

The Scottish Genealogist

THE QUARTERLY JOURNAL OF THE SCOTTISH GENEALOGY SOCIETY

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EDITORIAL

Scotland is approaching the climax of her holiday season and in a few weeks the Edinburgh International Festival opens once again. Already thousands of visitors from other Continents have been touring the country and many of them have turned aside from admiring the beauty spots to see the birth places of their ancestors. Others have tackled the more difficult job of trying to establish from which town, village, farm or croft their forefathers emigrated.

Wherever they go the Scots never lose their interest in genealogy and their knowledge of all the ramifications of their family trees to the tenth cousin twice removed has become proverbial. One of the most interesting and important aspects of Scottish genealogy today must surely be the link which is established between Scots all over the world when they trace their roots back to their native country.

Formed as they were on personal loyalty to the Chief, the Clans have always fostered this close relationship and today many of the Clan Societies are collecting valuable genealogical material from all over the world for the help of their members, both present and future.

In "The Scottish Genealogist" we are anxious to reflect this important aspect of our subject and we would particularly welcome articles on Scottish families or individual members of those families who have emigrated or whose careers led them overseas. The Scottish Genealogy Society already has members from America, Africa and Australasia and we are very pleased to have received queries from several of them - we hope that someone at home with access to so much historical material may be able to help them with their problems.

For those who may wish to employ a professional genealogist to help them, the Scottish Genealogy Society will supply a list of these on request but all subsequent arrangements must be made directly with the searcher. Attention is also drawn to the Scots Ancestry Research Society, who do excellent work in this field and who will supply details of their terms on application to 4, North St. David Street, Edinburgh, 2.

A GENEALOGICAL SURVEY OF THE ANCIENT LORDS OF GALLOWAY

The period in Scottish History dating between the years 900 and 1100 should have been known as the "Conjectural Age"; as far as Galloway and the Western Isles are concerned. I have found that very few Historians, when writing of the history of these parts of Scotland for that period, agree with each other, but this is to be expected, as very little is really known of the happenings in those times, and most of the written history is mere guesswork.

I have spent a considerable amount of time in the past few years, perusing the works of the various authorities on the subject, and now I herewith present my humble opinion as to who the ancient Lords of Galloway were, and from whom they were descended, commencing firstly with a short discourse on the Norse Jarls of the Isles.

Sigurd II held sway over the Western Isles or "Sudreys", and part of the mainland, during the second half of the tenth century until the year 1014, when he was killed at the battle of Colontarf near Dublin.

His son Thorfinn whose mother was the daughter of Malcolm, King of Scots, was taken under the protection of one Earl Gilli who had acted as Sigurd's lieutenant for the Isles and mainland and was married to Svanlang the sister of Sigurd. Thorfinn was then five years of age. His three step-brothers by a former wife of his father, proceeded to divide Sigurd's "kingdom" between them, but they all died in early life, and Thorfinn fell heir to eight earldoms, viz: Caithness, Sutherland, Ross, Moray, Buchan, Athol, Torm and Argyll. He also became lord of Orkney and Shetland and part of Ireland, and in the year 1034, added Galloway to his earldoms.

Very little is known of Earl Gilli, the former protector of Thorfinn, but he must have held very high rank during Thorfinn's minority. In "Scotland under her early Kings", vol. i, E.W. Robertson states that - "During the ascendancy of Thorfinn, the Isles were for some time under the rule of a certain Gilli, and of Suibne MacKenneth, names pointing to the Gaelic element amongst the Gallgael; and it is not un-

likely that they owed their rise to the Jarl, and were amongst the earliest of the mainland chiefs of the OIRER-GAEL who disputed the Hebrides with the Kings of Man".

I note that in the "Annals of Ulster", under the year 1034, it mentions that SUIBHNE, son of CINAED, King of Galloway, dies. As I have already stated, Thorfinn conquered Galloway that year. He ruled it until his death in 1066, aged 59. During this period, the son of Gilli, named Earl MacGill, acted as Thorfinn's lieutenant in Galloway, and became its first Lord.

During the period of MacGill's lordship, Macbeth was King of Scots, and Galloway appears to have been a source of trouble to him. In Hollinsheads "Scottish Chronicle", vol. i, p.341, it says - "He (Macbeth) caused to be slaine sundrie Thanes, as of Cathnes, Sutherland, Stranaverne, and Ross, because through them and their seditious attempts, much trouble dailie rose in the realme. He appeased the troublesome state of Galloway, and slue one Makgill, a tyrant, who had manie years before passed nothing of the regale authortie or power".

Again, in Aitkmans "History of Scotland", vol.i.p.332 - "He (Macbeth) afterwards went to the ÆBUDAE, (Hebrides,) where he executed severe justice, and returning hence, he summoned repeatedly MacGill, the most powerful chief in Galloway, to stand trial. But he - MacGill - more afraid of being charged with having belonged to the party of Malcolm, than dreading any crime of which he could have been accused - refused to obey: on which, Macbeth sent some detachments against him, who having vanquished him put him to death". This part of the history of Earl MacGill is also mentioned in a somewhat similar strain by Heronymus in his work which bears the ponderous title of "THEATRUM GENEALOGIUM OSTENTOUS FAMILIAS, MONARCHATIUM, REGIUM DUSSIM", and which was printed in 1597. MacGill's death must have taken place some time in 1045-50.

Very little is known of the family of MacGill, with the exception that the present-day bearers of the name are descendants of his fourth son named Bueth, who was Lord of Gillsland, which at that period was part of Galloway. Gill, the son of Bueth, who inherited Gillsland and held it by the

sword, was driven out by Ranulph de Meschines in 1092. This Norman bestowed the land on one of his followers named Hubert de Vaux who slew Gill, and in repentance for this deed, founded and endowed the Priory of Lanercost, and gave to it the lands that caused the quarrel. Hubert had no surname, but very ingeniously took one from "Gillsland". The word Gill in Cumberland signifies a deep valley from the Norse "Gill"; a deep glen which in Latin is Vallis, hence the origin of the name Vallibus or Vaux.

The history of the rest of MacGill's family is very obscure, but judging from various historical writings, I would venture the opinion that Fergus, Lord of Galloway (1096 - 1163), was a descendant of Earl MacGill's first son, otherwise nothing is known of the antecedents of Fergus, and how otherwise could he have become Lord of Galloway whilst Prince David held his sway over it, except by inheriting it? From Fergus are descended on the distaff side, the Royal Family, through Marjory, Countess of Carrick, who married Robert de Brus, 7th Lord of Annandale, and whose son was Robert I (The Bruce), King of Scotland.

A question which arises at this point is - where did Fergus of Galloway get the surname of MacDougall or MacDowall? In any charter which he witnesses he signed himself "Fergus" only. Kevan MacDowall, in his book "Carrick Gallovidian", declares that he was known as Fergus MacDubh Ghael, but I have not come across any evidence of this. Then again - McKerlie in his work "Lands and their Owners in Galloway", suggests that the MacDowalls of Galloway were a branch of the MacDougalls of Lorn who followed under the banner of Alpin when he was driven from Argyll by the Picts in the year 741, and that this might account for the part they took with the MacDougalls against Bruce in the war of succession. Might the name not be adopted from the district of Galloway? Skene, in his "Chronicles of the Picts and Scots", says - "that although the Gallgaedhel, as the name of a people, probably included the inhabitants of the Western Isles, Gallgaedhel, as a territorial name, was Galloway. This is proved by the entry in the "Annals of Ulster", in the year 1199, in which Roland, Lord of Galloway appears as Roland Mac Uchtraig Ri Gallgaidhel, and by comparing the entry in the "Chronicle of Melrose", under the year 1234, OBIT

ALANUS FILIUS ROLANDI DOMINUS GALWETHIE, with that in the "Annals of Ulster" in the same year AILIN MAC UCHTRAIG RI GALLGAIDHEL MORTUUS EST. It appears in its Welsh form of GALWYDEL in the PRIF CYVARCH TALIESIN, EINGL GALWYDEL OWNAONT EU RYFEL, the Angles and Galwegians made their war Galloway was also called simply Gall or Gal. Mac Firbis terms the Lord of Galloway Maemor Gall. URIEN is called by LLYWARCH, HEN ERYR GAL, or the Eagle of Gall. Ailred calls the Galwegians Galli".

Bremner, in his "Norsemen in Alban", has a most interesting theory which, if it could possibly be proved correct, would solve quite a few genealogical puzzles of the period of which I am writing. He agrees with the conjecture of Munch; that it is highly probably that Somerled's (of the Isles, progenitor of the MacDonalds and MacDougals) parental descent is traceable to Earl Gilli. At all events, the "Annals of the Four Masters" record under the year 1083, "Death of Somerled, son of Gilbridig, King of Innsigall", (i.e. Isles of the foreigners) the Erse name for the Sudreys. It is highly probable that Sigurd's lieutenant and brother-in-law Gilli, who was actually the ruler of the Isles, should call his son Somerled after his wife's kinsman of that name. The family tree would then run thus:- Earl Gilli (brigid) son Somerled, grandson Gilli-adornan, great-grandson Gilli-bridig, great-great-grandson Somerled". So the question is now - were Somerled and Earl MacGill brothers, and from which one did Fergus descend, and was his father's name Dougal? There is a significant point mentioned in history which has a bearing on this genealogical puzzle:- Fergus of Galloway in the year 1160, threw off his allegiance to Malcolm who was a minor at the time, and joined forces with Somerled, in ravaging the West Coast. Another link between the two is the fact that both carried the same armorial bearings - a lion rampant.

The whole question has been a rich source for conjecture in the past, and no doubt will be the cause of a great deal of controversy in the future.

J. M. McGill.

SCOTTISH SCHOOLS & SCHOOLMASTERS IN THE 17th CENTURY

From a paper read to the Scottish Genealogy Society
on 15th March, 1955.

Any brief account of the schools of seventeenth century Scotland must be tentative, and based, all too often, on insufficient evidence. There is an immense amount of work to be done on the sources - nearly all of which are in manuscript - before a definite account can emerge. None the less the period is so important, and what we know of it is so interesting, that it is worth while attempting an interim statement. One thing at least is clear. Historians of education in Scotland have most remarkably neglected the seventeenth century; little has been written about it, and much of that little has generally been inaccurate. Most of us, I suppose, when we try to imagine what the schools were like in those years, think of something rather worse than the worst that Grey Graham describes in his account of the eighteenth century: tumbledown buildings and ragged school-children, where there was a school, lying on the floor of the class-room "like pigs in a sty", or "forced to wreatt lying upon their bellies" because there were no school desks. Things, as Grey Graham pointed out, were bad - and made to look worse by the selection of dramatic evidence - in the early years of the eighteenth century: obviously, so runs the argument, since "this here progress keeps going on," they were worse before the Revolution. Grey Graham's examples are repeated with and without acknowledgement, and without verification.(1) His verdict on the (Education) Act of 1633 - that it was "notoriously ineffective" is repeated approvingly; and a recent history of Scottish Education begins at 1696 because that, the author believes, was the date of the first effective enactment in the field. But in fact the evidence shows that educationally Scotland (English speaking Scotland - the Gaelic district presents us with an universal blank) was rather better off before 1690 than for 50 or 60 years after that date; which is what we might expect: for the marked decline in the country's economic fortunes would surely affect its schools.

Those schools - and this is important, and apt to be

forgotten - were of two main kinds: the public schools (in The Scottish sense of being provided by the public authorities) and the "adventure schools". The adventure schoolmasters were outwith the parochial and burgh school system; they had no salary, though they might get a grant from a Kirk Session, and were therefore generally entirely dependent on the fees they charged. The treatment they received from the authorities varied from place to place and from time to time. In the burghs they were sometimes forbidden to teach any children, and sometimes permitted to teach girls only. On the other hand they might be tolerated - particularly in the large burghs - where they lived in permitted and, one hopes, friendly rivalry with the burgh schoolmasters.(2) In other burghs again - particularly the large ones - they were actively encouraged by the grant of a free house, or the payment of a small salary, or the payment of the fees of a certain number of poor children who were sent to their schools.(3) In the landward parishes, adventure schoolmasters were sometimes encouraged in the same way; often tolerated, particularly in populous parishes; but more often they were forbidden to teach even girls.

The public schools, for whose benefit the adventure teachers were sometimes forbidden to operate, were of two kinds - the burgh schools and the parochial schools. The distinction is not an educational one, but a distinction of finance and control. Many burgh schools had been established before the Reformation; and by 1600 the great majority of the Town Councils maintained a "Grammar School", provided school buildings, paid a master (and often a school-doctor or assistant) out of the Common Good, and protected its teachers from harmful competition. These burgh schools - from Kirkcudbright in the South to Kirkwall in the North, from Rothesay in the West to Crail in the East - were outwith the provisions of the Education Acts of the seventeenth century; they had their ups and downs, but were on the whole successful institutions; and they dealt with a considerable proportion of the nation's children.

In the landward parishes, however, it was the parochial school which ministered to the educational needs of the

community. The scheme laid down in the First Book of Discipline for a school in every parish supported out of taxation was not given legal backing until 1616; but before that, as the Kirk Records show, (4) many had been established. In 1633 an Act of the Scottish Parliament ratified the Act of 1616 commanding "all the Bishoppis ... that they deale and travell with the parrochiners ... to condescende ... upon some certaine solide and sure course how the ... school may be enterteyned", and granted the Bishop power, with the consent of the majority of the parishioners, to stent "every plough" for maintenance of the schools. As a result, there was a considerable outburst of activity by the Presbyteries, and many schools were "established" - i.e. provision was made for their schoolmasters.(5) In 1646 a new Education Act was passed, which ordered the heritors in every parish to meet "and provyde a commodious hous for the schoole and modifie a stipend for the schoolemaister which shall not be under 100 merkis nor above 200 merkis ... yeerlee". Until 1661, when the Act of 1633 once more became the law, this Act was vigorously implemented. Between 1661 and 1690 the Synods, Presbyteries and Kirk Sessions did what they could to keep the heritors up to scratch, with, there is evidence to show, considerable success. But the Revolution of 1688 caused a good deal of disorganization, and in spite of the re-enactment of the 1646 Act in 1696, the position was not restored until many years later.

Such was the legal position in the seventeenth century. On the Kirk was laid the duty of seeing that the law was obeyed. The bishop (or during the Presbyterian rule the Synod) was responsible within his diocese; but the day to day administration was the task of the Presbyteries and the Kirk Sessions. The Kirk Sessions to landward saw that the heritors were stented to provide a salary, or themselves provided one "out of the box"; they often helped him to gather his salary; they usually (sometimes in conjunction with one or more of the heritors) appointed the schoolmasters; they fixed the fees to be charged; they provided for the education of "the poor bairns"; they kept an eye on the behaviour of the schoolmasters; and they often provided amateur "attendance officers" from amongst their own members. The Presbyteries supervised all these activities. They ex-

amined the nominees for teaching posts "in their religion and letters" (and sometimes failed them); they enquired into the progress of the school and the payment of the master's salary on their "visitations"; and if the heritors could not agree on a stent, they did the stenting themselves - for much of the century at any rate; and in the burghs they regularly inspected the burgh schools (often at the request of the Magistrates) and "took tryall of the bairns".

So much for the legal framework and the administration of the law. What of the schools themselves? The school buildings - where there were school buildings: a space in the Kirk might have to serve - were sometimes hired rooms in a dwellinghouse, sometimes poor "clay biggins", and sometimes (especially in the burghs) quite handsome erections. The Dunfermline Grammar School, built in 1625, and probably typical of those found in the larger burghs, was of two storeys; it was about 40 feet long by 25 feet broad by 16 feet high. In the upper storey, which was reached by an outside stone stair, was the classroom, lit by three large windows; below was the schoolmaster's dwelling. In such a school (with no more than two classrooms) floored with timber on which was strewn "bent"; furnished with benches and tables, lit by candles, and heated (in the well-provided burghs) by an open coal fire, the majority of the burgh bairns were taught by the master and his assistant. (Rarely was there more than one "doctor" in the burgh school). The parochial schools were of course, with rare exceptions, single teacher schools; they had only one classroom; and the largest were about 38 feet long by 14 feet broad. One at least of these was provided with "stone and mortar seats set round the walls".(6)

The curriculum of these schools was a simple one - Latin in the Burgh Schools and in most of the Parochial schools too; Reading (from the Bible, the Catechism, or Proverbs) and Writing, Arithmetic (but not generally before 1660) and Religious Knowledge. Some instruction in "the usages of polite society" was given too, as we see from the Dundonald Parish School rules where, for example, it was laid down that children were "to be taught to abandon all unciveill gesture, as skarting of heid, armes, etc."

The school day was appallingly long:- sunrise to sunset in Winter, and 7 a.m. to 6 p.m. in the other seasons is usual - with breaks, of course; but the children (and their masters) were expected to spend seven or eight hours a day in the classroom. Not every day, however; on the "ordinary play days", Monday, Thursday, and Saturday, the children were "free to recreate themselves" after noon on Saturday and after 4 p.m. on the other days. In addition to these short breaks there was "the Vacance" - a holiday of some four or five weeks, taken in July, August, or September.

There is no space to describe the school life of the pupil more fully - but some light on the kind of discipline, and the methods of enforcing it, will be thrown by the Kirkcaldy school rules which I shall quote later.

The great majority of the teachers in these burgh and parish schools had "taken their course in philosophy", and many were graduates; a substantial minority were "expectants" - candidates for the ministry. Practically all parochial schoolmasters, and very many burgh schoolmasters, were clerks to their Kirk Session, and Precentors - these appointments went with the school. They added considerably to the schoolmaster's income, and did not make very heavy demands on his time. That income came from three sources - his salary, the school fees he charged, and his salary and "the casualties" - for registering births, marriages and (sometimes) deaths - as Session clerk. In addition he had payments in kind - a rent free house, and sometimes a gown or a hat. In the larger burghs the salary was between £166 Scots and £200 Scots per annum in the years 1630 to 1690; in the medium sized burghs about £100 Scots during the same period.(7) The fees in a flourishing large burgh school from about 1640 to 1690 would bring in another £100 Scots per annum. As Session clerk (but remember he would not be Session clerk in a large burgh) he would get 50 to 60 merks from casualties alone. I calculate that in a medium burgh a schoolmaster's total income, about 1640, would be some 250 merks (£166.13s.4d Scots) per annum; in a large (such as Cupar or St. Andrews) from £260 to £300 per annum.

The school doctors (or under teachers) had much less

than this. In the smaller burghs and those parishes which employed doctors, they must have had a hard struggle to live. With a salary of £40 to £60 Scots per annum, fees of 3^s:4d. per quarter, and no casualties (these were the perquisites of the schoolmaster in such places) he would be lucky if he had £100 per annum. The "necessitie" and the "indigent estate" of the doctor is often mentioned in the records. In 1650, because "many schoolers were not abill to give him interteinment" the Kirk Session of Pittenweem gave their doctor 6s. a week out of the box, and ordered a "sutte of cloathes ... and also sailing cloathe as well four sarkes to him".(8)

Schoolmasters all too often had little security in their posts. Appointments "at pleasure" for one year, for three years, and "durante vita aut culpa" were made. The doctors were employed "during pleasure", and sometimes for as little as three months. As a result we meet few of those legendary dominies who lived out their lives in the service of one school: in some burghs it was uncommon to find a schoolmaster who had stayed longer than five years.(9) But here and there, even in the seventeenth century, we find cases of masters who served in one school for 30 to 40 years.(10)

There is no space to discuss the qualifications and behaviour of our schoolmasters in detail. Many were students of divinity, and not a few remained stickit ministers. Some behaved badly, in or out of school, and were dismissed: "did not attend his school"; "her son had not got a lessen for a month" from the schoolmaster; he "struck the bairnes to the effusion of their blood"; "he went from house to house playing at cards till midnight" - these are some of the charges made against them. Many came from considerably distances to their schools - advertised for probably at Synod meetings or found through their professors at "the College".

Let me conclude by quoting from the Rules of Kirkcaldy Burgh School: they show, more clearly than most documents, what school was like in those days, and what was expected of master and pupils. After laying down the hours of attendance, and forbidding the 'scholars' to play with the car-rock on the streets, or play 'out of their houses after the

eight o'clock bell at night', and laying down that the school was to open and close with prayer, they ordered "that the Master and Doctor are to give an holy example in sober and circumspect walk and conversation ... they are to teach them to pray, to read the confession of Faith, and to gett the Shorter Catechism by heart ... and the master is to discharge ... all obscene speech, and all manner of immoralitie and incivilitie, and to appoint captors to observe the guiltie. ... the schoolmaster and doctor ... shall examine every class, and such as are anything advance shall learne ... prose or poetically authors ... as Corderius Dialog: Sac ... Colloqui Erasmi; Buchanans Chronicles and Psalms; Terence; Horace and Virgil, Juvenal and Curtius etc. ... And the master shall be obliged to give theams to them who have learned their Rudiments, once in the week, and twice in the week to them who have learned their first part, and thrice in the week to them who have learned their second part ... and that everie day all ... shall have coppies to writte by, betwixt 10 and 11 in the forenoon." The Rules go on to deal with the ceremony at the giving of the "Vaccance" - a Latin oration to be declaimed before the Magistrates - and with the methods of enforcing discipline by the appointment of "captors" to inform the master, twice a week, about any breach of the rules. "And there is to be a privy censor to take notice of the faithfulness of all the publick captors". Evil doers were to be chastised "impartially yet in measure, and not in passion". Finally, it was ruled that "for the Master's encouragement the Magistrates are to oblige the inhabitants of this burgh to send their children about the years of seven or eight to the grammar school; and they are to discharge all private schools except Women Schooles for learning English.

1. e.g. his description of Burntisland Grammar School, and his quotation from The St. Andrews Burgh Records about the lack of school desks; both of these keep popping up - even in school text books.
2. e.g. South Leith, Kirkcaldy.
3. e.g. in Dunfermline & St. Andrews.
4. See for example the Register of the Synod of Fife.
5. See "The Presbyterie Booke of Kirkcaldie" & MS Records of Presbyteries of Haddington & Jedburgh.

14.

6. Balmerino.

7. The figures given in such works as Grant's "Burgh Schools" are often lower than this; they are taken usually from the records of payment from the Common Good of the Burgh. But very often the Common Good payment was supplemented by payments by the Kirk Session or the Heritors.

8. Pittenweem Kirk Session Minutes 16/4/1650.

9. e.g. Linlithgow.

10. e.g. in Auchtertool Mr. Thrift from 1642 to 1684; in Markinch Mr. Ramsay from before 1687 to 1719; in Kingsbarns Mr. Liddell from 1688 to 1713; in Balmerino Mr. Wylie from 1657 to 1705; in Dairsie Mr. Orme from 1652 to 1700.

J. M. Beale.

SCOTTISH COVENANTS.

"Come, and let us join ourselves to the Lord in a perpetual covenant that shall not be forgotten." Jeremiah, L. 5.

Among the many sources of genealogical information in Scotland we must include our covenants. These are of various forms and were used for many purposes. Our Scottish charters, some as early as the XIth century, may be classified as covenants. So also leases and other mutual indentures, recording all of them the protection of individuals, clans or families, and the nation, or of certain rights, privileges, or possessions, personal or national, when these were menaced.

The uses of these charters and leases are very ably illustrated by a former (the 7th) Duke of Argyll, in his industrious work, Scotland, As It Was And As It Is, published in 1887. (2nd edition.) I quote here from his work a literal translation of the oldest of Scottish charters, as being likely to interest the readers of this magazine, particularly those overseas:-

CHARTER OF KING DUNCAN TO THE MONKS OF
ST. CUTHBERT. A.D. 1094.

I Duncan, Son of King Malcolumb, by hereditary right King of Scotland, have given in alms to Saint Cuthbert and to his servants, Tiningeham, Aldeham, Scuchale Cnolle Hathornich, and of Broccesaruthe, all the service which Fodan the Bishop thence had. And these I give in such quittance, with sac and soc (Jurisdiction), as ever St. Cuthbert has had best from those from whom he holds his alms. And this I have given for myself, and for the soul of my father, for my brothers and for my wife, and for my children. And because I would that this gift should be firm to St. Cuthbert, I have made my brothers join in the grant. But whosoever would destroy this, or take from the servants of Saint Cuthbert anything if it, let him bear the curse of God, and of Saint Cuthbert and mine.

AMON.

Then follow the rude crosses which the greatest laymen of that age could alone make to indicate their signature, one cross for the King, nine for as many witnesses, and one for the learned scribe who wrote the Deed, and who added across the uncultured but sacred symbols such syllables as these - "Crux Duncani."

The charters, or covenants, are found in the Historical Department of H.M. Register House, Edinburgh, the National Library of Scotland, the library of the University of Edinburgh, and in various other libraries, notably those of our nobility and gentry, and of learned societies. A Calendar of the Laing Charters in the University of Edinburgh, covering the period A.D. 854-1837, edited by the Rev. J. Anderson, was published in 1899.

Each source has no doubt yielded its quota of information in the past, but an examination of early genealogical works by George Crawford, Sir Robert Douglas, Alexander Nisbet, and their followers (no doubt up to the highest mark of their time), will easily prove that, wherever possible, the genealogist should revert to the original sources of information. A further search among the writings of Sir Bernard Burke, former Ulster King of Arms, will cause the enquirer

to wonder if any of the old genealogists can be relied upon for accurate information. It is only when one uses works like A History of the Family of Seton, by George Seton (privately printed, 1896), and the ponderous tomes compiled by Sir William Fraser at the end of last century, that faith is partly, if not wholly, restored. But a lesson has been learnt, and the maxim - "truth can only be had at its fountainheads", is found to be sound.

Covenants of a different kind concern the great Reformation of religion in Scotland. They are fruitful sources of genealogical information. While it must be admitted that a vast majority of the names subscribed on the religious covenants have no utility, there are a great number of signatories whom we can include with people of the same designation, whose names appear in parish registers and elsewhere. This applies particularly to the nobility, the "Lairds" or landed gentry, the clergy, and the commissioners.

A catalogue of extant copies of these religious covenants was drawn up by the Rev. J. K. Hewison, M.A., F.S.A. Scot., minister at Rothesay, in 1908. It is printed in Proceedings of the Society of Antiquaries of Scotland, vol. XLII. (4th series). The best known are the National Covenant, 1638, and the Solemn League and Covenant, of 1643. After the Restoration of Charles II. in 1660, the National Covenants and Solemn League were denounced as unlawful oaths, and the copies were ordered to be brought to the Cross of Edinburgh and burned by the common hangman. Fortunately many have survived.

NOTE: A copy of the Solemn League and Covenant, unnoted by Hewison, is preserved at Kirkliston Parish Church, West Lothian. It was purchased in 1935 from Bernard Quaritch Ltd., the well-known London booksellers, and is one of those printed by Evan Tyler, of Edinburgh, in 1643. There are 79 signatures proper, and the names of 232 parishioners subscribed by the "clark of sessioun". A photostat copy is on view in the church.

Donald Whyte.

OLD ROSS-SHIRE FAMILIES

(I) THE BAYNES OF TULLOCH

(contd. from vol. ii., p. 7).

Several families, such as the Bains of Docharty, the Baynes of Dingwall and the Baynes of Logie, Fife, are said to have been descended from the Bayne family of Tulloch, but unfortunately it has not been possible to trace their exact connection with the main stock. The Bains of Docharty, in the neighbourhood of Dingwall, derive their descent from Alexander Bain (or Bayne), who was a tenant in Docharty in 1664. A genealogical account of this family was published privately, in 1914, by Mr. Hugh Urquhart, Dingwall. The Baynes of Dingwall, one of whom was the famous minister of Kiltarlity, the Rev. Donald Bayne, D.D. (1755-1821), were descended, according to the Rev. Donald Sage (*Memorabilia Domestica*, 2nd. edit., p. 223), from the "Knights of Tulloch". There was only one Knight of Tulloch (Sir Donald Bayne, 5th Laird), and probably this family was descended from one of his sons, of whom there were nine. The Rev. Walter Wood of Elie, Fife, in his book on the families in the East Neuk of Fife, says that the Baynes of Logie, Fife, were an offshoot of the "ancient family of Tulloch", but he gives no authority for his statement. This family produced several sheriff-clerks of Fife, and were proprietors of the estates of Dura and Rires. There were marriage connections between them and the Baynes of Ross-shire, and this may have led Mr. Wood to conclude that their progenitor came originally from Tulloch.

In Ross-shire, however, there were four important cadet branches of the Tulloch family. These were: (a) the Baynes of Wester Logie and Delny, (b) the Baynes of Knockbain, (c) the Baynes of Tarradale and (d) the Baynes of Pitcairlie.

(a) THE BAYNES OF WESTER LOGIE AND DELNY.

I. ALEXANDER, who was second son of Alexander Bayne, 2nd. Laird of Tulloch, was the progenitor of this family. On 10th September 1590, there was a Donation Charter of Wester Logie in the parish of Kilmuir Easter to Alexander by his father, Alexander Bayne of Tulloch. Alexander was

married four times. His first wife was Agnes Fraser (her parents are not known), and by her he had: 1. Duncan, of whom afterwards. After her death, Alexander married, as his second wife, Catherine Munro, and by her he had: 2. Catherine, who married, before 1610, Ronald Dingwall of Kildun. Alexander married, as his third wife, Margaret Murray of Kildun, and had issue: 3. Isobel, who married, about 1627, Alexander, eldest son of Robert Gray of Creich and Ospisdale Sutherland. 4. John, of whom nothing is known at present. Alexander's fourth wife was Florence, daughter of Robert Mor Munro of Foulis, and widow of Roderick MacKenzie, 1st of RedCastle (Mackenzie: History of the Munros, p. 55), without any known issue. Alexander Bayne of Wester Logie died before 1624, and was succeeded by his son of the first marriage.

II. DUNCAN, who is style "of Delny" as well as "of Wester Logie". His rental in the Valuation Roll of Inverness-shire (which included Ross) in 1644 was £212. He married, as his first wife, Jean, only daughter of John Urquhart of Ferrytoun (descended from the Urquharts of Cromarty), with issue: 1. Agnes, who married Colin MacKenzie, 2nd. of Kincaig, with issue: (1). Colin, who became 3rd of Kincaig. (2). Lieut.-Colonel Duncan, Scots Guards. (3). Lillias, who married Alexander, son of the Rev. William MacKenzie of Rosskeen, with issue. (4). Catherine, who, in 1680, married, as his second wife, William Grant, tacksman of Ardoch, with issue. Their great-grandson was the Rev. Gustavus Aird, D.D., minister of the Free Church at Creich, Sutherland, who died on 20th December 1898. (5). Christian, who, in 1681, married William, son of Alexander MacKenzie, 1st of the MacKenzies of Ardross. (6). Florence, who married, in 1679, William MacKenzie of Kinlochewe, with issue. (7). Agnes, who married Alexander, son of Alexander Bayne, 2nd. of the Baynes of Knockbain. 2. John, of whom afterwards. Duncan Bayne married, as his second wife, Helen, daughter of Thomas Urquhart of the Urquharts of Kinbeachie, Black Isle (a second cousin of his first wife), without issue. It is said that Duncan Bayne died "in the reign of Charles II." He was succeeded by his only son, John.

III. JOHN, who is described in documents as "Mr. John

Bayne". He is probably the John Bayne from Ross-shire, who graduated B.A., in 1651, at King's College, Aberdeen. He married, about 1660, Anna, eldest daughter of Robert Gray of Arboll, Sutherland, with issue, an only daughter, also Anna, who married Sir John Gordon, 3rd Baronet of Embo, Sutherland (marr. cont., dated 19th April 1683), with issue. By a bond dated, on 23rd November 1694, at Fortrose, "Mr. John Bayne of Delnie binds himself to pay to his grandchildren, John, Robert, George, Anne, Elizabeth and Jean, the sum of 1200 merks with interest thereon...". Mr. John was dead by 1696, and, on 28th May 1700, the fore-mentioned grandchildren were infeft in the lands of Delny.

(b) THE BAYNES OF KNOCKBAIN.

I. RONALD, second son of Duncan Bayne, 3rd Laird of Tulloch, was the first of the family of Knockbain in the parish of Kilmuir Easter. He was a Writer in Dingwall, and was a witness, in 1626, to the Will of Sir Roderick MacKenzie of Coigeach, "Tutor of Kintail". Ronald Bayne was married twice. His first wife was Janet, daughter of the Rev. Thomas Houston, minister at Inverness, and by her he had: 1. Duncan, who seems to have died before his father. 2. Alexander, of whom afterwards. 3. Kenneth. 4. Margaret. 5. Christian. 6. Catherine. Ronald's second wife is not mentioned in any document known to the writer, but he had by her: 7. John, who is given in the Records of the Presbytery of Dingwall, in 1649, as brother of Alexander Bayne of Knockbain. 8. A son, whose name is not known. 9. Donald, described in the Munro Writs (p. 60) as "Mr. Donald Bayne". Nothing further is known of him. 10. Janet, who died before 31st July 1648. Ronald Bayne, who was Provost of Dingwall, died before 31st July 1648, and was succeeded by his second son, Alexander.

II. ALEXANDER, who is mentioned, in the Records of the Presbytery of Dingwall, on 22nd January 1650, as having appeared before the Presbytery "confessing malignancy". (He had been a follower of the Marquis of Montrose?. He married, before 1644, as his first wife, Agnes, daughter of Colin MacKenzie, 1st of Kincaig, with issue: 1. Ronald, of whom afterwards. 2. Alexander, who married his first cousin, Agnes, daughter of Colin MacKenzie, 2nd. of Kincaig. 3.

Janet, who married the Rev. John MacRae, minister at Dingwall (1674-1704), with issue (Fasti, vol. vii., p. 34). 4. Margaret, who was baptised at Dingwall, on 20th December 1664, and married with issue. 5. Kenneth, who was baptised at Dingwall on the same date as his sister. Alexander Bayne married, as his second wife, Isobel (surname not known at present), with issue: 6. Donald, who was baptised at Dingwall, on 22nd December 1670. 7. Roderick, who is mentioned in a Sasine of 1701. Alexander must have died before 2nd January 1673, for, on that date, his son, Ronald, is described "of Knockbayne".

III. RONALD succeeded his father at Knockbain. He accompanied the 3rd Earl of Seaforth to the Court of James II. in London, in 1675, as his principal servant. He married Catherine, daughter of Roderick MacKenzie, 5th of Davochmaluag, with issue: 1. Alexander, of whom afterwards. 2. Kenneth, who was baptised at Dingwall, on 20th July 1681. 3. John, who was baptised at Dingwall, on 13th August 1684, and married with issue, a son, John, who married Helen MacRae (Highland Papers, vol. i. p. 228, History of the MacRaes, p. 68). Ronald had also an illegitimate son by Margaret MacQueen, baptised, on 9th June 1678, at Dingwall. The date of Ronald's death is not definitely known, but it took place before 1st June 1721, for on that date, his son and successor, Alexander, had a Sasine of Knockbain.

IV. ALEXANDER, who was also styled "of Delny", that property having come into the Knockbain family, was baptised, on 27th February 1680, at Dingwall. He married Jean, daughter of John Gray of Arboll, Sutherland, and his wife, Katherine Fraser of Kinneries, with issue: 1. Ronald, of whom afterwards. 2. Donald, who was Bailie of Dingwall in 1740. This Alexander Bayne of Knockbain and Delny was to succeed to Tulloch in the event of the failure of the issue of Kenneth Bayne in Drynie, half-brother of John 7th Laird of Tulloch. The date of his death is not known. He was succeeded at Knockbain and Delny by his elder son, Ronald.

V. RONALD, who was Bailie of Dingwall in 1740, married Jean, daughter of Sir John MacKenzie of Coul, with issue: 1. Alexander, of whom afterwards. 2. Catherine, who married, as his second wife, after September 1740, Alexander MacKen-

zie of Tolly, merchant at Dingwall, with issue (Burke: Landed Gentry, 1938, p.1475). Ronald Bayne died in June or July 1743, and was succeeded at Delny by his son. By this time, the family had no connection with Knockbain.

VI. ALEXANDER, who was a Lieutenant in the Navy, and had, in 1743, a retour to his father, Ronald Bayne of Delny, and also to Priesthill in Cromarty. On 10th June, 1757, there is a Sasine of Delny and Priesthill to James Cuthbert of Milncraig from Alexander Bayne of Delny. Nothing further is known of Alexander, who seems to have been the last of his line.

(c) THE BAYNES OF TARRADALE

I. ALEXANDER was a son of Duncan Bayne, 3rd Laird of Tulloch, and his third wife, Isobel, daughter of Alexander MacKenzie, 2nd. of Fairburn. He was thus a half-brother of Ronald, progenitor of the Baynes of Knockbain. He had a Sasine of Tarradale on 24th June, 1634. He married Jean daughter of John MacKenzie of the MacKenzies of Ord, with issue, at least, one son, Duncan, of whom afterwards. Alexander was sherrif-depute of Ross-shire until his death in 1669. He was succeeded at Tarradale by his son.

II. DUNCAN, who had a Sasine of Tarradale on 2nd February 1669, was married to Jean, daughter of the Rev. John MacKenzie, son of John Roy MacKenzie, 4th of Gairloch, with issue, Alexander, of whom afterwards. Duncan Bayne, 2nd. of Tarradale, died before 1701, and was succeeded by his son, Alexander.

III. ALEXANDER. He had a Sasine of Tarradale on 6th March 1701, and bought the estate of Culbo from Kenneth MacKenzie of Scatwell. He married Jean, sister of George MacKenzie of Balmuchie, with issue: 1. Duncan, of whom afterwards. 2. Isabel, who was baptised, on 20th November 1697, at Dingwall. 3. Donald, who was baptised, on 9th February 1699, at Dingwall. Alexander Bayne of Tarradale died before 3rd July 1712, and was succeeded at Tarradale by his elder son.

IV. DUNCAN, who was baptised, on 27th November 1695, at Dingwall, died as a young man in 1729, and the Baynes of

Knockbain succeeded to Tarradale.

(d) THE BAYNES OF PITCAIRLIE

I. DONALD was a son of Duncan Bayne, 3rd Laird of Tulloch and his first wife, Elspeth, daughter and co-heir of Torquil Conanach MacLeod of Lewis, and was thus a full brother of Ronald, progenitor of the Baynes of Knockbain and a half-brother of Alexander, progenitor of the Baynes of Tarradale. It has been said that Donald was a "natural" son of the Laird of Tulloch, but there has been no confirmation of this. He was chamberlain of Lewis, and was married to Agnes, a "natural" daughter of John Roy MacKenzie, 4th of Gairloch. There is a Sasine to them on 15th November 1643. Donald was killed at the battle of Auldearn in 1645, leaving issue, as follows: 1. John, of whom afterwards. 2. Agnes, who married Bayne, with issue, at least, one son, Alexander, of whom afterwards. 3. Margaret, who married Stewart, with issue, a daughter, Isobel, who married Walter Ross, with issue, a daughter, Isabella, who, on 26th April 1681, was the wife of Donald MacNeil in Contin. 4. Helen, who married Simpson, with issue, a daughter, Isabella, who was the wife of Donald Urquhart in Brahan, on 26th April 1681.

II. JOHN, who was the only son of Donald Bayne, chamberlain of Lewis, carried on the representation of the family. He appears in documents of his period as "Mr. John Bayne of Pitcairlie". He was probably the John Bayne, who attended King's College, Aberdeen (1647-1651), and graduated M.A. in 1651. He married Euphemia Ackerman, sister of Andrew Ackerman, W.S., who was served heir to her on 15th July 1686. Mr. John Bayne died, before April 1681, without issue. His nephew, Alexander Bayne, was served "heir portioner and of conquest" to him on 26th April 1681.

III. ALEXANDER, who is described on 13th May 1665 and later as "late Baillie of Dingwall", married, as his first wife, Margaret MacDonald, with issue: 1. Hugh, who was baptised, on 19th March 1675, at Dingwall. 2. Kenneth, who was baptised, on the same date at Dingwall. 3. David, who was baptised, on 25th April 1676, at Dingwall. 4. Margaret, who

was baptised, on 23rd April 1671, at Dingwall. 5. Katherine, who was baptised, on 25th April 1676, at Dingwall. After his first wife's death, Alexander Bayne married Margaret MacCulloch (parents unknown), with issue; 6. Donald, who was baptised, on 5th July 1681, at Dingwall. He became schoolmaster of Kiltearn in January 1701. After being licensed to preach the Gospel, he was appointed chaplain in Lieut.-General Murray's Regiment in Flanders. Called, on 14th July 1708, to Dingwall, but such was the opposition of the Episcopalians that he, as a Presbyterian, could not be settled, and he continued in the army. He was chaplain to Colonel Lamy's Regiment at the Bosch in November 1736. Nothing further is known about him.

Donald MacKinnon.

NOTES

- 11/1. "Torphichen. A volume of the Chartulary of this Preceptory of the Knights Hospitallers of St. John of Jerusalem is in the possession of John Black Gracie, Esq.,, writer to the Signet, Edinburgh" (Fragmenta Scoto-Monastica, pub T.G. Stevenson, Edinburgh 1842 p. 14). J.B. Gracie "Superior of all the Temple lands in Scotland" (ditto p. 24). R.W.M.
- 11/8. Some information on the descent of the Hays of Norton will be found in the Appendix to "Balmerino and its Abbey" by James Campbell D.D. (Blackwood 1899).
D.McN.

QUERIES.

- 11/9. John Burnet (1784-1868) painter and engraver, born at Musselburgh, was the son of George Burnet, surveyor-general of excise for Scotland and had a brother James Burnet (1788-1816) a landscape painter (Dict. Nat. Biog. VIII 405, 406). His father is said (Men of the Time, Lond. 1868 p. 137) to have been a native of Borrowstouness (Bo'ness, W. Lothian) and to have been descended from Dr. Thomas Burnet, the friend of Newton, and brother of Bishop Burnet. Can anyone substantiate these statements? D.W.
- 11/10. Robert Henderson, son of Robert Henderson and Mary Milligan, born in London died in Havana, Cuba, March 13, 1892, aged 65. He had two brothers Thomas and Matthew. Robert Henderson, the father, was an Infantry Captain and later a merchant in London. While in the Army the family lived in Dublin. They are said to have connections in Scotland and Dublin and to be related to the Hendersons of Fordell. Help in tracing the pedigree would be appreciated. F.J.R.H.
- 11/11. Can anyone trace the descent of Henrietta, daughter of George Maxwell of Southbar and wife of James Dunlop 4th laird of Garnkirk, from Adam Maxwell of Southbar, son of Sir Herbert, first Lord Maxwell of Caerlaverock? A.McC.D.
- 11/12. John Henderson (1747-1785) actor, known as the "Bath Roscius" claimed to be descended from the Hendersons of Fordell (Dict. Nat. Biog.). Can anyone detail his pedigree? F.J.R.H.
- 11/13. Marie Ritchie, daughter of John Ritchie of Busbie or Craigstown married James Dunlop, grandson of James Dunlop 4th laird of Garnkirk. Help in tracing her ancestry would be much appreciated. A.McC.D.
- 11/14. Matthew Henderson Captain (1737-1788) son of David Henderson of Tannockside and Elizabeth Brown, friend of Burns and Boswell, was known as the object of

Burn's celebrated *Elegy*. Can anyone give particulars leading to the tracing of his ancestors and descendants?
F.J.R.H.

11/15. John Hawthorn Esq. of Castlenigg had three children Hugh born 16 Feb. 1797, Helen born 29 Dec., 1798, and John born 24 Feb. 1800. The line of the elder son is said to be extinct. Did John marry and if so, whom and was there any family? The arms of the family (registered in Lyon Office 1769) are Arg. a chevron between two cinquefoils gu and a hawthorn tree growing out of a mount in base vert flowered proper.
A.H-B.

11/16. Wanted, parentage and connection with Lessendrum family of Alexander Bisset M.A. of Aberdeen and gentleman farmer of Echt, born 1754 and of his wife (married Nov. 1784) Sarah Roberts.
R.A.P.H.

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