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EVIDENCES

OF THE

CHIEFSHIP

OF

CLANN-GHILLEAIN.

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AN
EXAMINATION
INTO THE
EVIDENCES OF THE CHIEFSHIP
OF
CLANN-GHILLEAIN.

BY
PROFESSOR J. P. MACLEAN,
Author of the "History of the Clan MacLean."

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1895.



LAURISTON CASTLE
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To
COLONEL SIR FITZROY DONALD MACLEAN,
BARONET OF DUART, MORVERN, AND BROLAS,

AND


Chief of Clann-Shilleain,

A GENTLEMAN DISTINGUISHED FOR HIS MANY VIRTUES,
AND UNIVERSALLY HONOURED BY HIS CLANSMEN,

This Brochure is respectfully Dedicated

BY

THE AUTHOR.



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INTRODUCTION.

THE year A.D. 1895 witnessed a claimant to the Chiefship of the Clann - Ghilleain. As there never was but one Clan by this name, and as the undisputed Chiefship resided in Duart, the pretensions of the claimant were received by the MacLeans with both astonishment and disgust. The uniform traditions of the Clan, the facts of history, the recognition of the chieftains of the various septs, all pointed to the leadership of Duart. Hence, the MacLeans were covered with chagrin that any one would have the folly to lay aside the facts of history, in order to assume an honour entirely foreign to his pretensions or merits. While it was known that such pretensions had been privately put forth, and so long as the assumption had been kept from the gaze of the public, the MacLeans, who were aware of the circumstances, either viewed the matter with indifference or else good-naturedly passed it over.

On the 8th and 15th January, 1895, Mr. John MacLean, vice-president of the Clan MacLean Association, addressed a letter to Mr. Maclaine of Lochbuy, in which he not only invited that gentleman to become a member of the Association, but also requested permission to insert an imprint of the coat-of-arms of the House of Lochbuy, along with that of other cadets, on a prepared diploma to be given to the members of the Association. The missives of Mr. MacLean were couched in polite language. Under date of January 24th, Mr. Maclaine replied to the invitation and request as follows :

"I have to thank you for your letter of the 15th inst., enclosing copy of the Constitution and Rules of the 'Clan MacLean Association,' which I have carefully considered. I shall be much obliged if you will have the goodness to convey to the members of the Association my thanks for the honour they have done me in requesting that I should become a member, and to express my great regret that I am unable to take advantage of their kindness. I regard such an Association

as in every way admirable. It maintains the ancient ties of kindred, it fosters an intelligent interest in a worthy past, and it may be made the means of rendering efficient help to many deserving persons. I accordingly wish sincerely that your constitution were such as to admit of all becoming members who bear our historic name. I see, however, that membership of the Association implies recognition of 'Colonel Sir Fitzroy Donald MacLean, Bart. of Duart, Morvern, and Brolas,' as the hereditary Chief of the Clan, a proposition to which I am unable to assent. It is a matter of notoriety that the Chiefship of Duart has not been universally accepted. In particular, as you are possibly aware, the 'House of Lochbuie' has always claimed to be descended from an older brother of the ancestors of the Duart line, and so to be heirs-male of Gillian na Tuigh. I have no more desire to take part at the present time in this hoary dispute than I have to discuss Sir Fitzroy's claims to be heir-male of the Duart line with those who choose to regard him as such. And, so far as the Association is concerned, I should have been quite prepared to leave it an open question; but your constitution does not do so. It goes the whole length of affirming Sir Fitzroy's pretensions to represent Duart, and Duart's pretensions to be Chief of the whole name of MacGillan. Membership in the Association accordingly implies, as I have said, a recognition of these pretensions which it is wholly impossible for me to give. In these circumstances, I do not suppose that the Association will desire to place on their diploma the armorial bearings of one whom they have thus unfortunately prevented from becoming a member. But should they still wish to do so, I regret that I cannot comply with the request that I should formally sanction this being done. It is not for me to criticise the pictures with which Professor J. P. MacLean has adorned his book. The authenticity of the coats there given is a matter of concern primarily to the gentlemen whose arms they profess to bear. And if they are satisfied with the bearings assigned to them, I have no desire to question their right to use them. But I own I should not care to see the Lochbuie coat figuring on your diploma in company with some of them, even if it were possible for me to sanction the use of my arms by an Association whose constitution does not merely ignore but explicitly repudiates the well-known claims of the family which I have the honour to represent. I have written you at some length with regard to these matters, as it is due both to the Association and to myself that there should be no misconception of my position. Let me again thank you for the courtesy of your letters.—I am, &c.,

“MACLAINE OF LOCHBUIE,
“Chief of the Clan.”

THE LETTER ANALYSED.

IT may be needless to remark that the assumption of "Chief of the Clan" did not go unchallenged. But before proceeding to the discussion which followed, I beg to present an analysis of the letter. Coming from a presumably intelligent man, it is certainly a strange production. There are incongruities in it which hardly seem possible for a rational man to perpetrate.

It will be noticed that Mr. MacLaine recognises there is but one Clan Gillian, and to it he poses as Chief. Not the least suspicion crosses his mind that there may be, or were, two or more Clans bearing the same name; that his line and that of Duart are from the same progenitors; one and all of the surname of MacLean (including his peculiar spelling—MacLaine) belong to one, and only one, Highland Clan. This is a matter that should not be overlooked, for he practically admits it. The practicability of the Association receives his approbation, but he regrets that the Association's constitution does not permit of all becoming members, because it recognises that Sir Fitzroy Donald MacLean is Chief of the Clan. He cannot admit of this proposition, because "the House of Lochbuie has always claimed to be descended from an older brother of the ancestor of the Duart line." On account of this "claim," Mr. MacLaine of Lochbuy pretends to be "Chief of the Clan." It will be noticed that he gives no other proofs. The matter of his "Chiefship" rests entirely on a "claim" which he asserts has "always" been put forth. Nor does he cite any authority that the "claim" has "always" been made. If there had been even a scintilla of evidence for this "claim," who is there that doubts its immediate production? And yet this pretender to the Chiefship of the Clan unblushingly indites, "I should have been prepared to leave it (Chiefship) an open question, but your constitution does not do so!" A man advertising himself (in various papers of Scotland) as the "Chief of the Clan," belittles himself and dishonours his Clan by blandly affirming that he is willing to leave it an "open question!" A slur is thrown at Sir Fitzroy's "claims to be heir-male of the Duart line" and of his "pretensions to represent Duart." The meaning of this is not obvious, but was brought out in the discussion, which will be considered in due time. Let it here be fully understood that Sir Fitzroy makes no pretensions, nor is he a claimant. It never was necessary for him to advertise himself as the Chief. His clansmen everywhere recognise him to be the Chief of the Clan. As such he is

recognised by the chieftains of the Clan, and as such he was invited to America to be the guest of his clansmen, an honour never before bestowed upon a Highland Chief. All this was through no solicitation or intimation on the part of Gilleain's Chief. In the next place, Maclaine of Lochbuy declines to allow his coat-of-arms to figure on a diploma where may be similar devices of his clansmen. This certainly is a sorry figure for a "Chief." Would a Highland chief without provocation insult the chieftains of his clan? If so, how long would he be chief? What would the Mòd do in such a case? Notwithstanding the Chiefship was hereditary, yet the Chief remained such only by the consent of his clansmen. It is on record of Highland chiefs being set aside by their clans. Mr. Maclaine of Lochbuy gave me a printed impression of his coat-of-arms, fully knowing I should publish the same in conjunction with all the coats-of-arms of the various cadets which I should be able to obtain. He made no objection then. Nor is that all. He almost overwhelmed me with pictures relating to his estate, which would have cost a small fortune to reproduce, all of which he desired me to have inserted in my projected history of the Clan. Perhaps here I ought further to say that repeatedly he asked me to dedicate my history to him as "Chief of the Clan." Perhaps my failure to comply with his folly causes him to be acrimonious towards that labour of love I have bestowed upon my clansmen—*History of the Clan MacLean*. It will be noticed that he admits some familiarity with that book. If he has read its pages carefully, and if he has more regard for the truth of history than for his vanity, he never would be guilty of signing "Chief of the Clan" to his name.

THE CONTROVERSY.

THE letters written by Mr. John MacLean to Lochbuy were essentially of a private character. The latter had the incredible folly of rushing into print with the entire correspondence. What object he had in view would be impossible to determine, unless to gratify his vanity by calling attention to his pretensions; for let it be known that no historian, nor any body of men, nor any MacLean organisation, nor any individual MacLean, so far as my knowledge extends, ever recognised this claimant's pretensions. The pretensions were at once formally discredited by the Clan MacLean Association—an organisation having in its membership the chieftains, all the leading and influential MacLeans, besides being the largest MacLean organisation in the world. Replies

were immediately prepared which appeared in the public journals. These replies were wholly devoted to the evidence incontrovertibly controverting the claim of Lochbuy to the Chiefship. None of these papers were necessary to those even having only a casual knowledge of the history of the MacLeans. As to the other parts of Mr. MacLaine of Lochbuy's letters, no one deigned to answer, for the true animus could not be concealed.

It hath been said of old that "all things work together for good." This has been especially true in the controversy produced by the pretensions of the claimant. Historical facts bearing upon the subject were called out and the atmosphere made radiant with the facts of the past, all of which proved that the MacLeans had made no mistake in their recognition of their present honoured Chief, Sir Fitzroy Donald MacLean.

ADMISSIONS.

THE force of the arguments presented were clear and convincing to every mind, and undoubtedly were keenly felt by the claimant. At once the claim to the Chiefship of the Clan was abandoned, and another fiction substituted. This was equally preposterous. In it Mr. MacLaine practically reads himself out of the Clan, and sets up a clan for himself, which seems to be composed of himself. To this position no one has entered a protest, perhaps for the reason that if Lochbuy does not want to be regarded as a member of the historic Clan MacLean, no one should seriously object.

As Lochbuy could not conveniently shift his position over his own signature, the *nom de plume* of "Historicus" has been employed. While it is probable that the pen is a different one, yet the writing of the latter was evidently inspired by Lochbuy for the ear-marks in both are plainly visible. However, the performance is a sorry one. It is a retreat from the vaunted position assumed in the letter to Mr. John MacLean.

This retreat was precipitated by a well considered paper, from the pen of Rev. A. M'Lean-Sinclair, that appeared in the *Glasgow Herald*. The question of the Chiefship was calmly considered under four heads, viz.: The MacLeans of Lochbuy were never chiefs of the Clan; there are no grounds for believing that Hector of Lochbuy was the elder son of John Dubh; the present MacLean of Lochbuy is not chieftain by blood of all the descendants of Hector Reaganach; and, lastly, the present MacLean of Lochbuy has no right to style himself Chief of the Clan.

The subject was so admirably handled, with such an array of facts, that further controversy should have ended. Any

unprejudiced mind would be fully satisfied. It certainly placed Mr. Maclaine of Lochbuy in an unenviable position, by fully demonstrating that he was masquerading in borrowed plumage. He was now called upon to extricate himself.

PERFORMANCE OF "HISTORICUS."

IN quite a lengthy letter published in the *Glasgow Herald*, the anonymous writer styling himself "Historicus" seeks to extricate Lochbuy from his dilemma. But few historical facts are adduced, all of which, with the references, are taken from my *History of the Clan MacLean*, thus proving that the sole source of information was what I had given to the public several years before.

The writer affirms four prepositions, but before stating them knocks the prop from under the feet of Lochbuy by declaring, "Highland genealogies are notoriously unreliable." Now Mr. Maclaine of Lochbuy based his claim on the priority of the birth of one of his ancestors who lived some six hundred years ago.

The first affirmation is, "Neither family (Duart and Lochbuie) held its lands of the other." Of this there can be no question. The contrary was never affirmed. The same is also true of Coll, Ardgour, Kingerloch, Dochgarroch, &c., &c. The same state of affairs will be found to have existed in other clans. A man is certainly very ignorant of Highland history who would assert that this cause constituted another clan. Coll, Ardgour, Kingerloch, &c., &c., never assumed to be the "Chief of the Clan" because they were feudally independent of Duart.

The second affirmation, "Neither regarded itself as bound to follow the other in battle." I do not now recall a single instance where Duart followed Lochbuy in battle. However, there is a long list where the latter followed the former. It is true that the Highlanders were a very free and independent people, and sometimes chieftains refused to obey the commands of their chiefs, and often were castigated for their disobedience. Many a forcible reproof did Lochbuy receive at the hands of his hereditary Chief. Not only was Lochbuy sometimes refractory, but other chieftains of the MacLeans were occasionally contumacious. We read that Sir Lachlan Mor brought the refractory house of Coll to obedience.

The third affirmation is, "In their relations with the central government, as much as with one another, Lochbuy and Duart appear as entirely independent clans." This is an assumption entirely unwarranted by the facts. There is here an uncalled

for confusion of facts. At first most of the lands of the MacLeans were held from the Lords of the Isles, but afterwards direct from the Crown. As a matter of state procedure the Crown would deal direct with those who held its charter. So the Crown dealt direct with Lochbuy, Coll, Ardgour, &c., &c. This in nowise indicated or affirmed that the proprietor was an independent chief. The Highlanders, among themselves, were governed by their own customs and institutions, which were radically different from those which prevailed in the Lowlands.

In the consideration of this point "Historicus" unblushingly declares: "Duart expressly disavowed any claim to be Chief of Lochbuy." What is the proof? "Hector M'Layne of Dowart, appearing personally before the Lords Commissioners for the Isles, makes the following offers—(1) to be answerable for all the inhabitants of Mull, except M'Kynnon, M'Clayne of Coll, and M'Clayne of Lochbuy." Whoever can discover a disavowal of Chiefship in the above must do so because of his inclination that way. As these parties held lands direct from the Crown they must be individually responsible for their acts of sedition. There was one relation in which the clans stood to the Crown, and an entirely different one in which they stood among themselves and the neighbouring clans.

Breaking into his theme, the writer stops to assert that as "the tenth Chief of MacLean was a bastard," "not a single one of the later lairds of Duart had any legal right even to the leadership of that family, not to speak of the whole Clan." Perhaps this is as hard a thrust at Lochbuy as could be well made. Change the terms a little, and we have the following: "As Murchadh Gearr, sixth MacLean of Lochbuy, was a bastard, not a single one of the later lairds of Lochbuy had any legal right even to the leadership of that family." Certainly "Historicus" makes bad work for the present MacLaine of Lochbuy. He literally reads him not only out of the Chief and Chieftainship, but virtually advertises him as an arrant impostor.

But Mr. MacLaine of Lochbuy is entitled to be delivered from his officious friend "Historicus." Although Murchadh Gearr was the illegitimate son of John Og, the fifth MacLean of Lochbuy, and who took forcible possession of the estates, yet the tenantry and all others recognised him and his descendants as the actual possessors of the soil. Even so was "Lauchlane M'Gilleon son natural to Hector M'Gilleon of Doward;" but he acquired peaceable possession of the estates, having been regularly and legally legitimatised by his father. As Chief of the MacLeans he was recognised by his clansmen and the neighbouring clans.

This is the point raised by Lochbuy in his letters to Mr. John MacLean, and previously referred to. Granting the position

held by Lochbuy and revelled in by "Historicus," we see that once more Mr. Maclaine of Lochbuy cuts a sorry figure. The very evidence he adduces and the assertions made in his behalf are fatal to his pretensions.

In the fourth place it is affirmed, "There was an entirely distinct Clan which regarded Lochbuy as its Chief." Only one proof is cited to establish what must be a very important thing in clan history. "King's letters raised by Johnne Roy M'Clayne relate that being desirous to visit Johnne M'Clayne of Lochbuy, his Chieff, and to do unto him sic pleasure and service as he was able according to his dewtie." This is a part of an extract taken from my *History*, p. 239. John Roy MacLean had been imprisoned by Lochbuy, and on March 20, 1588, John Achinross procured authority to compel his release. Who John Roy was, is an unfathomable problem; but by the terms of complaint Lochbuy was his feudal superior, and consequently the Chief of John Roy. It would seem that in this case, as in others, "Historicus" is like the drowning man who grasps at a straw.

These are the only evidences adduced in favour of the claimant to the Chiefship of the Clan. The attempt made ostensibly on behalf of Mr. Maclaine of Lochbuy is a virtual admission that the claimant is not Chief of the Clan, but only of a sept. It has not been questioned that he is chieftain of that sept commonly known as Lochbuy. It is questioned that he is chieftain of all the descendants of Hector Reaganach.

The communication of "Historicus" bears the date of "Edinburgh, April 16, 1895." It was thought to be such a complete vindication of the claimant, that "Exile" (also bearing the earmarks of the claimant's letter to Mr. John MacLean), from "Liverpool," had it inserted in the *Oban Times* as a rejoinder to some strictures made by myself in that journal of May 11, 1895. As this did not seem wholly satisfactory, an attack was made on me by someone signing himself "A. G.," but bearing no place of residence. The contents, however, prove that it was written in the mansion at Lochbuy, and presumably by the same one who signed himself "Historicus" in Edinburgh, and "Exile" in Liverpool. This communication was published in the same journal. Leaving out the personal matter, all it contains is a reference to a bond made by Donald MacLean of Brolas, in which he turns the "Clan of MacKarnig" over to Lochbuy. The paper absolutely proves nothing. It is an antiquarian relic. It simply shows an attempt on the part of the Tutor of Dowart to get rid of Donald MacKarnig and his troublesome clan. The next is a quotation from a purported letter from Captain Archibald Maclaine, who died in 1788, who claims, in a memorial to the king, that he "was only son to a Maclaine of

Lochbuie, . . . a Highland chief, or the first man of his name." Because a subaltern makes great pretensions to his king, in order to receive certain emoluments, is that any proof that his memorial is to be taken as exact truth? He may have carelessly used chief for chieftain. So far as representing any fact of history, it simply is not worth the paper it was written on.

Still "Historicus," not being satisfied with his performance, essays in print once again—not in Edinburgh, as before, but simply "23rd June, 1895," and causes the same to appear in the *Oban Times* of July 6, 1895. This communication opens with this statement: "My main contention was this, that so far back as history goes it is susceptible of absolute proof that the MacLeans of Duart and of Lochbuy have been distinct and separate clans, entirely independent of one another. I did not profess to discuss the question which of them represents the main stock and which is the cadet—if, indeed, they are of the same blood at all." This statement practically contains two things: (1) He will not discuss whether or not Hector Reaganach was older than his brother Lachlan; (2) which is the main stock and which is the branch; and (3), finally, whether MacLaine of Lochbuy is of the same blood as the MacLeans. Perhaps this is the worst case on record of a lawyer abandoning his client. It needs no comment. Is it a forerunner of Mr. MacLaine of Lochbuy's intention to set up the claim that he is not of the historic name and blood of Clann-Ghilleain? If so, we will bear the announcement with composure. However, it will not lessen the facts in the case.

The writer next proceeds to give his opinions of the MS. of 1450 and critical errors of Dr. Skene, one of the most eminent of Scottish historians, and refers to certain strictures put forth by Mr. Mackintosh Shaw in vol. xviii. *Transactions Gaelic Society of Inverness*. It is not necessary here to enter into the discussion of the exceptions that Mr. Shaw takes to the statements of Dr. Skene; but let it suffice that nothing is there said concerning the opinions of the latter in regard to the genealogy of the MacLeans. If Dr. Skene is not an authority on Highland genealogy, then how far are we to take the opinions, assertions, and assumptions of one who hides himself under a *nom de plume*?

The rest of the somewhat lengthy paper is taken up with a statement of objections and opinions of the facts adduced to show where the Chiefship really belongs, and concluding, or giving a summary, the writer says: "In the meantime, the facts stand thus: 1. No evidence has been adduced to show whether Lochbuie or Duart is the older. 2. Duart and Lochbuie have been distinct and independent clans so far back as history goes, and neither end was or, until modern times, even claimed to be

Chief of the other. 3. The later Duarts are not the 'legitimate' representatives of the earlier. 4. Neither Sir Fitzroy MacLean nor any of his immediate ancestors, so far as I can ascertain, have ever taken the usual legal steps to connect themselves with the later Duarts, whose baronetcy they have assumed."

The measure of the writer and his regard for the truth may be found in his first declaration. That proof has been adduced to prove that Duart was the elder is known to all who paid attention to the controversy. It is purely assumption to declare that "Duart and Lochbuie have been distinct and independent clans so far back as history goes." There never was but one Clann-Ghilleain. Whosoever affirms the contrary, does so regardless of the truth of history. When a clan was formed it took a distinctive name. If there were two clans, what was the name of the one, and what was the name of the other? How were the two distinguished by the Highlanders? What historian recognises the two Clan MacLeans? The writer should, in his extremity, have cited Donald Monro, who in his description of Colmkill speaks of the "twa Clan Lynes with their lineage." He may here refer to the Duarts and Colls, because both buried on Iona, and their tombs there were more conspicuous than those of Lochbuy. But the hasty gleanings of a traveller are not to be regarded as authentic, unless it is something he actually saw or was fully conversant with.

As to the later Duarts not being the "legitimate" representatives of the earlier, is a matter never sprung before this controversy opened. It was first hinted at by the claimant in his letter to Mr. John MacLean and now boldly asserted by a writer who conceals his name. Perhaps this writer knows best why he should remain *incognito*. Reference here is had to Lachlan, tenth Chief of MacLean. In *Registrum Secreti Sigilli*, vol. i. folio 29, there will be found "the legitimation to Lauchlan M'Gilleon, son natural to Hector M'Gilleon of Doward, October, 1496." Where will "the legitimation of Murchadh Gearr" be found? Mr. MacLaine of Lochbuy is wholly responsible for calling up these facts of history, however unpleasant they may be. He prominently brought them into view. Other writers, except his man Friday, or "Historicus," in this controversy passed them over.

As to the baronetcy of Sir Fitzroy, alluded to for the first time in the above extract from "Historicus," permit me to relate an incident. During the early days of July, 1887, while still at the mansion house of Lochbuy, I endorsed a letter to "Sir Fitzroy Donald MacLean." This was noticed by Lochbuy, who at once directed me to add "Bart.," for, said he, "that is the correct way to address him." In 1631, Charles I. created Lachlan, seventeenth Chief of MacLean, a baronet of Nova

Scotia by the title of Sir Lachlan MacLean of Duart, Morvern, and Brolas, "with remainder to his heirs-male whatsoever." By this patent the present Chief becomes officially Sir Fitzroy Donald MacLean, Bart.

WHO WAS THE ELDER BROTHER?

HAVING disposed of the questions raised by the adherents of the claimant, the next step is to make certain historical inquiries relating to the principal matter in the controversy. As the claim of Lochbuy was immediately abandoned by his advocate, it is well enough to inquire into the merits of the position as first asserted. It was asserted that the house of Lochbuy has always claimed to be descended from an older brother of the ancestor of the Duart line. In other words, Hector Reaganach was older than Lachlan Lubanach. These brothers were born over six hundred years ago. The descendants of the one claim they were wronged out of their birthright. Upon the supposition that this is true, shall we, six or seven centuries later, readjust the matter? If this be the policy where will this matter end? Are we called upon to undo that which has long been done, and in rectifying the evils of the past, for the matter of sentiment, commit wrongs on the living?

To base a claim on mere tradition is an appeal to ignorance. If such were recognised as just, then there is not a single crowned head in Europe entitled to the throne he or she occupies. There are hundreds of claimants with far better titles than mere tradition. If tradition has special value, then the present Maclaine of Lochbuy is not entitled to his estates, nor is he even a chieftain of the honoured clan. He is fully aware that there is a tradition current on Mull, that after the death of John, seventeenth of Lochbuy, the rightful heir was defrauded out of the estates.

But the value of tradition, in this case, absolutely proves nothing for the interests of the claimant. For it is also true that the majority of the MacLeans have the tradition that Lachlan was the elder of the two brothers. Then so far as tradition is concerned, one would balance the other. The one would be correct which is supported by historical evidence.

For the sake of argument, let it be admitted that Hector Reaganach was the elder of the two brothers, and that in the male line his eldest heir should be Chief of the Clan—what then? There is no tradition or historical evidence whatever that has ever been appealed to which shows that his son and

successor, Murdoch, was the eldest son. On the other hand, there is abundant proof that the eldest son was Charles. The Ardgor MS. is a trustworthy history of the MacLeans. It states that "Charles, the eldest son and heir, divested himself of the whole estate, excepting a small part, in favour of his younger brother." This is further confirmed by a letter from Hugh MacLean of Kingerloch, under date of Aug. 3, 1780, to John MacLean of Grulin, now preserved in Lochbuy charter-room, in which occurs this passage: "From the tradition of your own family and others, it was currently affirmed that this Charles, son to Hector, first of Lochbuie, was the eldest of several sons, but contented himself with the division of Ardmeanan, and left the rest to the other brothers to divide as they thought proper." If, then, the Chiefship is vested in the eldest son, and that son was Hector Reaganach, as put forth by the claimant, then the present Chief would be Allan MacLean, of West Brighton, England. But Allan puts forth no pretensions. He is a member of the MacLean Association, and with all loyal MacLeans acknowledges Sir Fitzroy to be The MacLean—*Mac Illeathain*.

By Mr. MacLaine of Lochbuy's own showing, he is masquerading under false colours whenever he claims to be Chief of the Clan. Neither can he show by tradition or otherwise that Charles divested himself of the privilege of being the eldest son. Nor is this all. The evidence is thus shown that the present "House of Lochbuy" is only a sept of a sept, for the principal stem is the "House of Urquhart."

If there are no facts to warrant the assertion that the MacLeans of Lochbuy have always claimed the Chiefship of Clann-Ghilleain, it should not be made. If there are facts to warrant it, then they should be produced. It will be noticed that neither the claimant nor his advocate produced a single fact to corroborate the assumption. On the other hand, the advocate treats with contempt the pretension of his client; for he specifically declares: "I did not profess to discuss the question which of them represents the main stock and which is the cadet." But a former MacLean of Lochbuy did have an argument to support the pretension, viz.: Lachlan was nicknamed Lubanach because he was a cunning, crafty fellow; and through his devices he succeeded in cheating his elder brother Hector out of his birthright. It certainly requires patience to listen to claims that are substantiated only by flimsy pretexts. Admitting that Lachlan was crafty, does that prove he defrauded his brother? It must be also remembered that Hector was nicknamed The Stern, and would such a man submit to a fraud? Is it not a strange sarcasm on the character of Hector for his descendants to attribute to him a character so weak and so effeminate as to submit tamely to his being cheated out of his

birthright? Shame upon such a posterity as would belittle and defame the name of a father in order that a little vanity might be gratified thereby.

It is a well known and often advertised fact that between the two brothers, Lachlan and Hector, there was always a bond of amity; in short, they were two loving brothers, and no evidence exists that there ever was any enmity between them. That Hector was defrauded by his brother only exists in the mind of those who would have it so.

The other evidences which seemingly would prove that Hector was the elder have been presented by those who held the opposite view, but only to refute the same. The tradition is not older than the year 1669, and was originated by Hugh MacDonald, who has been universally discredited. Of this writer Skene observes that whatever he says "with regard both to the clans with whom the Clan MacDonald were at feud, and to the rival branches of that great clan, must be received with great caution;" that he "perverted the genealogy" and "bastardized the heads" of rival clans (*Iona Club Transactions*, p. 325). MacKenzie says: "He was such an out-and-out partisan, that he scrupled not to write anything calculated to glorify his own immediate chief and name, apparently caring little whether it was true or not" (*History of the MacDonalds*, p. 44). This claim, "which always existed," thus originated some three hundred years after the brothers were born, and that by a writer admitted to have been untruthful. Would anyone enter a court of law with such evidence? It is in evidence that Hugh MacDonald is the only writer who asserts that Hector Reaganach was the elder of the two brothers. How did he know this was true? What he writes about the MacLeans proves that he knew nothing about their genealogy.

LACHLAN WAS THE ELDER BROTHER.

THE evidence that Lachlan was the elder son of Ian Dubh does not rest upon mere tradition. The circumstances surrounding the two brothers and the testimony of the oldest MS. prove the seniority of Lachlan. In 1366 Lachlan married Margaret, daughter of John, first Lord of the Isles, who bestowed upon him the rank of lieutenant-general in war, and to him and his posterity the right hand of all the clans in battle. The marriage and the rank obtained was the highest gift in the power of the Lord of the Isles. About the same time Hector married Christina MacLeod. These circumstances and the charter to the principal estates on

Mull bestowed upon Lachlan go a long way towards affirming that he was the principal character. Historical evidence follows rapidly.

The MS. of 1450 is recognised to be one of the most reliable of all histories on the genealogy of the Highland clans. It contains the following :

“Genealogy of the MacLeans, Lachlan, son of John, son of . . . son of Maelsig, son of Gilleain, son of Icrath, son of Suan, son of Neill, son of Domlig, son of Ruingr, son of Old Dugall, son of Ferchard, son of Feradach, son of . . . son of Neachtan, son of Colman, son of Buadan,” &c.

It will be noticed that this is the “genealogy of the MacLeans,” and not of any one sept of the Clan. This part of the MS. must have been written during the lifetime of the two brothers, although parts of it are of a later origin. To this genealogy Dr. Skene has appended the following : “This genealogy, it will be observed, commences with Lachlan, the progenitor of the Dowart family, and thus proves the seniority of this branch over that of Lochbuy, descended from a brother of Lachlan. The MS. having been written during the lifetime of the two brothers, it may be held as settling the question.” There was a special reason for inditing this note. In 1837, Skene published his *Highlanders of Scotland*, and in it occurs the following : “The descendants of these brothers have disputed among themselves the honour of the chieftainship of the Clan Gille-eon, but, although there are not data left from which to ascertain with any degree of certainty in which family the right lay, there seems little reason to doubt that the family of Dowart was the principal branch of the Clan. Both families produce tradition in support of their claims ; but when we consider that, upon the Lord of the Isles being compelled when in the power of both the brothers, to give his daughter to one of them, Lachlan was selected ; and that unvaried tradition asserts that his son commanded as lieutenant-general at the battle of the Harlow ; it seems probable that Lachlan was the elder brother, and consequently, that the MacLeans of Dowart were Chiefs of the Clan Gille-eon” (vol. ii. p. 208). Gregory published his *Western Highlands* in 1836, and in that work occurs this passage : “The house of Lochbuy has always maintained that, of the two brothers, Lachlan Lubanach and Hector Reganach, the latter was the senior ; but this is a point on which there is no certain evidence” (p. 70). In the preface to his work Gregory states that much information was obtained from “Murdoch Maclaine of Lochbuy, Esq.” Skene doubtless obtained his information from the same source. The former frankly declares “there is no certain evidence,” and the

latter affirms "there seems little reason to doubt that the family of Dowart was the principal branch of the Clan . . . it seems probable that Lachlan was the elder brother." These productions and observations were given before that part of the MS. of 1450 relating to the MacLeans had been deciphered. Hence it was necessary for Skene in his note to speak emphatically, by saying this "proves the seniority of this (Dowart) branch over that of Lochbuy" (*Iona Club Transactions*, p. 362). In all his later works Skene saw no occasion to change the view thus expressed.

In the genealogical lists published in Skene's *Celtic Scotland*, the following facts are stated: John Dubh "had long before two good sons, viz., Lachlan and Hector" (vol. iii. p. 482). It is not said that "John Dubh had two good sons, Hector and Lachlan."

DUART IS CHIEF.

IRRESPECTIVE of the controversy as to the seniority of the two brothers, every unprejudiced mind will not dispute the undoubted fact that Duart was always Chief. There is no evidence whatever that any Lochbuy ever posed as "Chief of the Clan" until the present claimant put forth the letter referred to in a public manner. It is well, however, to note some of the evidence, as it may be of service for future reference. Hence an appeal to the testimony of historians will be of service.

In a "Description of the Isles of Scotland" (inserted by Skene in vol. iii. pp. 428-440, of *Celtic Scotland*), written between 1577 and 1595, the writer speaks of "M'Clane Doward, callit Great M'Clane," but "M'Clane of Lochbuy" is uniformly so written. Skene says this document "has all the appearance of an official report."

Martin wrote his *Description of the Western Isles* about 1695. In his account of Mull the following statements occur: "This (Castle Duart) was the seat of Sir John MacLean, head of the ancient family of the MacLeans." "Some miles further on the west coast stands the Castle of Moy, at the head of Lochbuy, and is the seat of MacLean of Lochbuy" (p. 255). It is not here declared that Sir John was head of the Duart family, but "head of the ancient family," while the other is simply "MacLean of Lochbuy." It shows, at least, the standing of the two at the time Martin wrote, and how they were considered.

It is true that Dr. Samuel Johnson was not an authority on Highland customs; yet he was a close observer, and visited the principal MacLeans during his journey to the West Highlands. He visited Sir Allan MacLean at his home on Inch Kenneth,

and speaks of him as "Sir Allan, the Chieftain of the great Clan of MacLean" (p. 125). He speaks of "MacLean of Lochbuy" as "a very powerful laird" (p. 134).

Boswell, who accompanied Dr. Johnson during his tour, also speaks of "Sir Allan MacLean, the Chief of his Clan" (*Tour of the Hebrides*, p. 256), "the Chief of the MacLean" (*Ibid.*, p. 266). He speaks of "Maclaine of Lochbuy," "the Laird of Lochbuy" (*Ibid.*, p. 270).

Alexander MacKenzie, one of our latest authorities on the Highland families, in his *History of the Camerons*, speaks of "Hector MacLean of Lochbuy, who aided the MacDonalds against his own Chief" (p. 73).

INTERNAL HISTORY.

THE history of the Clan, or rather its own acts, is the best evidence. Conclusive testimony abounds on every hand. The patronymics may be used with force. By way of pre-eminence MacLean of Duart was called *Mac Illeathain*, or The MacLean; Lochbuy was called *Sliochd Mhurchaidh Ruaidh*, or the race of Red Murdoch; Kingerloch was *Mac-Mhic-Eachuinn Chinnghearloch*, or the son of the son of Hector of Kingerloch; Ardgour was *Mac-Mhic Eoghain*, or the son of Ewen's son.

The Highland bards, who in the main were good genealogists, carried out the idea of the patronymic. They certainly knew who was the Chief of the Clan in their day. They speak of MacLean of Duart as "Mac-Ghilleain," or MacLean, as "Ceann Chlann Ghilleain," or Chief of the MacLeans, and as "Clann-Cinnidh Chlann-Ghilleain," or Clan-head of the MacLeans. The term MACLEAN, in the language of the bards and all the old Highlanders, meant the Chief of the whole Clan Gilleain. The same bards refer to MacLean of Lochbuy simply as MacLean of Lochbuy or MacLean of Moy.

It should be noted that the Clan MacLean was pre-eminently a warrior race. Many a hard-fought battle did they participate in. It was the duty and the privilege of the Chief to direct the clansmen in the midst of the fray. In a feud it was not necessary for the Chief to be present; but on national affairs he was rarely absent.

It has already been noted that Lachlan, fifth Chief of MacLean, was appointed lieutenant-general in war, and to him and his posterity the right hand of all the clans in battle. At the battle of the Harlaw, fought July 24, 1411, Red Hector, sixth Chief of MacLean, and the Chief of MacIntosh were

next in command to the Lord of the Isles, and heads of their respective septs. At the battle of Inverlochy, in 1431, where the forces of Donald Balloch met the king's army commanded by the Earl of Mar, we find John Dubh MacLean, brother of Lachlan Bronnach, seventh Chief of MacLean, one of the leaders of the front division of Donald's hosts. At the battle of the Bloody Bay, fought in 1482, Hector Odhar, ninth Chief of MacLean, not only headed the MacLeans, but also took his hereditary post of lieutenant-general under the Lord of the Isles.

In 1493 the MacLeans became an independent clan. In 1513 James IV. summoned their Chief to meet him, with the array of the kingdom, on the Common Moor of Edinburgh. At the head of the MacLeans, Lachlan, their tenth Chief, fell on the fatal field of Flodden, on the 9th September of that year. During the stormy times that immediately followed, we find the leader of the MacLeans was Lachlan Catanach, eleventh Chief. In 1527 the MacLeans were led by Hector Mór, their twelfth Chief. In 1537 the MacLeans of Lochbuy became refractory, but received a severe lesson in a clan battle, where John Og of Lochbuy and his two elder sons were killed. At the battle of Glenlivet, fought October 3, 1594, between the Catholic earls and the king's forces, the latter were supported by Sir Lachlan Mór, fourteenth Chief, at the head of the MacLeans, in which their honoured leader particularly distinguished himself. On the 15th June, 1596, Sir Lachlan got an act in his favour "cancelling his forfeiture," the tenor of which shows that at court he was recognised as Chief of his Clan. He was "a Highland chieftain of superior education and ability" (*Reg. Sec. Scot.*, vol. v. p. 295). Sir Lachlan was succeeded by his son Hector Og, fifteenth Chief of MacLean. About 1618 the latter became embarrassed in money matters, when the Privy Council appointed Sir Rory MacKenzie "to uplift the rents from his tenants, and certain MacLeans, &c., who were all capitanes, schiftanes, and principal men of his (Duart's) clan and dependence" (*Ibid.*, vol. xi. p. 382. See also vol. xii. p. 429, in which the tenor of the language shows that the Government considered this Hector Chief of the MacLeans). At Inverlochy, February 2, 1645, Sir Lachlan, seventeenth Chief, and recognised as Chief, led the MacLeans into battle under the great Montrose. His son, Sir Hector, eighteenth Chief, commanded eight hundred MacLeans at the battle of Inverkeithing, fought July 20, 1651. All the cadets of MacLean were represented in this battle and loyally stood by their Chief, among which have been preserved the names of Torloisk, Ardgour, Coll, Ross, Muck, Drimnin, Borreray, Inverscadell, Lochbuy, Kinlochaline, Ard-tornish, Drimnacross, &c. Several gentlemen of the Lochbuy



family fell on this field of carnage. Sir John, twentieth Chief, commanded the MacLeans at Killiecrankie, July 27, 1689, and at Sheriffmuir, November 13, 1715.

During these ages, when conflict was rife, in what battles did Lochbuy summon his clan? The fact remains, and cannot be contested, that Lochbuy never acted a principal part. However, it is announced with a flourish that Lochbuy commanded at Knockbreck. But what was Knockbreck? It gains importance only because here the first blood in Scotland was shed for King James, in 1689. Dundee had ordered the clans to assemble. In obedience to this summons, Sir John, the twentieth Chief, immediately sent Hector MacLean of Lochbuy as his lieutenant-colonel, with three hundred men, to join Dundee. On the way they were attacked by five troops of horse, but the latter were put to flight. On the side of the MacLeans only one ensign and a few private soldiers were slain. Thus, instead of Lochbuy being the controlling power, it is seen that he was acting in obedience to his Chief.

Having referred to the official acts of the Government, a few more notices may be referred to. In A.P.S., October 9, 1663, in an Act for renewing the Justices for Argyleshire, appears the name of Donald MacLean, designed as "Tutor of MacLean." On May 13, 1685, A.P.S., vol. viii. p. 468, for ordering and uplifting of the eight months' cess in Argyleshire, appears, among others, "The Laird of MacLean, Lachlan MacLean of Brollass, Lachlan MacLean of Torloisk, MacLean of Ardgour, MacLean of Lochbuy." On June 16, 1685, A.P.S., vol. viii. p. 493, among others, appears, "The aires of the late Lord Macdonald of —, Donald Macdonald of Moydart, The Laird of MacLean, MacLean of Lochbuie," &c. In A.P.S., July 2, 1695, vol. ix. pp. 55-60, and p. 115, Sir John MacLean, Bart. of Dowart, appears designed as Laird of MacLean, and as Laird of that Ilk. On 15th June, 1686, A.P.S., vol. viii. pp. 611-613, "In a warrant for a Bore Brieve to Charles Colbert, Marquis Seignelay, King's Barons of Castlehill, Inverness-shire," appears the name of "Catherine MacLean, daughter of MacLean, King's Barron of Duchart in Mull, and Cheefe of his name."

HOW THE MACLEANS REGARD THE MATTER.

IT is an undeniable fact that the MacLeans almost universally regard the Duart line as the Chief. This is true to-day, and by the foregoing facts it is proved always to have been true. But there is a very striking illustration of this fact worthy of citation. Previous to the year 1662 a

colony of MacLeans had for ages been settled as tenants on The Chisholm's estates in Strathglass. In that year a number of them were accused of witchcraft, and The Chisholm of that time, apparently with the approval of the ministers and gentlemen of the parishes of Kilmorack and Kiltarlity, within which the MacLeans lived, received commission on June 26th to commence persecution against them. In this he experienced a check from an unexpected source and manner. "The MacLeans, in their distress, sought the protection of the Chief of their Clan—Sir Allan MacLean of Duart, in the distant island of Mull. Sir Allan responded to their cry, and on their behalf presented a petition to the Privy Council, setting forth their cause and demanding justice for them, the result being that the Council recalled the Commission to the Chisholms, and ordered them to appear in Edinburgh with the accused. . . . This deliverance they undoubtedly owed to the patriarchal and practical interest taken in them by Sir Allan of Duart, to whom, as their Chief, they still looked for protection, notwithstanding that they and their forefathers had been removed from his country for at least 'two or three hundred years,' and that a journey from Strathglass to Mull in those times was a more serious undertaking than a voyage across the Atlantic in our day. In the annals of our country there is perhaps no case which illustrates better than the one now under consideration the strength of that cord of care and confidence which in the olden times bound together the Chief and the Clan" (*Transactions Gaelic Society of Inverness*, vol. ix. pp. 115-120). It should further be noticed that in his reply to the Privy Council, The Chisholm calls Sir Allan "the Laird of MacLean." Another fact to be noted. As the forefathers of these MacLeans had been in Strathglass not less than "two hundred years" before this persecution, it is reasonable to presume they were of the House of Lochbuy and settled there at the time Sir Charles of Lochbuy took his residence in that northern county. Strathglass and Urquhart are very close together, only one ridge separating them.

LOCHBUY'S EVIDENCES.

THE claim set forth by Lochbuy, that he is the descendant of the elder son of John Dubh is sought to be strengthened by a tombstone: "At the end of the family vault in Laggan burying ground a handsome marble tablet is fixed in the wall, which tablet had been placed there early in the 'Forties' in memory of Murdoch MacIaine, grand-

father to the present laird. On said tablet is inscribed 'Chief.' This Murdoch died August 20, 1844. It is not probable that he placed the tablet there. It is the work of someone who came later on. What significance has it? It is a fact that even in the Highlands the terms "Chief" and "Chieftain" have been confounded by some. If placed there designedly, may it not have been preparatory to the attempt to establish or set up a new clan as demonstrated by the present MacLaine of Lochbuy? Just here I desire to say that the burying ground referred to is an old church building made out of stone, the history of which is unknown, which has been turned into receiving vaults for the dead. I visited this place twice during the month of June, 1887, and once in company with the claimant. I carefully read all the inscriptions, but the recollection of such an inscription I do not possess; and I am positive my attention was not called to it. A fact so important certainly would not have been overlooked by me. But admitting the fact thereof, it is of no value whatever, unless to disprove what I had said concerning the present proprietor, viz., that he was the first of his name to sign himself "Chief of the Clan." This was written advisedly. There is no evidence recorded in the pages of history where any MacLean of Lochbuy signed his name "Chief of the Clan." Every paper in the charter-room of Lochbuy House I examined during the months of June and July, 1887. At that time there was not a single scrap of paper to prove the pretensions of the claimant. There was not a single paper or letter addressed to Lochbuy as "Chief of the Clan," or even intimated as much. The occupants of the Lochbuy estates have been addressed and referred to as "MacLean of Lochbuy," and by that address they have seen fit to sign their name.

DOES MACLAINE OF LOCHBUY RENOUNCE THE HONOURED NAME?

THE intimation by the claimant's mouthpiece, who signs himself "Historicus," that "MacLean of Duart and MacLean of Lochbuy being of the same blood" he will not discuss, has a broader meaning than appears on first view. It should be well known that the uncle of the present Lochbuy abandoned the MacLean tartan and fixed upon a different pattern which has been since worn by the heads of that cadet. The coat-of-arms was figured out by the late Sir Archibald MacLean of the same family. For a long while various attempts were hit upon for the spelling of the

name, until at last "Maclaine" was thought to answer the purpose. Hence we discover that in quite recent times the name, coat-of-arms, and tartan have undergone a change in order to suit the caprice of the head of this branch of the MacLeans. Perhaps during these rapid changes no one anticipated that the next step would be to put forth the claim that this branch of a sept of the House of MacLean would prove to be a claimant to the throne of MacLean.

The retreat was very hasty. The same year which saw the claimant masquerading as the "Chief of the Clan" also saw him posing, not as the "Chief of the Clan," but as the Chief of a rival clan. The attitudes struck by the claimant were as ridiculous as anything that has ever happened in the Highlands of Scotland. How one can maintain the respect of his neighbours under such circumstances must remain for time to develop.

Many of the foibles and follies of the present Maclaine of Lochbuy his clansmen have been only too anxious to keep among themselves, and hoping almost against hope that the remainder of the noble patrimony left him by his father might not be squandered. But when he defies history and the evidence of his clansmen, and exposes himself in the public press by assuming that which belongs to another, it is time to call a halt in a manner that will be heeded.

CONCLUSION.

THE MacLeans of Duart have always been in possession of the Chiefship from the time of Lachlan Lubanach down to the present day. The presumption then is that they are the rightful Chiefs. All the known evidence corroborates this position; and consequently Sir Fitzroy Donald MacLean, Bart., is Chief of all the descendants of Gilleain na Tuaighe. Hence it is that the MacLeans universally (I know of no exception anywhere except in the person of the claimant) acknowledge Sir Fitzroy as their Chief, and the only one who has the right to style himself Chief of the Clann-Ghilleain.

GREENVILLE, OHIO,
August 7, 1895.

APPENDIX.

CLAN MACLEAN ASSOCIATION.

ANNUAL GENERAL BUSINESS MEETING.

WATERLOO ROOMS, GLASGOW, 4TH APRIL, 1895.

MAGNUS MACLEAN, Esq., M.A., F.R.S.E., Vice-President,
Presiding.

THE following motions, of which notice was given by the President, WALTER MACLEAN, Esq.—who was unable to be present—were moved for him by Mr. JOHN MACLEAN, Vice-President, and Convener of Finance Committee, seconded by Mr. LACHLAN MACLEAN, Councillor, and unanimously agreed to, viz. :—

1. With reference to the correspondence that has appeared in the public press as to the pretensions of MacLaine of Lochbuie in his claim to the Chiefship of the Clan, we, the office-bearers and members of the Clan MacLean Association, desire to express our conviction that all the reliable evidence that has ever been produced, both historical and traditional, nullifies Lochbuie's pretensions ; and we further affirm our belief that the manuscript of 1450, which is recognised by all authorities as the most reliable work extant on the genealogy of the Highland Clans, and also the manuscript of 1467, conclusively prove that Lachlan was the eldest son of John, fourth Chief of Duart, and that the Duart branch was descended from him, and thus in the present representative of it, viz., Sir Fitzroy Donald MacLean, Baronet of Duart, Morvern, and Brolas, is vested the Chiefship, and the Clan MacLean Association express their continued and unabated fidelity to him as Chief of the Clan MacLean.
2. That copies of the above be sent to Sir Fitzroy Donald MacLean, Baronet of Duart, Morvern, and Brolas, Chief of the Clan, and to all the Chieftains of the Clan.



