and Glencoe (*RMS*, i, app. 2, nos. 56-58), in addition to charter to Alexander (see note 5). Angus married Aine Ni Cathan, daughter of Cu-maige na nGal O Cathan, chief of an important Irish kindred in the neighbourhood of Derry (*C*, 158, S, 20 calls her Margaret, MS. quoted in *CD*, i, 570; S and B, 107, 203); he died c. 1330, at least before 12 Sep. 1336 (see son John below). His widow, as Agnes mother of John de Insulis, had an English safe-conduct to travel between Scotland and Ireland at will in 1338 (*Rot. Scot.*, i, 534); she appears to have married Muirheartach O'Neill Buidhe, chief of Clannaboy in Ulster (S, 20; cf. Hill, *Macdonnells of Antrim*, 17; T. Mathews, *The O'Neills of Ulster*, i, 279-80, 289). John McDonnyll, bailie of Islay in 1326, has not been identified with any certainty, but may be son of Angus Og (*APS*, i, 72, 483; *RMS*, i, app. 2, 699; *ER*, i, 52, 196-8; S and B, 203).

7. *John*, lord of the Isles (see below, p.286). His sister Mary married William, earl of Ross (dispensation 1342, see no. B23), whose mother was a sister of Robert I; another sister (?Aine) married Lachlan MacLachlan (1467 MS.; Sellar in *Scottish Studies*, xv, 31).

8. *John*. Called Sprangach, or the bold, founder of the Maclans of Ardnamurchan (1467 MS., *C*, 157), although this family is also given an earlier origin (S, 12, 16). His son Angus (1467 MS.), probably the son of John de Insulis who had a charter of Islay, etc., c. 1341 (no. A1 and comment), had dispensation for marriage of daughter Fingola to John Stewart 1343 (no. B24), and according to 1467 MS. had a son Donald. For continuation of Ardnamurchan family see table 1a.

9. *Alexander*. He and his son are named in 1467 MS.

10. *Donald*. We are indebted to Mr W. D. H. Sellar for the suggestion that, from Donald's place in 1467 MS., it was he who appears as Dovenald de Yle in an English document (*Cal. Docs. Scot.*, iv, no. 1822) as being present in king Robert's 1309 parliament at St Andrews (*APS*, i, 549; Barrow, *Bruce*, 261-5), and as a witness Dovenaldus de Insula (*Melrose Liber*, ii, no. 376). Professor Barrow suggested that Donald was an older brother

of Angus Og (*Bruce*, 231, 408), but he is not mentioned in traditional genealogies, and his existence has been questioned (Lamont, 'Alexander of Islay', 165-7).

11. *Roderick*. Styled *Rochericus Reginaldi filius domini de Kyntyre* in his charter of lands in Kintyre, probably before 1222 (*RMS*, ii, 3136(4); Duncan and Brown, 'Argyll and the Isles', 219, app. iii).

12. *Alan*. Given lands in North Isles after 1266, and added Garmoran to possessions (Gregory, *History*, 22); one of the magnates who recognised the Maid of Norway as heir to Alexander III in 1284 (*APS*, i, 424).

13. *Christina*. Perhaps the only legitimate child of Alan (*CD*, iii, 183; Barrow, *Bruce*, 241); married Duncan, son of Donald, earl of Mar (*Cal. Docs. Scot.*, ii, 184, 200; Barrow, *Bruce*, 241, 408), helped Bruce in the Isles 1306/7 (*Chron. Fordun*, i, 343), granted lands and chapel in Uist to Inchaffray (nos. 10, 18); as *Christiana de Marre filia quondam Allani filii Roderici*, resigned Garmoran to half-brother Roderick (*RMS*, i, app. i, 9); named *filia et heres* of Alan in charter to Arthur Campbell (*HP*, i, 110; original in library of Faculty of Procurators of Glasgow).

14. *Roderick*. Named by his mother as heir if uncle Roderick had no male heir, and if he married one of uncle's daughters (*RMS*, i, app. 1, 9).

15. *Roderick*, *filius Allani*, on sister's resignation had charter of Garmoran from Robert I (*RMS*, i, app. 1, 9). 'MacRuadhri Ri Innse Gall' was killed at Dundalk in 1318 (*AU*, ii, 433), and 'Roderick of Islay' was forfeited by parliament in 1325 (*RMS*, i, app. 2, 699), but neither has been identified with certainty.

16. *Reginald*. Called the white (1467 MS.), styled *filius Roderici de Insulis*, had charter of Kintail from William, earl of Ross, 1342 (no. A4), and of Garmoran from David II in 1343 (no. A3); killed by William, earl of Ross, at Elcho 1346 (*Chron. Wyntoun*, ii, 472).

17. *Amy*. 1467 MS.; called Anna in C, 159, Algive in S, 25, incorrectly giving her descent from the MacDougalls of Lorn. She married her cousin John (dispensation 1337, no. B22), and after her brother's murder in 1346 the MacRuari lands of Garmoran were united with her husband's clan Donald lands

in Islay, Kintyre, Morvern, and Ardnamurchan to form the lordship of the Isles.

18. *Lachlan*. 1467 MS.; mentioned as troublemaker 1297 × 1306 (Stevenson, *Documents*, ii, 189, no.445; Barrow, *Bruce*, 152-3, 407-8); had a son Ranald (1467 MS.).

Table 1a: *MacIans of Ardnamurchan* (notes below)

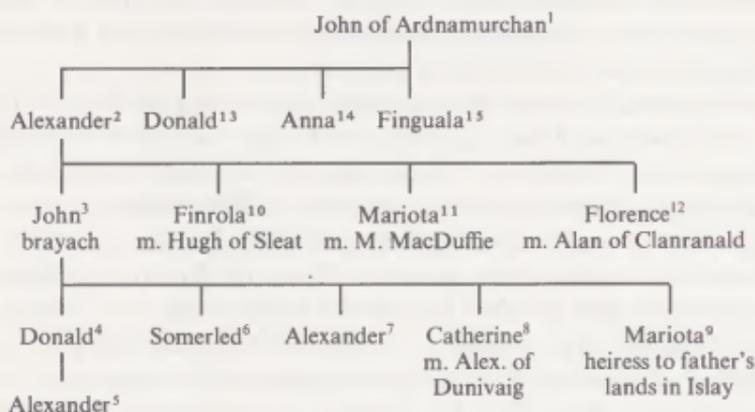


Table 1a (notes)

Descent of the MacIans of Ardnamurchan as shown in this table is based on the sources cited in Steer and Bannerman, *Sculpture*, 113. It differs from previously accepted genealogies (e.g., *Clan Donald*, iii, 210-11; D. J. Macdonald, *Clan Donald*, 181-7), but is supported by contemporary documents, beginning with a 1506 crown charter to John Makkane of Ardnamurchane (no.A64).

1. *John*. Son of Alexander son of John (no.A64), who was son or brother of Donald, son of Angus, son of John Sprangach (table 1/8; 1467 MS.); on record in 1420 (no.20) and 1433 (no.B15), and perhaps witness in 1463 (no.80).

2. *Alexander*. As son of John Alexandri of Ardnamurchan, had dispensation to marry Anna, daughter of John MacLeod of Glenelg, 1443 (no.B33); on record from 1456 to 1478, and perhaps 1486 (see app. C); dead by 1 August 1492 (no.123).

3. *John*. Called John Brayach MacEan of Ardnamurchan by Sleat seanachie (S, 60); might be John Alexandri de Insulis, witness perhaps in 1463, and 1486, certainly 1492 (nos.80, 120, 123); had crown charter of lands in Islay, Jura and Morvern between 1494 and 1506 (nos.A45, A58, A63, A64), of which the last names him heir to grandfather as above; married sister of Colin, earl of Argyll (AT, 21 June 1534); still living May 1517 (ADCP, 87-88), but dead by 18 August 1519 (RSS, i, 3048), killed at Creag an Airgid (S, 58; C, 165) with sons John and Angus (S, 58).
4. *Donald*. (RSS, iii, 2924; *Monro, Western Isles*, 94); said to be 'by Argyle's daughter' (S, 61); killed in Ireland c.1499 (S, 61-62).
5. *Alexander*. Member of Donald Dubh's council 1545 (*Henry VIII Letters*, xx(i), 1298); had respite 1548 as Alexander McDonald VcAne of Ardmowrche (RSS, iii, 2924).
6. *Somerled*. Killed with brother c.1499 (S, 61-62).
7. *Alexander*. Colin, earl of Argyll, had gift of his marriage 1519 (RSS, i, 3058); submitted to crown 1530 (ADCP, 328-9); living 21 June 1534 but dead by 11 July 1538 (AT).
8. *Catherine*. Married Alexander of Dunivaig, son of John Cathanach (table 3/6; C, 165; S, 62), and after his death wife of John McCay 1541 (*ER*, xvii, 544).
9. *Mariota*. Heiress to father's lands in Islay by 1538 (AT), recognised by crown 1550 (*RMS*, iv, 527); contracted to marry John of Moidart, captain of Clanranald, 21 June 1534 (AT), married Robert Robertson of Struan, 18 March 1538/9 (SRO, GD 1/947/3).
10. *Finvola*. Named as spouse to Hugh of Sleat (table 6/14) in his brother John's 1469 charter witnessed by her father (no.96).
11. *Mariota*. Wife of Malcolm MacDuffie of Colonsay, according to inscription on stone commemorating her brother John at Iona (S and B, 112-14, 120); Malcolm died between 1506 and 1509 (*ER*, xii, 709; xiii, 221).
12. *Florence*. Married Alan MacRuari of Clanranald (see table 2/6).
13. *Donald*. Mentioned as uncle of John Brayach and tutor to his children (S, 60).

14. *Anna*. Had dispensation to marry Alexander, son of John MacLeod of Glenelg 1443 (see no.B34); cf. note 2.
15. *Finguala*. As daughter of John Alexandri (and so provisionally placed here) had dispensation to marry unidentified Alexander Johannis de Insula 1450 (see no.B39).

I. JOHN

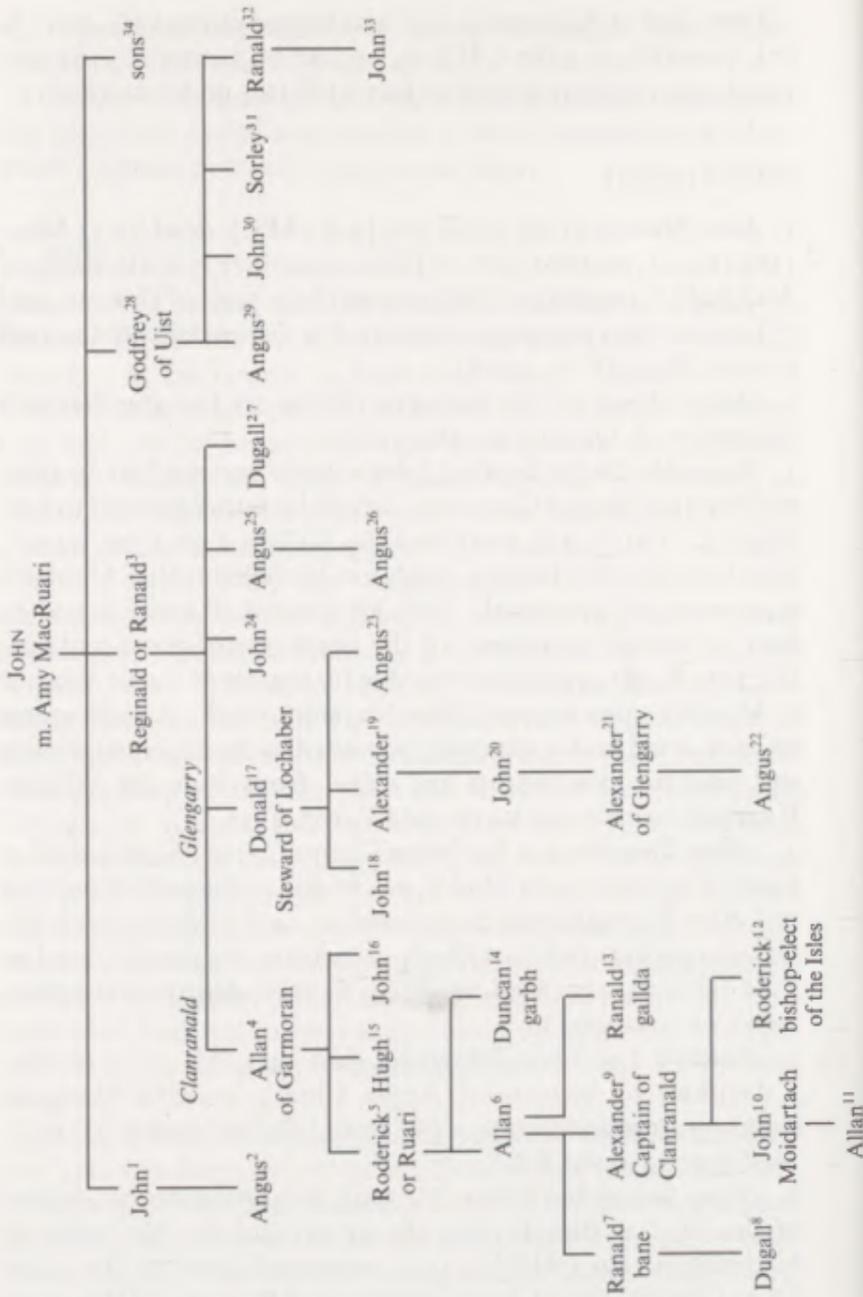
John de Yle, styling himself *Dominus Insularum* in a letter to Edward Balliol on 21 September 1336 and later documents (nos.3, 5, 6, etc.); may be John McDonnyll, *ballivus* of Islay, recorded in 1326 (*ER*, i, 52, 196-8); succeeded his father Angus Og, and on 12 September 1336 entered into an indenture between Balliol and John de Insulis ratified by Edward III (no.1). He is described as John son of the late Angus de Ile in a papal dispensation dated 4 June 1337 (no.B22) for marriage to his cousin Amy or Amie, sister of Reginald and great-granddaughter of Roderick, brother of John's great-grandfather Donald (see table 1). After her brother's murder by William, earl of Ross, in 1346, the MacRuari lands of Garmoran were united with her husband's clan Donald lands of Islay, Kintyre, Morvern and Ardnamurchan to form a consolidated lordship of the Isles. John and Amy had three sons John, Reginald or Ranald, and Godfrey (1467 MS.); John died first, and is omitted by the clan genealogists, who add as third son Angus or Marius (C, 159; S, 25; S and B, 127 note); but the main contradiction is over the seniority of Ranald and Godfrey. As no document is known proving divorce or annulment of the marriage with Amy MacRuari, the possibility that she died before her husband's remarriage cannot be ruled out (C, 158, 159; cf. S, 26; Gregory, *History*, 29; S and B, 204; *PSAS*, viii, 276).

John was married secondly, with papal dispensation dated 18 July 1350 (no.B25), where he is called John de Insulis dominus Insularum, to Margaret daughter of Robert called Senescallus (Steward), then Regent of Scotland and heir presumptive, later Robert II. By her he had sons Donald, John, Angus and Alexander.

John died at Ardtornish and was buried at Iona (C, 161; S, 27), probably in 1387 (*AU*, iii, 19; *AFM*, i, 709; C, 161 says 1380), and certainly before 14 July 1388 (see under successor).

Table 2 (notes)

1. *John*. Named as the eldest son (1467 MS.), dead by 15 Nov. 1369 (no.6); married Elen or Helen, daughter of Gilleasbuig or Archibald Campbell of Lochawe and later wife of Duncan, earl of Lennox (first marriage mentioned in dispensation for second in 1373, B27; *SP*, v, 340-1).
2. *Angus*. One of the hostages named in his grandfather's submission to David II in 1369 (no.6).
3. *Reginald*. On his brother John's death became heir to their mother's lordship of Garmoran, which his father granted to him (no.7; C, 159; S, 25), confirmed by Robert II on 1 Jan. 1372/3 (no.A7); after his father's death, on his half-brother Donald's succession and apparently with his consent, Ranald is said to have remained 'governor' of the northern coastland and isles (C, 161; S, 28), and to have died at his manor of Castle Tioram in Moidart some six years after his father (*ibid.*) Ranald seems to have acted and is generally regarded as the eldest surviving son, and his descendants are called from him the 'Sliocht Ragnaill' or race of Clanranald (C, 167, 214).
4. *Allan*. Described as his father's heir (C, 167; S, 28), died at Castle Tioram in 1419 (*ibid.*); a debt due to the lord of the Isles and Alan Raynaldsoun is recorded in 1428 (*ER*, iv, 461). He was also perhaps father of Hugh, ancestor of Angus of Knoydart 1546 (*CD*, iii, 227; *RSS*, iii, 2924; v, 2672; *Henry VIII Letters*, xx(i), 642, no.1298).
5. *Roderick*. Laird of Clanranald, died 1481 (C, 167); mother a daughter of Stewart of Appin (*ibid.*), married Margaret daughter or granddaughter of Donald Balloch (table 3/13; C, 169; disp. 1450, no.B38).
6. *Allan*. Succeeded father (C, 169); supported Angus, master of the Isles, at Bloody Bay (S, 49-50) and Sir Alexander of Lochalsh in 1491 (*ADC*, i, 359); on record up to 10 Dec. 1501 (*Acta Concilii*, 425-6), but probably dead by 1503 (*CD*, ii, 240;

Table 2: *John's first family* (notes on pp.287-93)

APS, ii, 248; C, 169 says 1509); married daughter of Maclan of Ardnamurchan (C, 169), probably Florence sister of John Brayach (Gregory, *History*, 157; CD, iii, 210; table 1a/12).

7. *Ranald*. As Ranald Makallane had crown charters in 1498 of lands in Uist, Eigg and Arisaig (nos.A53, A54), some of them resigned by John, son of Hugh of Sleat (table 6/15); Ranald Alansoun of Ylane Bagrim or Bigorn in South Uist on record up to 7 June 1509 (RMS, ii, 2873; RSS, i, 1662, 1690) but dead by 10 March 1510/11 (*Spalding Misc.*, iv, 195-6; C, 169 says 1513).

8. *Dugall*. Gave bonds of manrent 10 March 1510/11 and 25 May 1520, subscribing himself Dugal McRynald of Ellantyrn (*Spalding Misc.*, iv, 195-6; *Cawdor Book*, 135); killed by cousins and succeeded by uncle Alexander (S, 64-65; C, 171), but sons Allan and Lachlan living 1538 (RSS, ii, 2498).

9. *Alexander*. Named in 1498 charters to brother Ranald (nos.A53, A54), styled himself 'Alexander M'Allane capitain of the Clan Rannald and apperand ayre of Illanterym' in nephew Dugall's lifetime 1519/20 (*Cawdor Book*, 131-2, 137-8); probably dead by 1530 (ADCP, 328-9).

10. *John*. On record as John Moidartach, captain of Clanranald May 1530 (ADCP, 328-9), legitimated 15 Jan. 1531/2 and had charter of Moidart and Arisaig 11 Feb. 1531/2 to John Makalestar of Castletirrim (RSS, ii, 1117; RMS, iii, 1131); contracted to marry Mariota, daughter of John Maclan of Ardnamurchan 21 June 1534 (table 1a/9; AT); one of Donald Dubh's council in 1545 (*Henry VIII Letters*, xx(i), 642, no.1298), died 1574 (C, 171; CD, ii, 288, says 1584).

11. *Allan*. One of John's eight sons, succeeded his father (C, 171).

12. *Roderick*. Rory 'parson' (C, 171), on record 1519 to 1547 as Rory or Roderick MacAllister, Ranaldson, etc., parson of Eilean Fhinain (S and B, 136-7, and sources cited); dean of Morvern and bishop-elect of the Isles, chosen 1545 as commissioner to king of Engand (*Henry VIII Letters*, xx(i), no.1298).

13. *Ranald*. Ranald Gallda (C, 169, 171) half-brother of Alexander, had crown charter of Moidart and Arisaig 14 Dec. 1540 revoking nephew John's charter (RMS, iii, 2242;

Gregory, *History*, 158); killed with Hugh, lord Fraser of Lovat, at Loch Lochy, July 1544 (*Chron. Frasers*, 136-8); sons Allan, John and Alexander legitimated 18 June 1555 (*RSS*, iv, 3013).

14. *Duncan*. C, 169.

15. *Hugh*. 1467 MS.

16. *John*. 1467 MS.

17. *Donald*. Steward of Lochaber, said to have died in 1420 (1467 MS.; C, 167; S, 28, 64).

18. *John*. 1467 MS; apparently left no issue or was passed over in the succession.

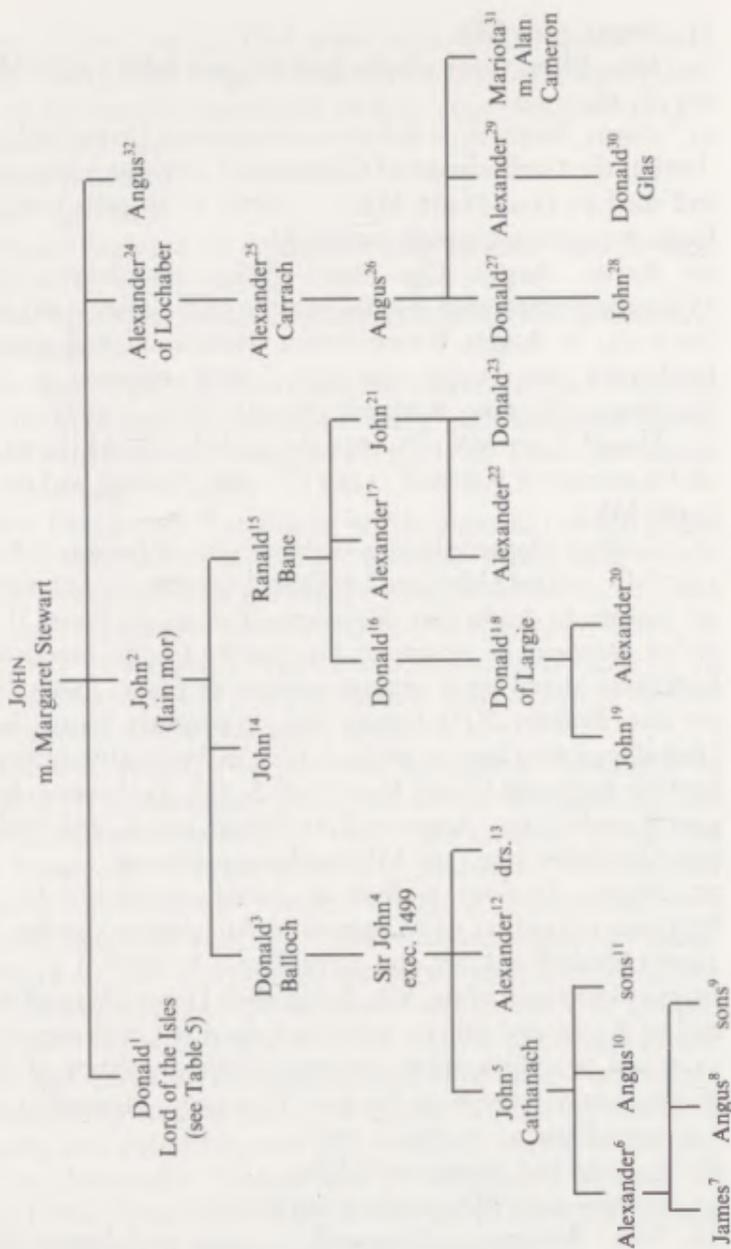
19. *Alexander*. 1467 MS. On posthumous record 1501 as having held lands in Glengarry and Morar being grandfather of Alester Makane M'Alester of Glengarry (*RSS*, ii, 2506, 30 March 1538); died 1460 (C, 169).

20. *John*. Designated Ranaldson or MacRanald (crown rental 16 April 1496, SRO, E40/iii/266; Riddell, *Vindication*, 23-24; *RSS*, ii, 2079); place in genealogy established by C, 215 and patronymic forms used posthumously (*RSS*, ii, 2506; *RMS*, iii, 1924); may be witness in 1463 (no.80); probably dead by 10 Dec. 1501 (see successor), and perhaps as early as 1467 (70 years nonentry for Knoydart by 1537, *RMS*, iii, 1721).

21. *Alexander*. Joined Alexander of Lochalsh's expedition to Ross (S, 55); as Alexander Jhone Alexander Rannaldsone occupied lands in Morar 10 Dec. 1501 (*Acta Concilii*, 425-6) and styled Allastyr MacEan vic Allyster of Morvern (? Morar) and Glengarrrie, 5 February 1519/20 (Riddell, *Vindication*, 6-7; Wormald, *Lords and Men*, 179); said to have dismissed an earlier wife (S, 54-55, 64), married Margaret (see table 6/8), daughter of Sir Alexander of Lochalsh, sister and co-heiress of Sir Donald Gallda, included with him in a crown charter of Glengarry and Morar, half lands of Lochalsh, Lochcarron and Lochbroom with Strome castle, granted to Alexander M'Kane M'Alister of Glengarrie and wife Margaret Ylis, 6 March 1538/9 (*RMS*, iii, 1924); as Alexander Ronnaldson of Glengarrrie was one of Donald Dubh's council in 1545 (*Henry VIII Letters*, xx(i), 642, no.1298); dead by 3 March 1565/6 (see successor).

22. *Angus*. Laird of Glengarry by 3 March 1565/6 (*RSS*, v(ii), 2672).

23. *Angus*. 1467 MS.
24. *John*. Blind from youth, had one son John (1467 MS.; C, 167; S, 28).
25. *Angus*. Known as Riach or Riabhach (brindled); called 'lord of the Garbhthrian of Clanranald', became a friar in Iona, and died in 1440 (1467 MS.; C, 167); S, 28 calls him Angus Beusich (virtuous, goodmannered).
26. *Angus*. Angus Og (1467 MS.); as Angus Angusii M'Regneill witnessed Angus, master of the Isles, 1485 charter (no.119); as Angus Rewochsoun Makranald had charter of Benbecula etc. 1498 (no.A55), and appears as Angus MacAnguis Rewing, 8 March 1516/17 (RSS, i, 2873).
27. *Dugall*. 1467 MS.; C, 167; also called Donald (S, 28), died 'at his manor of Reispoll' 1426 (C, 169), having had two sons (1467 MS.).
28. *Godfrey*. Named third in order of sons of John and Amy by 1467 MS.; called eldest son by Sleat seanachie (S, 27), but there are reasons to doubt this (Gregory, *History*, 30; S and B, 127); styled *Dominus de Wyste* in his charter to the monastery of Inchaffray dated *apud castrum nostrum de Elane Tyrim* (no.10; see also *Benedict XIII Letters*, 89); apparently living in 1400 (*Inchaffray Liber*, app. to preface, l-li), and probably outlived his brother Reginald (S and B, 127; cf. S, 27). S, 27 names his four sons Ronald, John, Angus and Archibald, and C, 168 indicates a son Alexander, but 1467 MS. has been preferred.
29. *Angus*. As *filius Goffredi de Insula* contracted to marry Margaret, daughter of Margaret de Ard *domina eiusdem*, 8 Jan. 1400/1 (*Inchaffray Liber*, app. to preface, l-li; OPS, ii, 515-16); as Angus Gothrason of the Ylis, along with Dame Mary of the Ylis and of Rosse and others, witnessed deed at Chanonry of Ross 1420 (no.20). Alexander Angussie Goffredi, abbot of Saddell in 1433, may have been his son (Cameron, *Apostolic Camera*, 113, 232; Brown, 'Saddell', 135).
- 30, 31. *John and Sorley*. 1467 MS.
32. *Ranald*. 1467 MS., and see son John.
33. *John*. Witness at Dingwall in 1463 as *Johannes Ranaldi Goffridi* (no.78), perhaps died before North Uist was granted by John, lord of the Isles, to Hugh of Sleat in 1469 (no.96; cf.

Table 3: *John's second family* (notes on pp.293-7)

Beveridge, *North Uist*, 29, 41n).

34. *Angus* (C, 159) and *Marius* (S, 25), said to be sons of John by Amy MacRuari, may be confused with others (see S and B, 127n).

Table 3 (notes)

1. *Donald*. Called Donald Og (1467 MS.) or Oighre, the heir (C, 158), perhaps to distinguish him from his half-brother Donald, hostage in 1369 (table 4/1). See below as lord of the Isles.

2. *John*. Called Iain Mor (S, 26; Monro, *Western Isles*, 93) and 'the Tanist' (C, 159, 213), inferring that he was recognised as successor in his brother's lifetime (S and B, 205); said to have received from his father 120 merk lands in Kintyre and 60 merk lands in Islay (S, 32); rebelled against his brother Donald and went to Ireland (S, 32-33), where as '*sue nationis capitaneus et constabularius Hibernicorum Ultonie*' he did homage to Richard II in 1395 (no. 15 and comment), but returned to Scotland by 1400 (S and B, 127, 162-3 has a useful summary; and see *APS*, i, 570). John may be the first witness to Donald's Gaelic charter of Islay lands in 1408 (no. 16). He married Mary or Marjorie Bisset, heiress of the Glens of Antrim, and is described in Feb. 1400/1 as *dominus de Dunwage et de Glynnis* (*Rot. Scot.*, ii, 155-6). John was murdered in or before 1427, for which James Campbell was executed (S, 39; Buchanan, *Historia*, fol. 109v.; *Ross Chron.*, 10; Macdonald, *Argyll*, 193-5).

3. *Donald*. Known as Donald Balloch or freckled (no. B15; C, 163; S, 31; *AU*, iii, 383); as witness to seven documents between 1456 and 1476, appears usually with full territorial designation (Dunivaig omitted 1456, Glens 1476, and in these cases 'Balloch' replaces the more formal style 'de Insulis'), and in 1475 (no. 107) described as knight and *primus et principalis conciliarius* of his cousin John, lord of the Isles. He emerges first, aged 18, at Inverlochty in 1431 (S, 31, 40-41, 44), again in 1433 (no. B15) and is named Edward IV's 'dear and faithful Donald Balloch' in the Ardtornish treaty of 1461/2 (no. 75); appears to have died between 20 Aug. 1476 (no. 111) and June 1481 (see successor).

4. *John*. Sometimes like his grandfather called John or Iain Mor (*AU*, iii, 443; cf. *C*, 163), associated with father in treaty of Ardtornish Feb. 1461/2 (no.75), named John de Insulis dominus de Glenys in 1481 commission by Edward IV to him as 'cousin' (*PRO*, C 81/1421/581 and C 76/165/3; *Cal. Docs. Scot.*, iv, 299, no.1469); appears to have been knighted by James IV (no.120; Gregory, *History*, 88, from ADC 5 July 1494; *TA*, i, 238-9), but for treason in Kintyre 1494 he was forfeited and captured with four sons at Finlaggan by Maclan (*TA*, i, 238-9; *C*, 163; no.A58) and executed at Edinburgh in 1499 with members of his family (*C*, 163; *S*, 59; *AU*, iii, 442-3 where he is called *Ri Innse Gall*, having appeared as 'the heir' in 1484, *AU*, iii, 289).
5. *John*. Known as John Cathanach (*C*, 163; *S*, 59-61; *AU*, iii, 289, 383, 443), abridged as Canoch or Caynoch in his son's time (*RSS*, i, 2579, 2722; ii, 938), either from a warlike nature (Gregory, *History*, 62) or from being fostered by O'Cahans or O'Cathans in Ulster (Hill, *Macdonnells of Antrim*, 33). Took part in killing Alexander of Lochalsh in 1494 (*AU*, iii, 383; cf. *C*, 165; *S*, 56, 59), and was executed with his father and two of his sons at Edinburgh in 1499 (*AU*, iii, 443; *C*, 163; *S*, 60-61).
6. *Alexander*. His mother was daughter of Savage of the Ards, co. Down (*S*, 61; Sellar, 'Marriage', 492, note 76); on record as Alexander John Cannochissone etc. between 1515 and 1531 (*APS*, ii, 333, 334; *RSS*, i, 2579, 2722), with designation of Dunivaig and the Glens 1531 (*RSS*, ii, 938); died 1536 (*AU*, iii, 609), having married daughter of John Maclan of Ardnamurchan (table 1a/8; *C*, 165; *S*, 62); see also MacFirbis pedigree in Hill, *Macdonnells of Antrim*, 375.
7. *James*. As James Canochsoun, at court 1531-5 (*TA*, v, 432; vi, 212, etc.); not in Donald Dubh's rising 1545, and as James M'Connyll of Dunnyveyig and Glennys had lands erected into barony of Bar, 21 April 1545, with remainder to brothers Angus etc. (*RMS*, iii, 3085); declared himself and was acknowledged by some as apparent heir of the Isles (*CSP (Ireland)*, 1509-73, 73, 74); died of wounds from battle against Shane O'Neill in Antrim 1565 (*CSP Queen Eliz. (Foreign)*, 1564-5, vii, nos.1158(4), 1451(2), 1456(3)), having married Agnes Camp-

bell 'base sister of the Erle of Argyle' (*CSP (Ireland)*, 1509-73, 296, 439, etc.; *DNB*, xiv, 1107).

8. *Angus*. As brother-german to James M'Conill, was one of Donald Dubh's council in 1545 (*Henry VIII Letters*, xx(i), 642, no. 1298), called the proud, killed in battle in Antrim 1565 (*CSP (Ireland)* 1509-73, 271).

9. Alexander's other sons included *Colla*, died 1558, grandfather of *Colla Ciotach* or *Colkitto* (*CSP (Ireland)*, 1509-73, 116; *Black*, 'Colla Ciotach', 201); *Sorley Buie*, Lord of the Route, whose son Randal was created earl of Antrim 1620; *Alexander*, known as *Allester Og*, captain or steward of Kintyre, killed 1568 (*CSP (Ireland)*, 1509-73, 314, 333); and *Donald Gorme* (*RMS*, iii, 3085, which names these four).

10. *Angus*. Escaped execution, but left with 'na heritage' (*C*, 165; *ADCP*, 80).

11. John's other sons, taken and executed with him, are variously named; *AU*, iii, 443, the earliest authority, calls them Randal Ruadh and Donald Balloch, but they have also been named John Gauld and John Gallich (*S*, 60-61), and John Mor, John Og, and Donald Balloch Og (*C*, 163).

12. *Alexander*. Killed in Ireland in 1484 (*AU*, iii, 289); *CD*, iii 375 has a different Alexander.

13. Daughters of John, son of Donald Balloch, included *Margaret*, married Roderick of Clanranald (table 2/5; disp. 1450 no. B38, but cf. *C*, 169), and *Agnes*, married John Lamont of Inveryne (disp. 1466 no. B43; *RMS*, ii, 1059), and also Thomas Bannatyne of Kames in Bute, with whose son and heir Ninian she was in dispute 1491 (*ADC*, ii, 203-4).

14. *John*. Named with father and brothers in negotiations with England 1407-10; given leave by Henry IV to marry his esquire Janico Darteys or Dartesso's daughter (*Cal. Docs. Scot.*, iv, 792; *Cal. Pat. Rolls*, 1405-8, 361; *ibid.*, 1408-13, 183, 190).

15. *Ranald*. Styled Ranald Bane to distinguish him (no. 75) and his descendants; mother said to have been daughter of the 'green abbot' Finguine of Iona (*S*, 32); was progenitor of the MacDonalds of Largie in Kintyre (*S*, 40-41, 46-47), which he is said to have received for services at Inverlochty under brother Donald Balloch; appointed a commissioner to treat with

Edward IV's deputies in 1461 (no.74), witness at Dingwall 1463 (no.78).

16. *Donald*. Styled Macranaldbane, claimed to hold lands in Kintyre by charter from cousin Sir John, including Rhuna-haurine the site of 'old Largie castle' (*ER*, xii, 580, 705; note 4 above; *Argyll Inv.*, i, no.312); summoned for rebellion 1503, but had remission 29 Jan. 1505/6 (*APS*, ii, 257-62; *RSS*, i, 1208), and protection 7 March 1515/16 (*RSS*, i, 2722). His daughter Marion had liferent of Cortynvale in Kintyre 10 Feb. 1509/10 (*RSS*, i, 2002).

17. *Alexander*. Said to have been associated with brother Donald (*CD*, iii, 381).

18. *Donald*. Styled Donald M'Alester Makranald Wan de Large in 1531 and Donald M'Alester of Largis in Kintyre in Jan. 1541/2 (*APS*, ii, 333-4; *RSS*, ii, 4454), said to have died c.1550 (*CD*, iii, 381).

19. *John*. Included as Donald's son and heir with others of the family in remission, 9 Jan. 1541/2 (*RSS*, ii, 4454).

20. *Alexander*. Through his sons Hector and John the succession to Largie seems to have been carried on (*CD*, iii, 381-2).

21. *John*. Held lands in Kintyre in 1505 (*ER*, xii, 701).

22. *Alexander*. *CD*, iii, 380.

23. *Donald*. *CD*, iii, 380.

24. *Alexander*. Lord of Lochaber by 1394 (*Moray Reg.*, 354-5; *Benedict XIII Letters*, 55, 56, mistakenly indexed Campbell), in rebellion 1398-99 (*APS*, i, 570, 575); married Elizabeth daughter of Duncan, earl of Lennox (*HP*, iv, 16; A. B. W. MacEwen in *SWHIHR Notes and Queries*, xiv, 6-8). As Alexander was alive in Oct. 1402 (*Moray Reg.*, 382-3), and dead by at least Sep. 1406 (*Benedict XIII Letters*, 155), it appears likely, as Mr MacEwen has convincingly argued, that he was the father of (and not as usually stated the same person as) Alasdair Carrach.

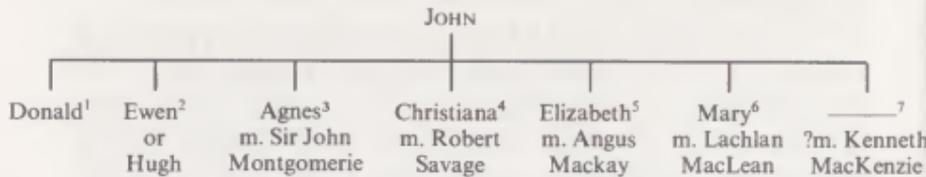
25. *Alexander*. Known as Alasdair Carrach (*C*, 159; *S*, 26; 'Oran na Comhachaig' in Watson, *Bardachd*, 250); ancestor of clan Ranald of Lochaber and MacDonells of Keppoch, said to have been young in 1411 and fought at Inverlochy 1431 (*S*, 30 40); Lochaber lands forfeited and granted to Malcolm Mackintosh 1444 (*S*, 44; no.42).

26. *Angus*. Lived at Fersit near Loch Treig (Watson, *Bardachd*, 250); witness at Dingwall in 1463 (no.80), named in charter to son-in-law (no.102).
27. *Donald*. Called Donald Angusson in submission 2 Oct. 1496 (*ADC*, ii, 41, 103); killed c.1498 (Gregory, *History*, 108).
28. *John*. Known as Iain Aluinn (splendid), said to have been deposed as leader 'by the elders of his tribe' though leaving descendants (Mackenzie, *Orain Iain Luim*, intro. xxii-iii; Gregory, *History*, 109).
29. *Alexander*. Known as Alasdair nan Gleann (Watson, *Bardachd*, 254); took part in risings in Ross (S, 49, 55-56); married daughter of Donald Gallach of Sleat (table 6/16; *CD*, iii, 419).
30. *Donald*. Said to have built a castle at Keppoch where river Roy joins the Spean (*CD*, ii, 615); engaged in risings (*ADC*, ii, 100-1, 134); son Ranald fought at Loch Lochy 1544 and was executed at Elgin 1547 (Gregory, *History*, 159, 179, 203).
31. *Mariota*. Married Alan Donaldi Duff, captain of clan Cameron (no.102).
32. *Angus*, named as third son of John and Margaret in 1467 MS., but not in either C, 159 or S, 26. He might seem to be the bishop of the Isles who is described in petition to the pope in 1433 (no.B14) as *nepos* of the king of Scots and son of the lord of the Isles, but it is clear that Angus, bishop-elect in 1426, was a son of Donald of the Isles, though illegitimate (*CSSR*, ii, 121, 135-6; iii, 166; *CPL*, vii, 465-6); see table 5/2.

Table 4 (notes)

NB. Some of those named here may be legitimate children by one of John's two marriages.

1. *Donald*. A natural son, distinguished as such from sons by Amy and Margaret, named as one of John's hostages on submission to David II in 1369 (no.6). He may have been Donald to whom as '*filio Johannis de Out Isles of Scotland, clericus*' a safe conduct was given by Richard II on 1 Aug 1378 (*Rot. Scot.*, ii, 11) – source of the erroneous idea that his half-brother Donald, lord of the Isles, had been a student at Oxford.

Table 4: *John's other children* (notes below)

2. *Ewen*, or *Hugh*. Eugenius, thane of Glentilt, said to be a brother of Reginald of the Isles (Skene, *Celtic Scotland*, iii, 181; Innes, *Legal Antiquities*, 82-84; cf. *RMS*, ii, 2655), and sometimes included as Hugh among John's family by Margaret Stewart (*CD*, iii, 181; *SP*, v, 40). Not in the earlier genealogies. Hugh 'of the Oute Isles' had a safe conduct from Richard II in 1382 (*Rot. Scot.*, ii, 45).

3. *Agnes*. Married Sir John Montgomerie of Ardrossan, by whom she had sons Alexander (see no.64 and app. C) and Robert, as mentioned in charter by Robert, duke of Albany, 9 March 1413/14, after her death (W. Fraser, *Memorials of the Montgomeries*, i, 22; ii, 21); S, 27 calls him Montgomery of Eglinton.

4. *Christiana*. Licence to marry Robert Savage of the Ulster family granted 16 Feb. (G. F. Savage-Armstrong, *The Savage Family in Ulster*, 50), ratified by Richard II, 4 May 1388 (*Cal. Docs. Scot.*, iv, 380). For other Savage marriages see table 3/6; no.B32.

5. *Elizabeth*. Sister of Donald of the Isles, married Angus Dubh Mackay of Strathnaver (see app. C), and named in charter to him and eldest son Neil in 1415 (no.19).

6. *Mary*. Married Lachlan Lubanach, son of John MacLean of Duart (see app. C) and had dispensation in 1367 (no.B26); there is uncertainty as to Mary's mother, but C, 159 says Mary, John's daughter by Amy, married Hector (sic) of Duart. It is claimed that Lachlan Lubanach's brother, Hector Reganach MacLean of Lochbuie, married another daughter of John (Douglas, *Baronage*, 369), called Agnes or Margaret (C. M. Maclean, *Clan Tearlach O'Buie* (1865), 24, 25; Burke's *Landed Gentry* (1972), iii, 582),

but no papal dispensation has been traced in the Vatican archives; Hector's grandson John is, however, called 'cousin' or 'kinsman' by John, lord of the Isles, in 1461 (no.73).

7. Name unknown. Said to have married Kenneth 'Achiench' MacKenzie (S, 27; cf. Watson, *CPNS*, 262, and Matheson, 'Mackenzies', 199); see also table 7/5.

II. DONALD

Donald de Yle, styling himself *dominus Insularum* (no.18) or simply MacDomhnuill (no.16) after his father's death, was old enough in 1369 to be a hostage to the crown for his father's good behaviour (no.6). Succeeding before 14 July 1388 (*Rot. Scot.*, ii, 94-95), as eldest son by John's Stewart wife, and therefore grandson of Robert II, Donald was probably still inexperienced (S and B, 127), as his half-brother Reginald after inaugurating him as ruler is said to have been 'high steward' over the Isles (C, 161); Reginald's brother Godfrey evidently acted as intermediary for Donald and his brother John when the bishop of Sodor was given authority on behalf of Richard II to treat with them as sons of John *nuper* lord of the Isles in July 1388 (*Rot. Scot.*, ii, 94-95; *Foedera*, vii, 592).

Donald married Mary Leslie (no.20; C, 161, 211; S, 28 has Margaret), daughter of Euphemia, countess of Ross, and Sir Walter Leslie, who had been married by 13 Sep. 1366 and had dispensation 24 Nov. 1366 (*RMS*, i, 258; *CPL*, iv, 59). Donald may have married before his accession to the lordship (S and B, 149), and he and his wife had an indult 10 Aug. 1403 in which she is called Mariota (no.B5); his only known seal has the legend '*Sigillum donaldi [de] yle domini [insularum]*' (see app. E); a papal letter of 1420 and two mandates of 1421 designate him lord of the Isles and of the earldom of Ross, or lord of the Isles and of Ross (nos.B6, 7; *CPL*, vii, 151). He fought the battle of Harlaw in 1411 (see Introduction, pp.lxv-lxvii).

Petitions by Donald were still being granted by the Pope in Dec. 1421 (see app. B); no contemporary record of his death is known, and the year has been variously stated from c.1420 (Gregory, *History*, 33; Skene, *Celtic Scotland*, iii, 296) to c.1423

(*CD*, i, 168; *SP*, v, 42; *GEC*, *Peerage*, vii, 76); according to one tradition he had retired to the monastery of Iona, leaving his son Alexander as heir, although he himself later died in Islay (*C*, 163). His wife's seal, attached to a document of August 1420, calls her '*Mariot [or Marie] de Ros domina insularum*' without mention of her husband (no. 20; app. E); she survived him, and was styled '*domina de Illis senior*' in 1431 and 1435 (*ER*, iv, 541, 621, 633); her death has been dated 1440 (*C*, 211), but it may have been earlier, as her son Alexander styled himself *Comes Rossie* by Jan. 1436/7 (nos.23, 24).

Table 5: *Donald's children* (notes below)

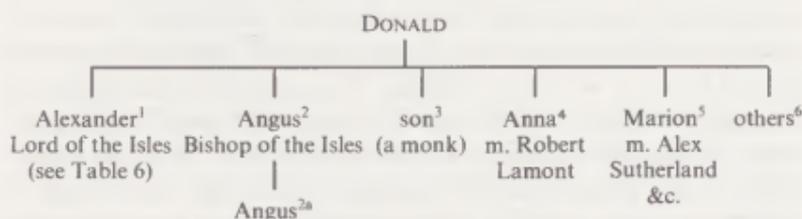


Table 5 (notes)

1. *Alexander*. See below as lord of the Isles.
2. *Angus*, called in the *Clanranald Book* bishop of the Isles, son of Donald of Isla, son of John, son of Angus Og (*C*, 211). Bishop-elect in 1426, witness as bishop at Finlaggan in 1427 (no.21), but appointment delayed because of a lawsuit until 1428 (*Watt*, *Med. Fasti*, 203); still in possession 1438, dead by 5 August 1441 (*CPL*, viii, 664; *CSSR*, iv, no.790). In petition for transfer of cathedral from Snizort to 'some honest place within the diocese' in 1433 (no.B14), he is described as *nepos* of the king of Scots and son of the lord of the Isles; in fact his father Donald was grandson of Robert II and nephew of Robert III (cf. table 3/32); as '*Angus Donaldi Insularum*' he held the benefices of Kilcolmkill in Morvern and Kilmallie, both in Argyll diocese, before becoming bishop of the Isles (*CSSR*, ii, 121, 132, 133-4, 135-6; iii, 166); it appears that he was the son of a married man

and an unmarried woman, and was not ordained until just before being provided to the see (*CPL*, vii, 465, 466, 478).

2a. *Angus*. A petition to the pope by Angus Angusii de Insulis for the abbacy of Iona despite 'defect of birth as son of a bishop of royal stock and an unmarried woman' was granted in 1465 (*Reg. Supp.*, 582, 137v.), but John MacKinnon was appointed (*CPL*, xii, 581); probably the Angus who became bishop of the Isles in 1472, and whose death c. January 1480 was followed by a seven year vacancy (*Watt, Med. Fasti*, 204; S and B, 110, 112).

3. Name unknown; a monk, in whose time Bailivanich in Benbecula is said to have been given to the church, 1440 (*C*, 211).

4. *Anna*. For marriage to Robert son of Duncan MacLagmayn, that is Duncan Lamont of Inveryne, dispensation was granted in 1397 (no.B28; *Benedict XIII Letters*, 79; *CSSR*, i, 173).

5. *Marion* or *Mariota*. For marriage to Celestine or Archibald Campbell, father of Colin, first earl of Argyll, dispensation was granted in 1420 (no.B29), but there is some doubt whether it took place (*SP*, i, 332; ix, 18, 115). She married (1) Thomas de Dunbar, (2) David Flemyng, and (3) Alexander de Sudirland, for which last a dispensation was granted in 1438, the couple then being already married (no.B31). For Alexander Sutherland and their son-in-law William de Calder, see app. C.

6. Besides three or four children who are said to have died very young (*S*, 34), a manuscript quoted by J. H. J. and D. Stewart in *The Stewarts of Appin*, 62, states that John Stewart of Lorn 'married the Lord of the Isles and Earl of Ross' daughter upon whom he begat three heretrices'. John's wife has not been otherwise identified, but this may be the marriage referred to in no.B36; see also Introduction, p.lxii, and *SP*, v, 3-4.

III. ALEXANDER

Alexander de Yle, lord of the Isles and later earl of Ross, is first mentioned as one of the assize which condemned to death members of the Albany family at Stirling in May 1425 (*Chron. Bower*, ii, 482-4). By 23 June 1427, his mother being still alive,

Alexander was styling himself *Alexander de Yle dominus Insularum et magistrum comitatus Rossie* (no.21), and a similar style was used in a papal supplication of 1426 (no.B9), but the earldom had not yet been relinquished by the crown. Alexander was among the chiefs arrested by James I at Inverness in August 1428; he was taken to Perth, but soon afterwards returned north, burned Inverness and besieged its castle; confronted the king's army in Lochaber in June 1429, and after a humiliating submission at Holyrood ('*camisia et femoribus tantum indutus*') on 29 August he was warded in Tantallon castle (*Chron. Bower*, ii, 488-90; *HP*, ii, 18). A force under his kinsmen Donald Balloch and Alexander Carrach routed a royal army under Alexander, earl of Mar, at Inverlochy in the summer of 1431, but after talk of reprisals, Alexander was released from captivity and allowed to retain the lordship of the Isles (*HP*, i, 39-41; *Chron. Bower*, ii, 491; *APS*, ii, 20). The earldom of Ross was held by James I at least until 1432 (*Family of Rose*, 127), and probably for some years longer. By August 1437 Alexander was officially referred to as earl of Ross (*ER*, v, 33-34), and in his own charters of January 1436/7 he used that style when granting lands in the earldom (no.23, misdated in *SP*, v, 44 and *GEC*, *Peerage*, xi, 151 (1949); also nos.24, 25). Not long after Alexander was holding the office of Justiciar north of the Water of Forth; although no contemporary record of his appointment is known, he so styles himself when appropriate from 22 February 1438/9 (nos.27, 32, 37, 38, 39, 40), and he was remembered as having held justice-ayres at Inverness (*Invernessiana*, 184, from Inverness Sheriff Court records). In some documents relating to the earldom the title lord of the Isles is omitted (nos.23, 34, 35, 36, 50), and the titles lord of Lochaber (no.42) or baron of Kincardine (nos.43, 44) are sometimes added. Of Alexander's two surviving seal designs, there is a change in his designation between those used in 1440 and 1444 (see app. E).

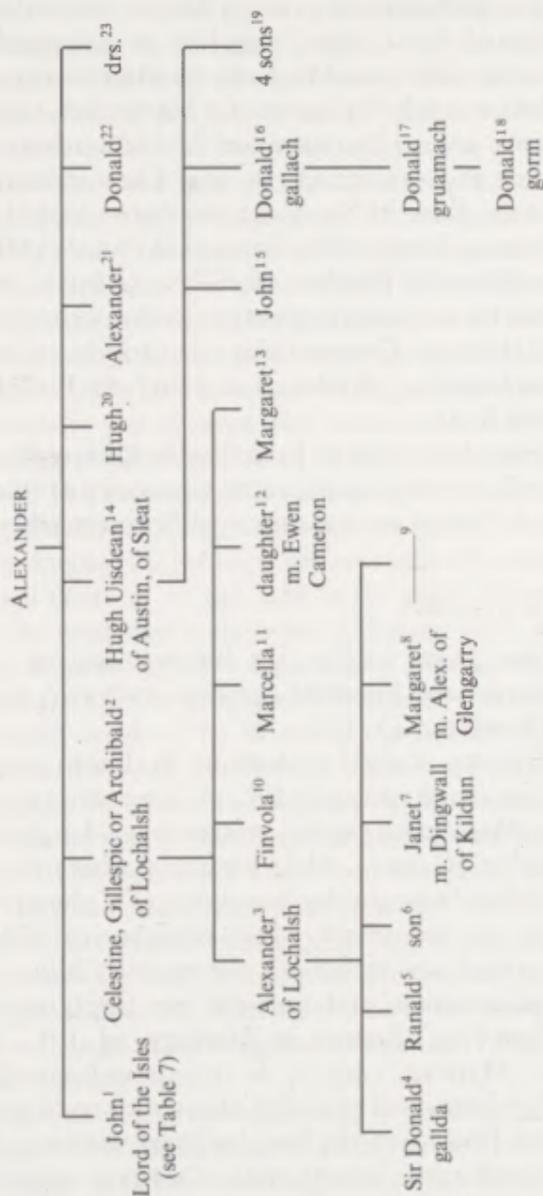
Alexander was apparently married by 1431, when his mother is referred to as *domina de Insulis senior* (*ER*, iv, 541). There is an indult of 19 October 1433 by Pope Eugenius IV to him and his wife, therein named Jacobella (no.B15). His son John seems to have been born c.1434. In a discharge dated 10 December 1443

Dame Elizabeth Haliburton is styled countess of Ross (no.41), and that the Christian name of Alexander's wife was Elizabeth is confirmed by a papal mandate to admonish him and his concubine Christina Maclaide, 24 March 1445/6 (no.B18), and by their son John's charter of 2 November 1467 (no.90). For a marriage connection between the Haliburtons of Dirleton and the earls of Ross, see *SP*, iv, 334. The statement that Elizabeth was a daughter of Sir Alexander Seton and his wife Elizabeth Gordon, and sister of the first earl of Huntly (*HP*, i, 35 marginal note; *Sutherland Earldom*, 76; *SP*, v, 44, but cf. iv, 525) seems to depend on a sixteenth-century Gordon genealogy (John Ferre-rius, 'Historiae Compendium de Origine et Incremento Gordoniae Familiae' (Kinloss, 1565), in J. M. Bulloch, *The House of Gordon*, ii, 23).

Alexander is said to have died at Dingwall on 8 May 1449, and to have been buried at the Chanonry of Ross (*Chron. Ross*, 24, 25). He had several sons by different mothers.

Table 6 (notes)

1. *John*. Born c.1434 (see below), son of the marriage of Alexander and Elizabeth, perhaps with two younger sons who died in infancy (S, 35).
2. *Celestine*. Called Celestinus in Latin charters, otherwise Gillespic or Archibald (*ER*, vi, 124; vii, 417; C, 211; *HP*, i, 53n); MacVurich says his mother was a daughter of Macphee of Lochaber (C, 213), while Sleat seanachie mistakenly calls him earl John's 'base son by Macduffie of Colonsay's daughter' (S, 47, 53-54); presumably of age when named 'Celestine de Insulis our natural son' in father's charter of 13 Nov. 1447 (no.47; for use of 'naturalis' and 'carnalis' not implying illegitimacy, see *William Hay's Lectures on Marriage*, ed. J. C. Barry, 235, and Sellar 'Marriage', 464-5); he must have been older than his half-brother John, and probably also senior to Hugh of Sleat, being named first when the two brothers witness John's charters in 1466 and 1470 (nos.73, 98). Celestine received the lands of Lochalsh, Lochcarron, etc., presumably from his father as earl of Ross (S, 54), and was designated 'of Lochalsh' by 1457 (no.128)

Table 6: *Alexander's descendants* (notes on pp.303-9)

and confirmed in these lands by his brother John in 1463 (no.76); Sleat followed later in 1463, but was passed on after a few years to his brother Hugh, and Ferincoskry in 1464 (nos.80, 96, 82). These grants were confirmed by the crown in 1464 (no.A16), and his brother added the lands of Strathhalladale in 1467 (no.89; see no.86 for Glenloy and Locharkaig). Celestine witnessed several charters by his brother John between 1461 and 1470 (see app. C.), and appears as sheriff depute of Inverness in 1450 and sheriff in 1461 and 1467 (nos.55, 71, 89), and as keeper of Redcastle in the Black Isle from 1457-60 (*ER*, vi, 518, 653, etc., and preface p.li); he had a crown gift of a silver collar and chain in 1456 (*ER*, vi, 124). As lord of Lochalsh, Celestine granted the keeping of Strome castle to Alan, captain of clan Cameron (whose son Ewen married one of Celestine's daughters) in 1472 (no.102); he is said to have been blind in his latter years, died in 1473, and buried at Rosemarkie (*C*, 211; *S*, 54; *CD*, iii, 466 and followers say 1476), and is not named with brother Hugh and others as councillors of John, earl of Ross and lord of the Isles, in Feb. 1474/5 (no.104). Celestine married Finvola daughter of Lachlan MacLean of Duart, although within the forbidden degrees of affinity and consanguinity, and later had papal dispensation in 1454 (nos.B40, 76, 80, 82; Macfarlane, *Gen. Coll.*, i, 127); but according to one tradition 'he got Alexander by his father's brother's daughter, and finding no clergyman to marry them, he cohabited with her all his lifetime against the consent of all his friends' (*S*, 54).

3. *Alexander*. Led expeditions into Ross in 1490s, including battles of Park and Drumchatt (Gregory, *History*, 55-57, 59, 92), apparently in an attempt to secure the earldom (*C*, 113; *S*, 54-56); associated with uncle John, lord of the Isles, in 1492 charter to John MacLean of Lochbuie, styling himself lord of Lochalsh and also of Lochiel (nos.123, 124); appears to have been knighted and given a promise by the king about the liberties of all free tenants of the lordship of the Isles (*ADC*, i, 359; nos.A54, A55); killed at Oronsay 14 October 1494, when Irish chronicles call him 'fer inaid MicDomnaill' or deputy of MacDonald (*AU*, iii, 343; *AFM*, ii, 1213; *C*, 165; Gregory, *History*, 92-93). Alexander may have married a daughter of the

earl of Moray (C, 165), but Donald Gallda and three daughters are said to be by marriage with a daughter of Hugh Fraser, lord Lovat (S, 54, 64).

4. *Donald*. Allowed to inherit his father's estates or a great part of them (Fraser, *Cromartie*, ii, 342-4; Gregory, *History*, 106); at court 1507-13 (TA, iii, 415; iv, 101, etc., to 443) and knighted by James IV (RMS, iii, 54), known as Donald Gallda, Lowlander or stranger; led risings 1513-15 and 1516-19, last male of the house of Lochalsh, died 1519 (Gregory, *History*, 106, 113-126), at Cairn na Burgh (C, 165), or at Inch of Teinlpeil in Tیره (S, 54, 56-59).

5 and 6. *Ranald* and another. Ranald, at court 1511-12 (TA, iv, 238, 239, 340, 347), was presumably one of two brothers who did not survive Donald; they were held by Lachlan MacLean of Duart 1517, and execution recommended to Lords of Council (Gregory, *History*, 121, 123). Alexander is said also to have had two natural sons, Angus Roy who died in Ross (S, 54, 64), and John Cam whose descendants settled in Brae Lochaber (C, 165, 167).

7. *Janet*. Married first Alexander son of Dugall of the Clanranald (table 2/8; S, 54, 65), and next William Dingwall of Kildun; co-heiress with her sister Margaret to their brother, her portion of Donald's lands passed to the Dingwalls (*Retours*, Inq. General, no. 1830, 14 July 1631; SRO, Acts and Decrees, 438/188, 25 Feb. 1631; C. Fraser-Mackintosh in *Celtic Monthly*, ix, 12-13); William joined in Sir Donald's rising, had remission 1 Dec. 1515 for taking Dingwall castle (RSS, i, 2671), and was killed in 1527 (Macfarlane, *Gen. Coll.*, i, 82; RSS, i, 3731; ii, 1153).

8. *Margaret*. At court 1511-13 (TA, iv, 229-30, 430, 434); married Alexander of Glengarry (table 2/21; *Munro Writs*, 46); a writer hostile to Glengarry twice calls Janet the eldest sister, without naming her (S, 54-55, 65), while a notice of the Glengarry family gives seniority to Margaret and says she was served heir to her brother in 1515 (Douglas, *Peerage*, ii, 165); as co-heiress, her portion of Donald's lands passed to the Glengarry family (*Retours*, Inq. Special, Ross and Cromarty, nos. 8, 12, 5 Nov. 1584; and Inq. General, no. 1496, 22 April 1629; SRO,

Acts and Decreets, 438/188, 25 Feb. 1631; *Celtic Monthly*, ix, 12-13).

9. A third daughter, said to have been sent to the care of Donald du Maclauchlane in Heisker (C, 165, S, 54); cf. note 13 below.

10. *Finvola*. Had papal dispensation granted in 1465 (no.B42) to marry Kennacius Alexandri Kennaci, for whom see Kenneth MacKenzie of Kintail in app. C.

11. *Marcella*. Had papal dispensation (no.B41) on the same day as her sister to marry Rodericus Macloide, for whom see Roderick MacLeod of Lewis in app. C. See also note 23 below.

12. Name uncertain (CD, iii, 465 calls her Margaret), married Ewen MacAllan or Alanson of Lochiel, captain of clan Cameron, whose mother Mariota was daughter of Angus of the clan Ranald of Lochaber (see table 3/31, and app. C).

13. *Margaret*. Sister of Sir Alexander, stated in 1507 to be subject to Donald Makcarle Maclauchlane Doue, who assisted Torquil MacLeod of Lewis in rebellion (RSS, i, 1532); but cf. note 9 above. Celestine is also said to have had two other daughters, one married to Chisholm of Strathglass, and the other to Robert son of the earl of Sutherland (S, 54).

14. *Hugh*. Named Hugo in Latin charters, otherwise Uisdean or Austin (C, 212-13; S, 35 and note); mother said to be daughter of Patrick O'Beolan surnamed the Red, of the old line of earls of Ross (S, 34-35) or Gillepatrick Roy, of Carloway in Lewis (C, 213); mentioned as John's brother (nos.96, 98; for use of 'naturalis' and 'carnalis' not implying illegitimacy, see note 2 on Celestine above), but no record of him during their father's lifetime seems to have survived unless he is the same Hugh legitimated in 1445 (see 20 below). Said to have led men from the Isles on a raid in Orkney in 1460/61 (S, 37; C, 169, 213; *Orkney Records*, 54); as Hugh de Insulis of Slete is on record at Dingwall in 1457 (no.128 comment), and first appears as witness to a charter by brother John in 1461 (no.73), when his name follows Celestine's; as 'lord of Slete' he was granted lands in Uist, etc., with 28 merkland of Sleat in 1469 (no.96); unlike Celestine, Hugh is not known to have granted charters; he is named as one of John's family group of councillors on 6 Feb. 1474/5 (no.104), but he may have helped Huntly to recover

Dingwall castle for the king a year later (see Introduction, p.lxx). Hugh survived his brother John's final forfeiture, and his lands were confirmed to him by the crown in 1495 (no.A48); from his son John's resignation he was apparently dead by 5 August 1498 (nos.A54, A55), and was buried at Sand in North Uist (S, 49). Hugh was married by 1469 to Finvola daughter of Alexander Maclan of Ardnamurchan (see table 1a/10); his lands were then destined to his heirs male by her, legitimate or otherwise, born or yet to be born, whom failing after her death to his heirs male by any other woman acceptable to a group of nominated members of the family (no.96); the Sleat seanachie lists six sons by different mothers (S, 62-63; also C, 213).

15. *John*. Hugh's son by Finvola Maclan (C, 213; S, 63); resigned his patrimony into the king's hands, and it was granted in 1498 and 1505 to Ranald MacAllan and Angus Reochson MacRanald (nos.A54, A55, A62; table 2/7, 26); John seems to have been living in 1505, and to have been murdered by his half-brother Archibald (CD, iii, 467-8; Beveridge, *North Uist*, 32).

16. *Donald*. Named Gallda or Gallach from his origin in Caithness, *Gallaibh* (Watson, *CPNS*, 29), where his mother Elizabeth Gunn was daughter of the 'Crowner' (S, 37, 62-63; C, 213); said to have fought at Bloody Bay (S, 50) and in Donald Dubh's rising 1503 (CD, i, 312); senior member of the Sleat family, murdered by his brother Archibald, who had respite for slaughter of Donald Huchonsoun or Galdlauch 6 April 1508 (RSS, i, 1649; S, 65-67); married Agnes daughter of John Cathanach of Dunivaig (HP, i, 67n; CD, iii, 468; table 3/5), and formerly wife of Torquil MacLeod of Lewis (S, 67).

17. *Donald*. Known as Gruamach, grim or grim-faced; held by some, according to the family seanachie, to be a fitter successor to the lords of the Isles than his cousin Donald Gallda (S, 57; note 16 above); died probably in 1534 (CD, iii, 469), having married Catherine daughter of Alexander of Clanranald (C, 213; table 2/9), formerly wife of John Brayach of Ardnamurchan (S, 72; table 1a/3).

18. *Donald*. Killed in attacking Eilean Donan castle 1539 (Gregory, *History*, 146; *RSS*, ii, 3943); called Donald Gorm, but often confused with his father (*HP*, i, 72, where the editorial note fails to appreciate that Gregory's MS. 'collections' were written before his *History*, see *SWHHR Notes and Queries*, xxiii, 22).

19. *Donald Harrach* and *Archibald Dubh* (S, 63; C, 213), *Angus Collach* and *Angus Dubh* (S, 63) all died violent deaths, like their elder brothers; Archibald or Gillespic ruled the family after his father's death, and was himself later murdered by his kinsmen (S, 55, 65-72; *RSS*, i, 1649, 2088).

20-22. *Hugh*, *Alexander* and *Donald*. All had papal dispensation for defect of birth in 1445, without prejudice to Alexander's legitimate sons (no.B17; *HP*, i, 92-93); not further mentioned, unless Hugh was same as 14 above.

23. There is confusion over marriages of Alexander's daughters and grand-daughters, and documentary evidence is slight (see notes 10-13 above, and table 7/5 below). *Sutherland Earldom*, 75, gives Alexander a daughter, perhaps Margaret, who married John, earl of Sutherland, succ. 1460, d.1508 (Douglas, *Peerage*, ii, 10, 574; *SP*, viii, 334); but there are reasons for thinking she may have been a daughter of Celestine (Fraser, *Sutherland*, i, 66-67; and see charter no.82; cf. S, 54, 'Mr Robert, earl of Sutherland's son' married one of Celestine's daughters). Flora or Florence, wife of Duncan Mackintosh, captain of clan Chattan, who held lands in Lochaber from John in 1466 (no.88), is said to have been daughter of an earl of Ross, John or Alexander (Macfarlane, *Gen. Coll.*, i, 193; Mackintosh, *M and C C*, 95).

IV. JOHN

John, the last earl of Ross and lord of the Isles, appears to have been not quite 15 years old when his father died, and if the calculations on which this estimate is based are correct, he would be born in or about the year 1434 (*ER*, v, as cited below, and G. Burnett in preface p.xcii; Macphail in *HP*, i, 47). There is no record of his having had a tutor or guardian, and charters were

issued in his name from 13 Aug. 1449 onwards (nos. 51, etc.). He is supposed to have been married in that year (see below), and he was present when his council met at Dingwall on 28 May 1450 (no. 54). Between 1450 and 1452 lands in the baronies of Kincardine and Kingedward – both associated with the earldom of Ross – are recorded as being in ward by the death of the earl of Ross and the minority of his successor (*ER*, v, 393, 394, 462, 516), and for three years preceding September 1456 the lands of Kingedward had been in the king's hands in ward but John, earl of Ross, though a minor had been allowed entry to them (*ER*, vi, 158); the lands of Greenan in Ayrshire, of which he received sasine in Sept. 1456, had also been in ward (*ER*, vi, 236). The king's precept for John to be served and retoured as heir to his father Alexander was apparently issued on 12 January 1455/6 (*Scrymgeour Inv.*, no. 856). John was appointed keeper of the castle of Urquhart after its annexation to the crown in 1455, and payments to him were recorded from 1456 to 1462 and also in 1466 and 1477 (*APS*, ii, 42; *ER*, vi, 217, 476, 514, 650; vii, 123, 410; viii, 415); he was sheriff of Inverness by 1458 (no. 69), and is called sheriff also in 1460 and 1462 (*ER*, vii, 20, 128), and the sheriffdom of Nairn was apparently in his gift (no. 93), but he resigned both offices in 1476 (no. 109a).

John was represented by procurators in parliaments held on 9 June 1455, 11 Oct. 1464, 12 Oct. 1467 and 6 May 1471 (*APS*, ii, 77, 84, 87, 98); he is said to have attended in person along with 'all the lardis (lairds) of the Ilis' at the first parliament after James II's death, held in Feb. 1460/1 (*Asloan MS.*, i, 231-2; Macdougall, *James III*, 67n3); he met the royal councillors at Bute in June (no. 72), and failing to appear when summoned to answer charges of treason, his case was continued until 24 June 1462, but a parliament to have met at Aberdeen was adjourned (*Asloan MS.*, i, 232; *James III*, 59, 68n32). Meanwhile John had entered into a treaty with Edward IV (nos. 74, 75) which eventually led to his forfeiture in parliament on 1 Dec. 1475 (*APS*, ii, 108-11); on resigning the earldom of Ross and lands in Knapdale and Kintyre, he was created a lord of parliament (*APS*, ii, 113). His deed of resignation is dated at Edinburgh 10 July 1476 (no. 109a), and five days later the lands in Islay,

Morvern, etc., held by him before forfeiture were restored, and entailed failing legitimate heirs male on his natural sons Angus and John and their heirs, with the exception of the earldom of Ross, Knapdale and Kintyre, and the sheriffship of Inverness and Nairn (*APS*, ii, 189-90; no.A24). He was again summoned for treason, 6 April 1478 (*APS*, ii, 115), but was confirmed in his lands with the same exceptions as before, 16 Dec. 1478 (no.A31), and certain lands in Knapdale and Kintyre also were restored 11 Aug. 1481 (no.A37; but see A35, A36). His resignation of lands of the barony of Kingedward, although not itself recorded, is referred to in public records (A38, A39; *Acts of Lords Auditors*, 177), and he is styled baron of Kingedward as late as 1486 (no.120).

John suffered final forfeiture, probably in May 1493, although no reference to the event is made in the incomplete records of parliament (Gregory, *History*, 58; Nicholson, *Middle Ages*, 542; Macdonald, *Argyll*, 274; S and B, 207; Macphail's doubts in *HP*, i, 50n seem to be based on reference to the earlier resignation mentioned in *Acts of Lords Auditors*, 77; S, 50 merely says John resigned his remaining lands to the king, and C, 163 says he restored many of his territories to the king); an entry in the Register of the Great Seal puts beyond doubt the fact that forfeiture must have taken place by 29 August (no.A40). The former lord of the Isles became a pensioner at the court of James IV, and payments for him and his servants, including his man 'Erysche Robert', are recorded from 1494 (*TA*, i, 233, 235, 266, 308; ii, 49, 51, etc.; *ER*, x, 534, 567, 589; xi, 123); he even seems to have been permitted to visit the Isles and Lochaber in 1502 (*TA*, ii, 301, 344) while his grandson Donald was in rebellion. When the king was at Dundee in January 1502/3 John appears to have taken ill and died, for payments are recorded for him on 10 January 'liand seik in Dunde' (*ibid.*, ii, 354), and on 5 Feb. 1503 payment was remitted to Dundee for 'Johne of Illis furthbringing and berying and to lous his gere' (*ibid.*, ii, 357). One tradition that after giving up his lands he lived in the monastery of Paisley for two years before his death (S, 50-51) seems to be unconfirmed, and a statement that he died in 1498 (*Clan Donald*, i, 282; *SP*, v, 47) was published long after these

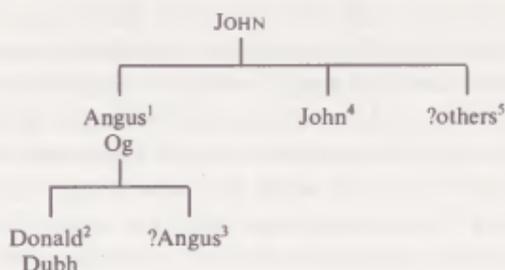
extracts from the public records were in print, and has often been repeated.

John is said by a clan Donald seanachie to have married a daughter of the earl of Angus (S, 47), and the Gordon story of a Huntly marriage mentioned under his father Alexander may be meant to apply to John, but no contemporary proof of either has been found. Of his marriage to Elizabeth, daughter of James Livingston younger of Callander (later Lord Livingston), chamberlain of Scotland, there is both documentary evidence (*CPL*, xi, 671; nos. 59, A27, A30) and chronicle reference (*Asloan MS.*, i, 224-5, 235; C, 163 and S, 35 make John's mother a Livingston, instead of his wife). In January 1463/4 a petition by Elizabeth is recorded asking the Pope to admonish John for ejecting her from his lands, and living with another woman, and alleging that she had been imprisoned by him and was in fear of being poisoned (*CPL*, xi, 671); she had fled to the Scottish court, and for services to the king's father, himself and his queen received rewards from James III (*HP*, iv, 206-9; nos. A19, A27, A30). John protested that he was willing to receive her and treat her with marital affection (no. 110), but she was taken under the Pope's protection, and the bishops of Brechin and Orkney were instructed to decree 'what is canonical' anent a separation or divorce, 11 March 1477/8 (B21).

Elizabeth was dead by 1 Jan. 1505/6, and the lands and lordships of Ross and Ardmannach were granted to others (*RMS*, ii, 2905; *RSS*, i, 1473, 1633). It has been assumed that there were no surviving children, but Elizabeth stated that she had borne children to John (*CPL*, xi, 671); in January 1505/6 'Elizabeth Ylis dochter to umquhil Johne lord Ilis' had lands in Islay granted to her for one year (*RSS*, i, 1420).

Table 7 (notes)

1. *Angus*. Usually referred to as Angus Og in clan tradition (e.g. S, 47; C, 163); said by the Sleat seanachie to be John's legitimate son by a daughter of the earl of Angus (S, 47), *Clanranald Book* does not mention mother, but a family bard calls him 'Margaret's son' (Giolla Coluim, perhaps a

Table 7: *John's descendants* (notes below)

MacVurich, in *Book of the Dean of Lismore*, 83; Thomson, 'The MacMhuirichs', 287); official records call him John's bastard son (*APS*, ii, 108, 190; no.A24). Angus has been credited with at least nominal command of his father's forces as his lieutenant, though assisted by his cousin Donald Balloch (table 3/3), when they captured Inverness and issued proclamations in John's name (*APS*, ii, 108-9; *Asloan MS.*, i, 232); but if his father was not born until 1434 Angus could hardly have been an active leader by 1462; named as first heir to his father's title and lands, failing legitimate issue in 1476 and 1478 (nos.A24, A31); rebelled against father and opposed him in the battle of Bloody Bay off Mull (C, 163; S, 47-50); styled master of the Isles and lord of Trotternish in charter of 1485 granting lands in Mull to the monastery of Iona with consent of father and council (no.119; see also no.121). Angus is generally believed to have been murdered at Inverness by his Irish harper named Diarmid O Cairbre in 1490 (C, 163; S, 51-52 names harper Art O'Carby; *Book of Dean of Lismore*, 96; *AU*, iii, 351; *AFM*, ii, 1184). His marriage to a daughter of Colin Campbell, first earl of Argyll (see app. C), although record evidence seems to be lacking, is attested by MacDonald and Campbell sources (C, 163; S, 50; Craignish MS. in *HP*, ii, 98, where she is called Isabella; she has also been named Mary, *SP*, i, 335); the son of this union was called illegitimate in government sources (*APS*, ii, 247, 263-4).

2. *Donald*. Known as Donald Dubh (black) by his contemporaries (*RSS*, iv, 3057, 28 Sep. 1555), and by traditional usage; claimed to have been born in captivity (letter to Henry VIII in

Nat. MSS. Scot., iii, no.29), being a prisoner after his father's death in Argyll's castle of Inchconnell on Loch Awe (S, 50, which says he was made prisoner when three years old, coinciding with MacDonald grandfather's forfeiture and Campbell grandfather's death in 1493); escaped 1501 (the exact date is uncertain, but see *TA*, ii, 125-9; *ADCP*, lix, for activity in Nov. to Feb. 1501/2), not recaptured until 1506 and committed to Edinburgh castle (dating again uncertain; expenses for 'Donald of the Illis' in August 1507 may refer to cousin Donald Gallda (table 6/4), but payments in *TA*, v, 113 refer to period 1522-24 after the latter's death; see Gregory, *History*, 103); after being held in ward for nearly 40 years, reports show that he was free again by 6 May 1543 (*Sadler's State Papers*, i, 192, 194) and styled himself lord of the Isles and earl of Ross in commissions granted with consent of his council for treating with England dated at Ellancarne, 28 July 1545 (*Henry VIII Letters*, xx(i), 642, no. 1298), and when taking the oath of allegiance with his barons to Henry VIII at Knockfergus on 5 August (*ibid.*, xx(ii), 18-19, no.42) and his letter to Henry of the latter date (*Nat. MSS. Scot.*, iii, no.29). After a brief return to Scotland, Donald died of a fever at Drogheda towards the end of 1545 (C, 167; *Henry VIII Letters*, xxi(i), 50, no. 114; 404, no.815; *Hamilton Papers*, ii, 536; *SHR*, ii, 299-300), leaving a 'base son' whom 'in his extremes' he bequeathed to the English king's service (*Henry VIII Letters*, xxi(i), 130, no.275; *Sadler's State Papers*, iii, 548; but cf. C, 167). William Dunbar's 'Epetaphe for Donald Oure' (see Scott, *Dunbar*, 261-2; J. and W. MacQueen, *Scottish Verse*, 106-7) has been taken to refer to Donald Dubh, but cf. Nicholson, *Middle Ages*, 545n.

3. *Angus*. For a suggestion that Angus Og may have had a son of this name, perhaps the Angus commemorated on a grave-slab in Iona (S and B, plate 5c) and Angus de Insulis recorded in crown rental of North Kintyre in 1505 and 1510 (*ER*, xii, 365; xiii, 320), see S and B, 110-11). A possibility that Angus Og may have been the '*filium Johannis domini Orcadum*' knighted by Edward IV on 26 June 1461 is based on 'John Benet's Chronicle' printed in *Camden Misc.* (1972), xxiv, 231, but as James ninth earl of Douglas, one of the emissaries then appointed to meet

John of the Isles, was grandson of an earl of Orkney, this can only be accepted with reserve as evidence for the knighting of Angus.

4. *John*. Named in the succession to his father's title and lands after his brother Angus and both failing legitimate issue in 1476 (no.A24), but presumably dead by 16 Dec. 1478 when he was not mentioned among his father's heirs (no.A31).

5. *Ranald* or Reginald, 'son of the lord of the Isles', was first witness to a charter of 14 Nov. 1485 granted by Angus, master of the Isles, with his father's consent (no.119). Payments were recorded in 1496 for a Ranald Roy de Insulis who seems to have been a court pensioner like John himself (*ER*, x, 567, 589); for another Ranald in 1511/12 see table 6/5 above. John's daughter Elizabeth is on record in 1506; a daughter sometimes called Margaret (Macfarlane, *Gen. Coll.*, i, 60; Fraser, *Cromartie*, ii, 475-6; *SP*, vii, 497-8) was perhaps Finvola daughter of Celestine and so John's niece (see table 6/10).

APPENDIX E

SEALS OF THE LORDS OF THE ISLES

Of the 49 original documents noticed in this volume which have survived, 24 still carry their seals more or less intact. Six other seals are known from casts, illustrations, or descriptions.

No seal of the first John is known. One seal of Donald, and six of Alexander (representing two different designs), are among the survivors, and there are 20 of the last John, in five different styles, of which what was called his 'privy seal' (*sigillum secretum*) appears most often.

Seal engraving was a matter for the specialist, and, again judging by survivals, there does not seem to have been much demand for such a skill in the Hebrides. Comparison of the seals used by the lords of the Isles with those of other nobles and barons of the day shows no significant divergence from normal Scottish practice. The examples which have survived bear every sign of having been produced by professionals; and while the possibility that they are native products cannot be ruled out (the skill of Hebridean craftsmen during the lordship is not in doubt), it is likely that the lords of the Isles and their officials would have access to mainland sources where the demand would be greater than in their own territories.

The fact that two of the known types are exceptionally large (over two inches in diameter) is of interest because of references to two of the lords of the Isles having used a 'great seal' as well as a 'privy seal', as other barons are known to have done (*Kelso Liber*, 225, no.272). Only the *sigillum secretum* is differentiated in the legend which surrounds the armorial design, but documents of Alexander in 1440 and John in 1472 – both to members of the Urquhart family, and both now missing – are said to have borne their 'great seal' (nos.32, 101). Laing illustrated the second of these seals, and if the earlier one was the same as the seal attached to other documents of 1439 and 1440 (nos.27, 35, 36), the pair to which the description 'great seal' has been attached represent the most elaborate type of seal used by these two lords.

Thirteen examples of John's 'privy seal' survive, dating from

1453 to 1475 (his style 2 in the following list). The larger seal just mentioned was also in use during part at least of that period, in 1464 and 1472 (nos.82, 101), but the nature of the relevant acts does not suggest any reason to account for one seal being preferred to the other; so it may have been a matter of chance and availability.

Regarding the heraldic significance of the seals, it is worth noting that the three lions rampant of Ross first appear in the seal of Mary, lady of the Isles and of Ross, in 1420 (no.20), and are used by her son Alexander in 1440 (no.35). They were dropped from John's arms on the forfeiture of the earldom, and in fact the seal attached to his quitclaim in 1476 (no.109b) bears only the lymphad or galley of the Isles with a displayed eagle superimposed. The royal tressure figures in the earliest known lordship seal, that of Robert II's grandson Donald in 1410, and although missing from two intervening designs it continues up to John's fifth and last known style of seal in 1478. No later examples are known up to the forfeiture of the lordship in 1493.

In addition to original seals, and casts in SRO and Lyon Office, the following published sources have been used in the catalogue which follows:

- | | |
|--------------------|--|
| Laing i | H. Laing, <i>Descriptive Catalogue of Impressions from Ancient Scottish Seals</i> (1850). |
| Laing ii | H. Laing, <i>Supplemental Descriptive Catalogue of Ancient Scottish Seals</i> (1866). |
| Birch | W. de G. Birch, <i>Catalogue of Seals in the Department of Manuscripts in the British Museum</i> , vol. iv (1895). |
| Macdonald | W. R. Macdonald, <i>Scottish Armorial Seals</i> (1904). |
| Stevenson and Wood | J. H. Stevenson and M. Wood, <i>Scottish Heraldic Seals</i> , vol. iii (1940). |

I. JOHN

No seal of John lord of the Isles (d.c. 1387) is known to have survived.

II. DONALD

Only one seal of Donald lord of the Isles seems to have survived, on an Inchaffray charter dated at Aros in 1410. It shows on a shield couché a lymphad surmounted of an eagle, all within a royal tressure. On a helmet with coronet, as crest an eagle displayed; supporters, two lions rampant probably crowned (supporting the helmet). Diameter $1\frac{3}{4}$ ins.

Legend: Sigillum donaldi [de] yle domini [insularum]: in the only known example 'de' is unclear and 'insularum' broken off.

Example: no.18 (1410).

IIa. Wife of DONALD

A damaged seal survives of Donald's wife or widow, attached to a document of 1420 in which she is described as 'Dame Mary of the Ile Lady of the Ylis and of Rosse'. On either side of a full-length female figure standing beneath a Gothic canopy there is a shield, the dexter showing a lymphad surmounted of an eagle displayed, the sinister three lions rampant (now indistinct). Diameter $1\frac{3}{8}$ ins.

Legend: described by Cosmo Innes (Laing, ii, no.539) as 'quite illegible' but has been read as 'S m'garete de [ros do]mine insularum' (Macdonald, no.1614; Stevenson and Wood, 456), portion in brackets now broken; the name 'm'garete' presents difficulties (see Steer & Bannerman, *Sculpture*, 148-9), but when related to the document to which it is attached, it should probably be read as 'mariot' or 'marie'.

Example: no.20 (1420).

III. ALEXANDER

Two different seals used by Alexander, lord of the Isles, are known, of which the first is the more elaborate:

Style 1: Shield couché, quarterly: 1. a lymphad surmounted of an eagle displayed (the Isles); 2. three lions rampant (Ross); 3. three garbs (Comyn of Buchan); 4. on a bend cotised with six crosses coupé three buckles (Leslie); all within a royal tressure. On a helmet with wreath, as crest an eagle's head and neck with wings upraised; supporters, two lions rampant guardant coué

(supporting the helmet), foliage on background. Diameter $2\frac{3}{8}$ ins.

Legend: Sigillum alexandri de Yle domini insularum et Rossie.

Examples: nos. 27, 35, 36 (1439, 1440).

Style 2: Shield quarterly: 1 and 4. a lymphad under sail (the Isles); 2 and 3. three lions rampant (Ross). Behind and supporting the shield with its beak an eagle displayed; foliage at sides and two oak branches at foot. Diameter $1\frac{3}{8}$ ins.

Legend: S alex . . . comitis rossie dni insularu. (The name has been read 'Alexandri' in Laing, ii, no. 537 and figure, and 'alexr' de yle' in Birch, no. 16, 399; Macdonald, no. 1797; Stevenson and Wood, iii, 483. A description of the seal on no. 39 in *Aberdeen Reg.*, i, 241, reads the legend as 'S. Alexandri de Yle comitis Rossie ac domini Insularum', and blazon as above. In both known examples, the legend is partly worn and less distinct than in Laing's figure. As 'de Yle' appears in all other seals noticed here, it seems likely that it followed the contracted forename in this style.)

Examples: nos. 39, 44, 50 (1442, 1444, undated).

IV. JOHN

Five different seals used by John last lord of the Isles are known:

Style 1: Shield quarterly: 1 and 4. a lymphad; 2 and 3. three lions rampant. An eagle's head, neck and wings appear above the shield, which is flanked on either side by pairs of slipped oak leaves. Diameter $1\frac{3}{4}$ ins.

Legend: S Iohis de Ile coitis rossie & dni insularu.

Examples: nos. 51, 52 (1449).

Style 2: Shield quarterly: 1 and 4. three lions rampant; 2 and 3. a lymphad under sail; all within a royal tressure. Behind and supporting the shield with its beak an eagle displayed. Diameter $1\frac{1}{2}$ ins.

Legend: S secretu Iohis de Yle coitis Rossie & dni isu.

Examples: nos. 56, 57, 59, 68, 70, 79, 84, 91, 92, 93, 94, 108, 129 (1453 × 1475).

Style 3: Shield couché, quarterly: 1. three lions rampant; 2. a lymphad under sail; 3. an eagle (displayed?); 4. a dexter hand issuing from the base holding a sword bend sinisterways; all

within a royal tressure. On a helmet with mantling and wreath, as crest an eagle reguardant with wings expanded; supporters, two lions rampant coué. Diameter $2\frac{1}{4}$ ins.

Legend: S Ioh de Yle comitis Rossie et d^r Insula[rum]; letters in brackets represented by 'r' + mark of suspension.

Examples: nos. 82, 101 (1464, 1472).

Style 4: Shield, a lymphad surmounted of an eagle displayed contourné, within a royal tressure of which the upper or horizontal portion is omitted (see *APS*, ii, 102; and C. J. Burnett in *PSAS*, cv, 314). Above the shield is a small image of an eagle displayed, and on the dexter side a star. Diameter $1\frac{1}{2}$ ins.

Legend: Sigillum Iohannis de Ily dns Insularm.

Example: no. 109b (1476).

Style 5: Shield, a lymphad under sail within a royal tressure (complete), in the dexter chief a dexter hand; above an eagle displayed supports the shield in his talons. Diameter $1\frac{1}{2}$ ins.

Legend: S Iohannis de Yle domini Insula[rum]; letters in brackets as *Style 3* above.

Examples: nos. 113, 114 (1478).

IVa. Son, brother and nephew of JOHN

There is no evidence that John's son Angus, master of the Isles, had a seal of his own. Those who had seals did not always carry them, and sometimes had to borrow others (see *APS*, ii, 55; J. H. Stevenson, *Heraldry in Scotland*, i, 104); Angus is known to have borrowed the seal of John MacLean of Lochbuie in 1485 (no. 119).

John's brother CELESTINE had a seal showing on a shield quarterly: 1 and 4. a lymphad under sail; 2 and 3. a lion rampant. It is supported from behind by (an eagle displayed?). Diameter $1\frac{1}{2}$ ins.

Legend: S Celestinus de Iyles dns Local[sh]; last two letters omitted from lack of space.

Example: no. 71 (1461).

Celestine's son ALEXANDER of Lochalsh had a seal showing on a shield couché, quarterly: 1 and 4. a lymphad; 2. a lion rampant; 3. a dexter hand. Above a helmet with capeline, as crest an

eagle's head; supporters, two lions guardant (supporting the helmet). Diameter $1\frac{1}{2}$ ins.

Legend: S Alexa . . . de Lochalsh (?).

Examples: no.123; Mackintosh Muniments, no.15 (1492, 1493).

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NOTE. Surnames and Christian names are given in modern form, except in Latin or Gaelic names where no English equivalent can be assumed. Unless a 'Mac—' form appears to have been adopted as a settled surname, patronymics are indexed under the Christian name of the father.

Wherever possible, place-names are followed by national grid references relating to one inch to the mile or 1:50 000 Ordnance Survey maps, with an asterisk when names are found only in the six-inch (1:10 000) series. Identified names are spelt in the OS form, followed by others (if any) in the documents. Where a Gaelic name appears on OS maps only as a compound, along with Allt, Camus, Rubha, etc., the part representing the old documentary form has been indexed in the nominative case (e.g. Caigeann). Place-names for which no sure OS identification has been found are indexed in their documentary form, with the approximate location in brackets, or as they appear in any reliable modern source noted in the comments.

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THE SCOTTISH HISTORY SOCIETY

1886-1986

*An extended version of an address given
by Professor Emeritus Gordon Donaldson
in the Signet Library, Edinburgh, on
23 April 1986*

IT IS AN EVENT without precedent to address the Scottish History Society in any month other than December. As has often been made clear to those who have complained, the Annual General Meetings have, for reasons connected with the Society's financial year, almost invariably – almost, but not quite – been held near the end of the calendar year, and, while the A.G.M. started in October and was for a few years in November, it has for about seventy years been nearly always shortly before the middle of December. We all know it is not the most clement season. In 1903 Lord Rosebery, then President, remarked, 'We meet under climatic conditions more suitable to the tryst of Macbeth's witches than to meetings of the Scottish History Society'. In 1937 the President was Lord Clyde, whose home was at Rumbling Bridge, and he was unable to attend the meeting because he was detained by a snowstorm. In his absence that versatile man Dr E. W. M. Balfour-Melville, who could always be relied on in an emergency, gave the Society 'Some reflections on the Stewart dynasty'. Twenty years later the late Sir James Fergusson, whose home was in Ayrshire, asked plaintively if the Society could not meet at a season more comfortable for travelling. In very recent years I think we have been more fortunate, but I seem to remember that in the 60s we had a succession of savage blizzards on the day of the A.G.M. They sent my mind back to the sixteenth century. When Bishop Carswell was buried at Ardchattan in 1572 the day was so bad, even by West Highland standards, that it was memorable, and people would say, on a stormy day, 'This is like the day the bishop was buried'. I once remarked that *we* might say, on a stormy day, 'This is bad enough for a meeting of the Scottish History Society'.

The hour of this meeting is a novelty too. For decades the A.G.M. used to begin at 3 p.m. – apart from one occasion which will be mentioned later – but in 1964 it was changed to 11.15 a.m.

A third novelty is the nature of the refreshment. Tea and coffee have been

the normal offerings at A.G.M.s, and the Society has been rather reluctant to venture beyond them. In 1936, on the occasion of the Society's half-century, the late Professor Dickinson wrote indignantly to the Secretary: 'I think a celebration of fifty years good work with a mere cup of tea unworthy of the writers and their works from 1886 to date'. The Society on that occasion did in fact lay on a lunch for the Council and surviving editors, but *hoi polloi* had to do with a cup of tea. Then in 1966, on the eightieth anniversary, there was a lunch for all comers – or I suppose for all payers.

And I need hardly say that this place of meeting is another novelty. The Society has been remarkably constant in its attachment to a meeting-place. The first three A.G.M.s were in what was called 'The Professional Hall' in George Street, then in 1890 the meeting-place was changed to Dowell's Rooms, where it remained until 1934, when there was a complaint of 'dirt and inattention' in those premises. In 1935 the meeting-place was the Hall of the Society of Accountants in Queen Street and then each year from 1936 to 1946 it was in the Caledonian Hotel. I remember as I entered one day overhearing a member of the hotel staff remarking that we were a historical looking lot. In 1947, thanks to the then President, the late Lord Cooper, the Society was able to meet in the Rooms of the Royal Society of Edinburgh and they have been the meeting-place since then except when the reconstruction of those premises drove us to refuge in the North British Hotel. The reason why we meet today in the Signet Library is that it was in this hall that the constituent meeting of the Society took place on 21 April 1886. It is a privilege to meet in this splendid hall, which I regard as the finest apartment in Edinburgh, in which it is always a great pleasure to be.

That today's celebration takes place in a library is peculiarly appropriate. One can almost say of the Society, *Si monumentum quaeris, circumspice*, because its monument is its publications, which are displayed on the shelves of any self-respecting library. The number of this Society's volumes now surpasses the output of any other among the numerous societies which have operated in similar fields, and they have ranged widely in time and theme. There has been a lot of archival material in the narrower sense – over thirty volumes of court records, about half that number of correspondence, and ten volumes of financial records. There have been some thirty volumes of 'Papers', usually representing selections from either public archives or private muniments. There have been about fifteen volumes of narratives and diaries. There have been business records, Vatican records, cartularies of religious houses. The infinite variety has fulfilled the kind of balance spoken of by Lord Rosebery in 1903: he favoured what he called 'documents illustrative of Scottish history in the widest sense of the term' and material bearing on 'the domestic side' – diaries, account books and other illustrations of family and human life.

So far as chronological spread is concerned, when I last made a count the seventeenth century was leading, with the sixteenth and eighteenth not far behind; but every century from the thirteenth to the twentieth is represented.

With no shortage of material, the Society has usually been in a position to pick and choose. In the early days, when a Society for the publication of 'unedited scraps of historic interest' – the phrase was Lord Rosebery's when he wrote to *The Scotsman* in February 1886 – was a novelty, proposals flooded in and in July 1886 nine items were on offer. (For comparative purposes, in 1963 twelve items were on offer of which three were accepted, five rejected and four deferred for consideration.) In the early days an effort may have been made to stimulate suggestions, with some surprising results. An intelligent Free Church minister at Ardgay in Easter Ross wrote: 'I should think valuable ancient documents might be obtained from the Duke of Sutherland' – a source not in fact tapped until eighty years later. On the other hand, the Duke of Argyll was surely less knowledgeable than that northern minister, for he wrote in 1889: 'I am sorry to say that I do not know of any paper in my possession which is of much historical interest. The Argyll Papers were much neglected for many years, and beyond papers connected with estate management I know of no document of historical interest'. It is only fair to add that a later Duke of Argyll – Duke Niall – took a keen interest in the Society's *Highland Papers*, vol. IV, and alluded in a letter to 'the murderous and polygamous habits' of a Clanranald, adding, 'I gather that he had six ladies at least . . . reminiscent of Hollywood and its Bluebeards'.

A great many proposed publications waited in the wings for years, even for decades, but – and this may to some be a message of encouragement – it is remarkable how some which at one time must have been despaired of did ultimately see the light of day. There are references in 1892 to what I suppose took shape as the *Rentale Dunkeldense*, published in 1915, and to *Forfeited Estates Papers*, published in 1909; the volume which appeared in 1935 as *Robertus Richardinus*, edited by Dr G. G. Coulton, had been spoken of away back in 1897; the late Dr R. C. Reid proposed a local volume in 1926, consisting 'mainly of monastic charters', and it took shape as *Wigtownshire Charters*, issued so recently as 1960; the *St Andrews Faculty of Arts Minutes*, proposed in 1917, appeared in 1964; and *Inchcolm Charters*, spoken of in 1903, appeared in 1938. Some works which were not accepted by this Society ultimately found a home elsewhere: the *Yester Writs*, considered unsuitable for this Society in 1912, came out from the Record Society; when the Caprington Letter Book came into the Register House, Professor Hannay suggested that this Society might do *The Letters of James V*, but that ultimately came from the Stationery Office. There seems to be a contemporary ring about a statement in 1933 that 'the *Regesta* is making

good progress', but the reference is to a proposed compilation by Dr Hunter Marshall of a volume of crown charters from 1094 to 1304, first mentioned in 1928. And in 1936 there is a mention of a 'Register of Scottish M.P.'s', which must relate to the History of the Scottish Parliament, work on which was first proposed at that time and which is not even now completed, under different auspices. There were, however, some projects which faded out. A volume of the charters of Coldingham Priory was proposed in 1894 – a proposal revived at a much later date; there was talk of a 'Ratisbon volume', to be edited by Abbot Hunter Blair, in 1895 – presumably a volume devoted to the Schottenklöster in Germany on which Dr Dilworth has worked more recently; in 1938 the late Professor J. D. Mackie was editing a new edition of the *Diurnal of Occurrents*; and a proposal had been made away back in 1914 for a List of Scottish Students at Paris. Some of those projects might still deserve the Council's attention. Another project which proved abortive was an index to publications, mentioned four times between 1910 and 1938; some work was evidently done, and money spent, but nothing emerged in print.

While the main function of the Society, almost its only function, was the publication of source material, there were always those who thought it had a wider scope, and Secretaries were plagued from time to time, as many of us have been, by casual enquiries or requests for information. One of the most surprising came from the Principal of City College, Madras, asking if the Society conducted examinations in India and issued degrees or diplomas. Others were more run-of-the-mill material. John Deans, Wallaceburg, Ontario, whose curiosity had been stimulated by a picture of 'Jeanie Deans' Cottage', wanted information about his ancestors; someone in Alabama wanted to know if the Kellys were a sept of Clan MacDonald; T. H. Johnstone in Ottawa wanted information about his ancestors; there was, almost inevitably, an enquiry about the identities of the 'Four Maries' as named in the ballad. How successive Secretaries dealt with such enquiries there is little evidence. But one Secretary, who shall be nameless, wrote sharply: 'It is not one of the functions of the Scottish History Society to supply information which people ought to be able to find from their own reading or research'.

Other approaches were made to the Society from various quarters. It turned down a request that it should administer the David Berry Prize, a responsibility which fell to the Royal Historical Society instead. In 1938 the Society agreed to be represented on the Committee for the Glasgow Exhibition, but declined to send members to man the bookstall. The Society declined to join in a protest against a proposal of the War Office to extend a rifle range over a part of the battlefield of Sheriffmuir. It took no action over letters from the S.N.P. in 1953.

A Society dealing with Scottish history, a subject which has been compared to a minefield, could hardly escape some controversy. Inevitably there were occasional complaints about the contents of the volumes. In 1889 a member in Coatbridge protested against the *St Andrews Kirk Session Register*: 'Surely no one wants to know of the sin and disgrace of certain men and women of 300 years ago', and he terminated his subscription. Rosebery himself thought there was too much Jacobite material among the publications, and remarked acidly: 'Queen Mary was another of those fixed lighthouses in the history of Scotland round which the swallows were always swarming'. Sober criticism came when Mr Forbes Gray resigned in 1935: 'There is too much mediaevalism and too little relating to the seventeenth and eighteenth centuries, which are so significant from almost every point of view. I observe that the decrease in membership still continues. I am not surprised. The volumes will have to be made more *humanly* interesting if the decline is to be arrested'. The most serious 'row' I ever heard of was one within the Council and related to *The Prisoners of the 'Forty-Five*, the allocation to which of three volumes, with a long Introduction and an expensive layout, was thought to be excessive, perhaps especially as the Society could not have been accused of neglecting Jacobitism. The criticism was headed by the Glasgow publisher James MacLehose, a valued supporter of the Society. The editor, Sir Bruce Seton, resigned from the Council but then withdrew his resignation, whereupon the late William Angus and Professor Hannay, joint-secretaries, resigned. There was comparable trouble, though this time it led to no resignations, over *The Sheriff Court Book of Fife*, owing to the liking of the editor, the late Professor Dickinson, for long Introductions, and there was a proposal to make two volumes out of it. There is a reference to 'a somewhat difficult interview'. Dick admitted to having 'far too many footnotes' and promised to keep his Introduction to 75-100 pages.

There was from time to time minor friction with editors. Right at the outset, in 1887, T. & A. Constable, the printers, reported that in *Pococke's Tours* the cost of 'proofs and alterations' exceeded by about five per cent the cost of composition. Too many people had simply no conscience about proof-correction in those days. However, there was seldom any acrimony, and what sometimes emerges is simply the praiseworthy efforts of editors to attain as complete accuracy as possible. Maitland Thomson wrote to Hay Fleming, as Secretary, about the index to Inchaffray: 'I suppose it is sufficiently clear that "MacGil serf" on p. 368 is *not* [thrice underlined] to have a comma between Gil and serf.' Dickinson's letters to Angus, about *Fife*, are marked by characteristic attention to detail and discussion about matters like the extension of contractions. But it was not unknown for editors to

admit that they were at fault: R. C. Reid wrote at one point – again characteristically – ‘I know I am damned careless’. Perhaps the most remarkable instance of conscientious attention to detail and a determination to attain accuracy is in a letter from the late Dr A. O. Anderson which was read at a Council meeting in 1946: he asked for the circulation to members of an erratum slip correcting *coronatus* to *coronatur* on p. 151 line 8 of the *Holyrood Chronicle*. There may have been many occasions when an editor had occasion to criticise the transcribers who had been paid to prepare his text for him, but one amusing one emerged in 1901. Bishop Dowden had been correcting a transcript for *Lindores*. The transcriber, Walter Macleod, had taken ‘tt’ in the titles of cardinals as ‘cc’ and rendered it ‘ecclesie’ and not ‘titulo’. But what really shook the bishop was Macleod’s ‘xxx agnos paschales’, for he wondered where the thirty Paschal Lambs had come from. The correct reading was actually ‘agnos pacabiles’, marketable lambs. It was not an uncommon occurrence for the Council to be concerned about dilatory editors, or for Secretaries to try to spur them on. The best excuse, or justification, for delay came from the late George Pryde in 1931, when his editing of *Ayr Burgh Accounts* was interrupted by his work on a very useful volume called *Scotland* in which he collaborated with R. S. Rait. Pryde was a lecturer at Glasgow, while Rait, formerly Professor of Scottish History, was Principal, and Pryde explained that his participation in *Scotland* had been something of a ‘command performance’.

While there was thus occasional friction in greater or less degree, it seldom reached the Council and even more seldom the A.G.M. Discussion of nominations for the presidency was nearly always a matter for the Council alone, and the only case where there was a dispute, at least so far as the minutes show, was in 1929, when the nomination of John Buchan was carried only five to three. The one occasion when a nomination was challenged at an A.G.M. was in 1943. The Council’s nomination was Dr G. M. Trevelyan, but when it was put to the meeting by Dr Henry W. Meikle, who was in the Chair, a man rose whom nobody seemed able to identify at the time. He was elderly and clearly a bit nervous in taking what was undoubtedly a courageous line of action. He said that he did not object to Trevelyan because he was an Englishman, but because Trevelyan had declared that the Union of 1707 had created, as he put it, ‘an omnipotent parliament’. ‘“Omnipotent” is what I wrote’, interjected Trevelyan. The objector agreed, but his confidence was farther shaken. He attempted to continue, but Meikle, in the Chair, put it firmly to the meeting: ‘Do you wish that I allow this to continue?’ It was obvious that the meeting did not wish this to continue, and there the matter ended, leaving, I think, an unpleasant taste in everybody’s mouth. My impression, from memory, was that the ground for

the objection was something Trevelyan had written in his volume on *Ramillies and the Union with Scotland*, but among the Society's papers I found a newspaper cutting of a letter which identified the objector as R. E. Muirhead, Lochwinnoch, and made it clear that the ground of his objection was actually an article written by Trevelyan in *The Listener* in 1929. I later learned that Muirhead, who as a younger man had been a leading light both of the Scottish Home Rule Association and of the National Party of Scotland, and was still involved with his Scottish Secretariat Organisation, must have been aged about 75 at the time of this intervention. The Minutes of that meeting, I observed, state that the election of Trevelyan was 'carried unanimously'.

Some of you may recall an occasion when there was not indeed a row, or even friction, over the appointment of a President, but there was what might be called an amicable difficulty. Dr Balfour-Melville was much attached to his office of Secretary, which he had held for twenty-five years when in 1956 he was prevailed on to become Chairman of Council, on the understanding that he would remain Secretary, with Dr Grant Simpson as his Assistant. When his term of office as Chairman ended, he resumed writing the Council Minutes. The next step was to persuade him to become President, which he was extremely reluctant to do; the Council Minute states that it was only 'after discussion' that he finally consented to be, as it were, 'kicked upstairs', and then only on condition that I would succeed him in his share of the secretarial duties, of course in partnership with Dr Simpson.

Differences, even rows, were thus not unknown in the Society's history. But there was an agreeable absence of any kind of sectarian debate, which might so easily have arisen. The first meeting recorded in the Council's Minute Book, at which it was agreed to 'move in the direction' of establishing the Society, was held on 17 February 1886 in the Forbes library of the Theological College of the Episcopal Church, on the invitation of Bishop Dowden of Edinburgh, who became Chairman of Council. The Bishop of Brechin, four other Episcopalian clergymen, the Lord Lyon (George Burnett), a Church of Scotland minister and Thomas Graves Law, an ex-Roman Catholic priest, were present. Law became first Secretary and was succeeded by that most ardent of Presbyterians, David Hay Fleming. It was refreshing to come on a letter from Dowden beginning, 'My dear Dr Hay Fleming'.

However, any minor troubles within the Society fade into insignificance against other events. The Society's history has spanned two World Wars, and on the whole the cool and imperturbable manner in which business continued surely illustrates in a striking way the remark I like to quote which Mr Chamberlain made on 3 September 1939 when he informed us that Britain was at war with Germany. He said that Sunday morning, 'The life of the

nation must go on'. And it did. Yet wartime conditions and wartime events are reflected now and again in the Society's archives. One of the casualties of the German invasion of Belgium in 1914 was the library of the University of Louvain, and in 1915 the Society agreed to a request from the British Academy that it should be represented on a committee 'with the ultimate aim of reconstituting the Library of the University of Louvain'. In 1920, when books were being collected to form a library for devastated Serbia, the Society was willing to help, but had no volumes available. Somewhat similarly, in 1942 a set of Series 3 of the publications was presented to the Guildhall Library in London, after enemy action there, then in 1945 the Society presented sets of its publications to Warsaw, Cracow and Prague at the request of the Conference of the Allied Ministers of Education, and also presented publications to Caen. The Council prudently took care of its own books, and in May 1939, when war seemed very probable, it decided that steps should be taken for their safe storage 'in the event of a national emergency', as the phrase went. I must confess to some impatience with one item in the Society's correspondence during World War I. On 1 January 1916 the Honorary Secretary of the Speculative Society wrote: 'As all the members of the Speculative Society are at present absent on service, the Society is temporarily suspended and cannot, I regret, pay any subscription at present'. But that dignified explanation did not deter the Treasurer from sending the usual demand next year, 1917, and this time it followed the Secretary of the Speculative Society to France, where he was on active service and whence he sent another explanatory letter, this time written in pencil and dated, 'In the field'. It is with no feeling of surprise that one comes in 1917 on the decision of the Council to send a message of sympathy to the President, Rosebery, on the death in action of his son, Neil.

From the almost sublime among wartime vicissitudes one comes to the almost ridiculous. In December 1915 a volume sent to the Royal Library in Copenhagen was returned, marked 'Opened by Censor', with a note to the effect that official permission must be obtained to send it. Then in the first winter of the Second War the hour of the A.G.M. on 9 December was brought forward from the then usual time of 3 to 2.30, obviously to give those attending a chance to get home before the blackout. And coffee was to be served instead of tea. I can guess who was responsible for that: there was among the officials in those days an ultra-conventional man, to whom I am sure it would have been unthinkable to take tea before 3 o'clock. We were all constantly being exhorted to 'do our bit' as the phrase went, and the Society made its modest contribution to the war effort by deciding in 1940 that back numbers should be sold to non-members outside Britain to assist the export trade. Then in 1943 it was decided that where the stock of a volume exceeded

100 copies the surplus was to go for salvage – another familiar part of the war effort.

After reviewing the archives of the Society and drawing on recollections of my own membership during forty-seven years, the impression has grown that the Society used to attract more publicity than it does now. It would almost seem that, while Scottish history may have become more serious for the practitioners, it is taken less seriously by the wider public. Certainly more press coverage was given to the Society's activities in earlier years than is given now. The first volume of the Council Minutes contains cuttings of lengthy press reports of the annual meetings year after year, extending to nearly a column in some cases and giving a lot of detail. Even in my own recollection, the A.G.M. used to get two or three paragraphs in the newspapers, mentioning points in the annual report and reporting something of the President's remarks. This meant that when the Society had a President who – I hesitate to say 'had something worth saying' – a President who did something more than merely deliver a scholarly lecture, he was reported. Of course in those days the papers regularly reported the proceedings of the Royal Society of Edinburgh and even, if I may so put it, the Scottish Church History Society. Such reports do not appear now. One reason for the change is, of course, the preoccupation of the media with sex and violence, with which we cannot compete. But I'm not sure if the journalists alone are to blame for it.

This brings me to a somewhat delicate matter, but I believe I can speak my mind because no one is likely to accuse me of wishing to depreciate those who have held the office of President during the last thirty years or so, if only because they of course include myself. The point is that recent Presidents have been chosen for their professional scholarship. But it was not always so: some of their predecessors were figures known to the public in a way that scholars are not, and so could command attention in the press. What they said was news and sure to be reported, so they acted in effect as channels through which the views of people concerned with Scottish history could find their way to the public eye.

Rosebery, who held office from the foundation of the Society until his death in 1929, was of course outstanding from the point of view of publicity. It would have been a tremendous advantage to have had even the name of a politician who was a leader in a party which used to command the support of the majority of the Scottish electorate and who was even briefly Prime Minister. But Rosebery was far from being a mere figurehead or sleeping partner and, despite not always being able to take the chair at the A.G.M., took a direct interest in the Society's operations. In 1907 he wrote rather sharply to the Secretary: 'I am a little dismayed at the rarity of the meetings

of the Council. I have not heard of such a meeting for 5 or 6 months past; and I cannot help thinking that if it is to supervise satisfactorily it should be assembled oftener than that'; and in 1911, alluding to the 'backward state of the publications' he suggested 'the necessity of obtaining the services of younger, more active and less occupied men to act as editors'. Rosebery could give even more practical advice than that: 'always wind up your watch at night and verify your quotations', he exhorted his fellow-members.

After Rosebery came John Buchan. His nomination, as I mentioned, was contested, presumably because not everyone approved of his forays into Scottish history: Hay Fleming, after all, was a member of Council, and you will recall that when Hay Fleming was asked if he ever read historical novels he replied, 'No, I never read fiction. Oh, yes, I've read Buchan's *Montrose*'. But Buchan was good value as a President, not only for his prominence in the public eye but for the remarkable perception and prescience of some of the things he said. Perhaps the only President after Buchan who could be placed alongside Rosebery and him was the late Lord Cooper, not that he was anything like as much in the public eye as they had been but because he was so forthright in speaking his mind and brought to his pronouncements the weight and authority to be expected from the pinnacle of the Scottish bench. All the meetings over which he presided were reported in *The Scotsman*; the first of them, in 1946, got about a third of a column as well as a paragraph in Wilfred Taylor's 'Scotsman's Log'. There was one more genuinely public figure after Cooper, and that was Tom Johnston, who was widely thought to deserve recognition for his great services as Secretary of State: he, like Cooper, was not afraid to speak his mind, but his manner was somewhat less judicial if not less judicious. I would not mention names in this connection, but it is only fair to say in general terms that the Council did from time to time invite men who would have been in the Rosebery or Buchan tradition – men of eminence and quality – who felt it necessary to decline the office, one on the ground, for which one feels some sympathy, that his 'slender stock of topics for addresses has been rather exhausted of late'.

There were two topics or themes on which those successive Presidents made their voices heard. One was the state of the Scottish records and the other was the position of Scottish history in the educational system of the country.

Away back in 1913 there had been a suggestion that the Council should draw attention to defects in the Burgh Registers Bill which was then before Parliament and in 1914 Council was exercised about the availability of older records to historical students and about the preservation of local records, some of which were 'shamefully neglected'. However, serious concern about the state of the national records was aroused after World War I, when in the

early 1920s there was anxiety about the failure to fill the office of Deputy Clerk Register and the government's undisclosed plans for reorganising the Register House; in 1924 it was actually reported that the Scottish records were to be removed to London and the Register House abolished altogether. At the 1922 A.G.M., with Sir James Balfour Paul in the chair, it was moved that the Society consider the neglect of the public records; in 1923 a submission on the subject was prepared and revised; in 1924, when the Council reported that, with the support of the press, it had urged better attention to the records, Lord Sands, who was in the chair, spoke at length in support; and in 1925, when the A.G.M. reflected further agitation, it was decided that copies of the Annual Report should be sent to the Secretary of State, the Lord Advocate and other members of parliament. Views were expressed in 1928 on the proper division of manuscripts between the Register House and the National Library and a memorandum submitted to the Royal Commission on Museums and Galleries.

A leading part in the agitation was taken by Sheriff J. R. N. Macphail, who was Chairman of the Council of the History Society from 1922 to 1926, and his statements made an unprecedented impact on the press: the *Glasgow Herald* and the *Scotsman* printed letters, reports and articles setting out at considerable length the complaints which had been voiced in the Society, especially in December 1924. It was alleged that the Historical Department was almost without staff; that since the office of Deputy Clerk Register had become vacant there was really no record authority in Scotland and no one who could even answer letters addressed to the Deputy Clerk Register; and that a Reorganisation of Offices (Scotland) Bill proposed to transfer the functions of that official to the Secretary of State.

John Buchan took up this cause forcefully in 1930, 1931 and 1932. 'All historical work in Scotland', he said, 'is carried out under greater difficulties than, I think, in any other land. No British government has been kind to us in respect of our national records. The Historical Department of H.M. General Register House is seriously understaffed. . . . There is neither the staff nor the funds to compile those indices without which the records of a nation are not truly accessible to the student. . . . It seems to me to be in an especial degree the business of the Scottish History Society to press . . . for a fairer treatment'. In 1931 it was reported that the question of an increase in the staff of the Historical Department had been discussed at a conference with the Under-Secretary of State for Scotland in the past summer, when the views of the Society were stated by Lord Sands, Chairman of Council. Buchan was looking to the future as well as the present. In 200 years, he said, 'the records available would be so numerous, assuming their survival *in extenso*, that it would be necessary to wade through an infinite variety of chaff to get at the

grain. . . . For the last forty years the world had groaned under a welter of *papisserie*. Before the historian of the future could exhaust the first hand material for a single week of modern government he would have to do a year or two's solid reading'. He thought that the craze for meticulous detail and the search for an impossible factual accuracy might decline and that we might have to settle for less scholarly accuracy in the interests of broader historical truth. But in 1932 the Report mentioned that the state of the Scottish records continued to cause grave anxiety. During the last session of Parliament Buchan and others had raised the matter in the House of Commons and a deputation from the Convention of Royal Burghs had been received by the Scottish members. No satisfactory steps, however, had been taken to improve the lamentable conditions of storage and classification. The Council urged as a minimum the resumption of the issue of Annual Reports on the Records, a practice maintained in England and Ireland. Buchan, in his address, reviewed the history of the records from Thomas Thomson's time and deplored both the stripping of the Lord Clerk Register's functions and the abolition of the office of Deputy Clerk Register. He recalled that concern was nothing new: as far back as 1884 the Convention of Royal Burghs had petitioned on the subject, without result, and that more recently, in 1925, the Committee on Sheriff Court Records had proposed the establishment of a 'Record Authority' with jurisdiction 'over all the public records of Scotland', but that no action had been taken. Buchan again showed his foresight by alluding to the problems about private muniments arising from the break-up of estates and the abandonment of great houses.

The agitation of the early 1930s received even more press attention than that of the previous decade. Macphail (now Chairman of the Scottish Record Society) was still on the warpath, declaring that Scottish history was 'treated like a rubbish heap', and his strong words about the neglect of the records captured the notice of the *Daily Express*, the *Edinburgh Evening Dispatch*, the *Daily Record* and the *Sunday Post*, as well as the two papers which constituted what was then called 'The Twopenny Press'. H.M. Paton's useful pamphlet on *The Scottish Records*, published by the Historical Association of Scotland in 1933, provided further facts (as distinct from hysterical exaggerations) and for a time it seemed true that 'public indignation had been aroused' over a 'Scottish Records Scandal' which created 'a national injustice'. It is safe to say that never had the state of the archives occupied so many columns of newsprint. Buchan's observations about private muniments, incidentally, may have done something to lead to the consideration in 1938 of a kind of germ of the National Register of Archives, on which George A. J. Lee, the Keeper, observed not unreasonably that the public records should come first.

Something was achieved, for in 1933 the Society noted that it had been

decided to add three members to the Record Office staff, and in 1935 it noted the appearance of a Report by the Keeper for the first time since 1868; but it still deplored that no action had been taken to implement the recommendations of the Committee on Sheriff Court Records of 1925. In 1936 there were again accusations of neglect, but in 1937 came the Public Records (Scotland) Act, which at least showed that legislation could be obtained. The press, which in 1935 had still been declaring that 'Scottish records lie rotting', got some satisfaction out of the Act; and the return of nine documents from England, in tardy fulfilment, so it was believed, of a treaty made in 1328, captured the imagination. *The Scotsman* had about a page on the subject on 28 January 1937 and several columns on 18 August following.

The brighter prospects opened up for the records in the 1930s were, however, almost at once obliterated by the Second War, which was disastrous – not indeed so far as the physical welfare of the archives was concerned but in respect of staffing, for recent recruits were seconded to duties in other government departments. Nor was recovery immediate after the war ended, and the accumulation of arrears grew, to provide ammunition for an attack by Tom Johnston at the Scottish History Society's A.G.M. in 1954. This politician was no novice in this field, for in 1935 he had complained about the lack of indexes – drawing from Lee, the Keeper, the observation that Johnston had not shown so much zeal when his Labour party had been in office, and bringing from the Secretary of State the bland assurance that 'the indexing of the Acts and Decrees for years down to 1810 will be dealt with as soon as circumstances allow'. Now, in 1954, Johnston commented from the presidential chair on the existence in the Register House of 'a vast unindexed and uncatalogued treasure trove of historical manuscripts awaiting not so much attention from a team of palaeographers and research students as an indignant public opinion over a state of affairs wherein more than 6000 manuscript volumes remained unindexed'; he mentioned specifically 3309 volumes of Acts and Decrees. (He had taken his figures from the Report of the standing Committee on Museums and Galleries for 1954; actually his figure of 6000 volumes would seem to tally roughly with the number of unprinted volumes for the period down to 1707 but his figure for the Acts and Decrees related to the whole period down to 1810.) Johnston (who got a lot of space in the press) suggested, as a means of arousing public indignation, an exhibition around the country of documents like the Declaration of Arbroath and the last signature of Robert Burns, with talks given by the professors of Scottish History. Nothing came of those spectacular suggestions, but in 1962 and 1967 the Society made submissions to the Keith and MacBoyle Committees on Record Office accommodation and

on local authority records and in 1971 presented its views on local records under the reorganisation of local government.

That suggestion of Johnston ties in with the second 'guid ganging plea' on which the Society expressed its views, namely the state of Scottish history in schools and universities. For Rosebery, the first President, this was already an old story before the Society was founded, for in 1880, when he was elected Rector of Aberdeen University, he had said: 'I think there should be a professorship of Scottish history in Scotland'; and he added that his aim was to strengthen the connection between the youth and the traditions of Scotland. As John Buchan noted in 1929, long before Rosebery died he had seen his wishes fulfilled, and indeed in double measure because there were professors of Scottish History in both Glasgow and Edinburgh by that time. In 1901, when the Edinburgh chair had been filled by the appointment of Hume Brown, Sir James Balfour Paul, in the chair at the A.G.M., remarked that 'he did not think that any university in Great Britain could now boast of a better history school than Edinburgh'. At that point, it must be said, the Glasgow chair had not been created, but at Edinburgh Prothero, Kirkpatrick and Lodge, as well as Hume Brown, were all members of the Society. Balfour Paul added that he was sure that Hume Brown would 'gather round him a band of devoted students, and he trusted he would be able in time to raise up a school of palaeographers who will keep brightly burning that lamp which has been handed down to them by such men as Thomas Thomson, Joseph Robertson, Cosmo Innes and Dr Thomas Dickson'. This sense almost of euphoria seems to have carried the Society on for a couple of decades, but in 1921 (when the *Glasgow Herald* gave the A.G.M. nearly a column), Hannay, recently appointed to the Edinburgh chair, expressed his dismay about prospects for Scottish history. Then in 1926 Evan Barron, in the chair at the A.G.M. (although at that point not even a member of Council), spoke at length and, besides plugging his own somewhat eccentric views and demanding whether the Society had done 'justice to the Highlands', deplored the status of Scottish history in schools and universities as well as the condition of the public records. Buchan extended himself on the records rather than on teaching, but in 1933 Rait reproached English historians for what he called their 'contemptuous attitude' to Scottish history and instanced the treatment of Scotland in the *Cambridge Medieval History*, where it was ignored until the seventh volume, in which eighteen pages were assigned to the history of Scotland from the Romans to 1328. Rait's remarks got some publicity, at least in the *Glasgow Herald*, which devoted a column to the A.G.M. of 1934 over which he presided. Professor Hannay, who, if I remember right, told me that he declined to write those eighteen pages for the *Cambridge History*, had some remarks to make in 1935 when he was

seconding the Report of the Council at the A.G.M. He deplored the lack of teaching in schools and the lack of Scottish content in the Civil Service Examination. Evidently a memorandum by Professor J. D. Mackie and him had been turned down by the Civil Service Commissioners, but they made a fresh approach, with the support of the four Scottish Principals, and the Civil Service gave way.

I pass on to Lord Cooper, who not only delivered four quite brilliant and original presidential addresses, each presenting a novel approach, to which he must have devoted a sizeable proportion of the time of a very busy man, but also made certain remarks about the position of Scottish history, and in a recent review I had occasion to quote what he said, with some comment. This is what I wrote: 'In 1949 the late Lord Cooper, addressing the Scottish History Society, deplored the fact that in the University of the capital city of Scotland it was possible for a young Scot to take a degree in History without learning any Scottish History, and went on: "There was a subject called British History which proved on examination to be English History with occasional side glances at Scotland through English spectacles at times when Scotland crossed England's path". Thirty-five years have seen no improvement. One wonders if a present-day Lord Cooper would be sympathetic to proceedings, under the Trade Descriptions Act or the Sale of Goods Act, against a publisher who labels as British History something which is actually English history.' But besides thus exposing so-called British History for the confidence trick it was, Cooper added that in the History curriculum Scottish History was one of eleven options, another being the history of East Africa. The press fastened on such pointed remarks, and while I would not go so far as to say that they brought a sense of shame to those responsible for such a sorry state of affairs, it did make them feel vulnerable.

So Cooper's words were not without effect. It was partly because of the weight they carried that we attained for a time the requirement that every candidate for Honours in History at Edinburgh had to study some Scottish History. This went through the Board of Studies with remarkably little difficulty, or perhaps it was not so remarkable, for the Englishmen who made up the overwhelming majority of the Board could hardly have had the effrontery to say 'No', and indeed the only voice against the proposal was that of a Scot. The scheme operated, in a variety of ways, for a few years, but after that, as part of a general reorganisation within the History Department, it was quite brusquely excised, without the matter even being put to the Board of Studies. I suppose we, the Scots, were too civil to want to make a row about it.

However, whatever the place of Scottish history in the minds of journalists and in the minds of the public, it cannot be disputed that the Scottish History

Society is a remarkably healthy centenarian. Few things have been more agreeable in recent years than to watch the increase in membership, until it has reached record levels. Initially, the number of members was limited to 400, and the 'scarcity value' of what was thought of as a privilege was not without effect, for the number of names on the waiting-list stood as high as seventy-eight and applicants might have to wait years for admission – twelve years was the prospect at one time. In 1909 a member wrote asking if he could resign in favour of a friend or relation, and his letter was endorsed by Hay Fleming, the Secretary, 'Answered, relation, yes, friend, no'. It should be said that in those spacious days the average cost of the first twenty-eight volumes, which averaged 400 pages each, was only £164.1.6. Before World War I, however, enthusiasm dwindled, apparently because of delays in getting volumes out, and in 1913 there were sixteen vacant places, a figure which rose during the war to thirty-four (1916). At the 1918 meeting, five weeks after the Armistice, vacancies had dropped to eight, and in 1919 and 1920 the full quota of 400 was again attained. However, post-war conditions seem to have been as detrimental as war conditions, for the membership went down again in 1921 and 1922. It crept up again for a few years until there were startling results from an energetic drive for new members conducted largely by James MacLehose, a man whose services to Scottish history, not only in this Society, deserve greater thanks than I think they have ever received. At this point he was Chairman of Council. As a result of his efforts, in each of the years 1927 and 1928 the Society reported over 100 new members, bringing the total to 650. The figure started to drift down again and by the outbreak of World War II it had fallen to 500. Then there was a recurrence of what had happened in the first war – a decline to just over 400 by the end of the war and a further decline during what one remembers as the extremely austere conditions of the early years of peace, when there was talk of 'strength through misery', and by 1952 the Society reached its lowest point – only 375 members, including no less than 144 libraries. It was in those dismal days that Covenants came (1946) to add a little to the value of subscriptions, but the Inland Revenue blew hot and cold on the applicability of Covenants to the Society and for years there was an intermittent battle before the matter was finally cleared up. The situation was really critical in the early 50s and it was a decade before we could look forward with anything like confidence. Then slowly, so slowly, there was a recovery, but even in the early 1960s the membership was still hovering around the 450 level. I was particularly conscious of the situation because, although I was not President until 1969 it happened that, owing to the death in office of Dr Balfour-Melville and other exigencies, I was rather frequently in the chair at A.G.M.'s, and I could not fail to be aware of the anxiety with which we watched the figures. I recall especially the

triumph of reaching the 500 mark in 1965 and then only three years later an addition in one year of over 100 gave a record total of 664. The figure hung around 700 for a few years and then went into another spectacular phase of expansion until by 1982 it was approaching 800. To rise from 500 to 800 in twenty years does not look like senility. I wonder what reaction this would have drawn from Lord Rosebery, who in 1894 opposed the removal of the restriction of membership to 400 on the ground that 'if we once begin to open the floodgates, who knows where our Society may stop?'

OFFICE-BEARERS
OF THE
SCOTTISH HISTORY SOCIETY

1886-1986

PRESIDENT

- 1886 Archibald, fifth Earl of Rosebery
1929 John Buchan
1933 Principal Sir Robert Sangster Rait
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SCOTTISH HISTORY SOCIETY

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the Honorary Secretary or the Honorary Treasurer
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SCOTTISH HISTORY SOCIETY

REPORT
of the 98th Annual Meeting

The 98th Annual Meeting of the Scottish History Society was held in the rooms of the Royal Society of Edinburgh, on Saturday, 8 December, 1984, at 11.15 a.m. Professor Rosalind Mitchison, President of the Society, was in the Chair.

The Report of Council was as follows:

During the past year the nineteenth volume of the Fourth Series, *The Knights of St John of Jerusalem*, edited by Professor Ian B. Cowan, Rev. Dr P. H. R. Mackay and Dr Alan Macquarrie, has been issued to members and received a favourable response. This was the volume for 1983, delayed in the press because of textual difficulties. Substantial savings have again been made in postage costs by having bulk deliveries of volumes made to Scottish universities which contain significant numbers of members of the Society, and Council would like particularly to thank the member who undertook the distribution of over a hundred volumes to Edinburgh members; this constituted by far the largest saving achieved.

The volume for the current year, *A Scottish Firm in Virginia: William Cuninghame and Co., 1767-1777*, edited by Dr T. M. Devine, is in the press and should be issued to members before the end of the year. The volume for 1985 will be *The Jacobean Union: Six Anglo-Scottish tracts of 1604*, to be edited by Dr Brian Levack and Dr B. R. Galloway, and the centenary the following year will be marked by *The Charters of the Lords of the Isles*.

As the membership figures given at the end of this report indicate, last year's increase in subscriptions has not had a serious effect on membership; and the annual accounts indicate that the increase has restored financial viability to our publication programme. When the increase in subscriptions was announced it was coupled with a commitment to seek cheaper methods of publication, and a sub-committee of Council is actively investigating the possibilities here.

Council has resolved to introduce a new form of joint subscription for husbands and wives. This follows the suggestion of a member of the Society, Dr A. G. Thomson, that there are a substantial number of instances in which the spouses of existing members of the Society would like to be members, but are (understandably) reluctant to pay second full subscription and do not wish to receive second copies of the Society's publications. Under the new joint subscription, both of those in whose names the subscription is paid will

be regarded as full members of the Society, and their names will be included in a joint entry in the published membership lists. But they will only receive between them one copy of the annual report and other publications distributed by the Society. The rate for the joint subscription has been set at £15, and it is hoped that in all cases in which members share an interest in the work of the society with their spouses serious consideration will be given to changing over to the new joint subscription. A good example has already been set by one of the office bearers!

Council gratefully acknowledges receipt by the Society of a most generous bequest, £2,000, from the estate of Miss C. B. MacKechnie. Other members of the Society might like to consider following this splendid example by arranging to benefit the Society through their wills.

Professor Mitchison's term of office as President of the Society is now coming to an end, something which will be especially regretted by those who have been lucky enough to hear her lectures. Council is pleased to put to the Annual General Meeting its nomination of Professor Christopher Smout to succeed her and serve as President for 1985-8, a period which of course includes the Society's centenary.

Dr David Stevenson has offered his resignation as Honorary Secretary of the Society, and will retire after the General Meeting. Council has elected Dr Annette Smith of the Department of Modern History, University of Dundee, to succeed him.

The three members of Council who now retire by rotation are Dr John Bannerman, Dr John McCaffrey and Dr John Strawhorn. To replace them the Council nominates the following, for election by the annual meeting: Dr Joan Auld (Archivist, University of Dundee); Dr Michael Lynch (Department of Scottish History, University of Edinburgh); and Mr Lewis Robertson (Chairman of the Scottish Advisory Committee of the British Council, etc.).

During the past year 4 members of the Society have died, 20 have resigned and 13 have been removed from membership for non-payment of subscription. 21 new members have joined. The total membership, including 212 libraries, is now 776 compared with 792 in 1983.

The Chairman of Council, Mr A. D. Cameron, presented the Annual Report, surveying current and future publications and referring to the work both of the Publication sub-committee and Centenary Celebrations sub-committee. He expressed the gratitude of Council for the work of the retiring Secretary, Dr Stevenson, especially for his enthusiasm for seeking new members. The Treasurer presented his accounts, with special reference to the welcome legacy of Miss MacKechnie.

On the motion of Dr Grant Simpson, seconded by Dr Jean Munro, the Report and Accounts were approved. Dr Atholl Murray, seconded by Professor Geoffrey Barrow, moved the election of Professor Smout as President, and of Dr Auld, Dr Lynch and Mr Robertson as members of Council; this was approved.

The President delivered an address entitled 'The social setting of illegitimacy in the eighteenth century: when, where and why?' after which Professor Smout proposed a vote of thanks.

ABSTRACT ACCOUNT OF CHARGE AND DISCHARGE OF THE
INTROMISSIONS OF THE HONORARY TREASURER
from
1 October, 1983 to 30 September, 1984

I. GENERAL ACCOUNT

CHARGE

I. Cash in Bank at 1 October, 1983:	
1. Sum at Credit of Savings Account with Bank of Scotland	£6,200.00
2. Sum at Credit of Current Account with Bank of Scotland	532.30
3. Sum at Credit of Special Investment Account with Trustee Savings Bank	789.95
	£7,522.25
II. Subscriptions received	8,632.67
III. Past Publications sold	341.50
IV. Royalties on reprints	33.89
V. Interest on Savings Accounts with Bank of Scotland and Trustee Savings Bank	400.08
VI. Income Tax Refund, 1982/83	411.53
VII. Legacy and Donations	2,006.00
VIII. Prepublication orders (<i>Knights of St. John</i>)	1,000.00
IX. Sums drawn from Bank Current Account	£20,768.89
X. Sums drawn from Bank Savings Account	£8,200.00
	£20,347.92

DISCHARGE

I. Cost of publications during the year <i>Knights of St. John of Jerusalem</i>	£11,764·08
Cost of printing Annual Reports, Notices and Printer's Postage etc.	644·73
	<hr/>
	£12,408·81
II. Insurance	47·74
III. Refunds	187·45
IV. Bank charges	154·35
V. Miscellaneous Payments	470·54
VI. Sums lodged in Bank Current Account	£21,157·89
VII. Sums lodged in Bank Savings Account	£14,890·03
VIII. Funds at close of this account	
1. Balance at credit of Savings Account with Bank of Scotland	£5,848·38
2. Balance at credit of Current Account with Bank of Scotland	389·00
3. Balance at credit of Special Investment Account with Trustee Savings Bank	841·65
	7,079·03
	<hr/>
	£20,347·92

GLASGOW, 31 October, 1984. I have examined the General Account of the Honorary Treasurer of the Scottish History Society for the year from 1 October 1983 to 30 September 1984, and I find the same to be correctly stated and sufficiently vouched.

JOHN A. SMITH
Auditor

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