

Side Lights from the Dunvegan Charter Chest

By R. C. MacLeod

An enormous number of documents are preserved at Dunvegan, the ancient seat of MacLeod of MacLeod in Skye. I have, however, no intention of giving any detailed account of these papers in the present article.

Interestingly though they may be to members of the family containing such things as charters, instruments of seisin, grants of non-entries, and the like are apt to be somewhat dull reading. I propose rather to lay before the reader such selections from these papers as seem likely to be interesting from the quaintness of their phraseology, from their reference to historical events or from the light they throw upon the conditions of life which prevailed in the Highlands and Islands during the 16th and 17th centuries. A perusal of such papers impresses on one's mind the utter lawlessness which prevailed during this period in this part of Scotland.

Thus in 1527 letters of apprising were issued in the King's name against Alexander MacLeod of Dunvegan, and the Sheriffs were told to summon the King's lieges to assist them, 'because ye said Alexander duellis in ye Hieland where nane of ye officeris of ye law dar pas for fear of yair lyvis.

Skye, like Galway at a later period, was assuredly 'west of the law'. Again, on the death of William MacLeod of Dunvegan in 1553, the family estates passed, legally speaking, to his daughter Mary, who was thus one of the greatest heiresses in Scotland. The nobles of Scotland were vying with each other for the privileges attached to the guardianship of so wealthy an heiress. The Earl of Huntly, Lord Kintail, and the Earl of Argyle each in turn obtained her wardship, and she was married by the last-named peer to a relation of his own, Campbell of Castle Swinney. But though Mary was the undoubted owner of the estates in the eye of the law, her uncle, the male heir, took possession of them and held them in spite of her legal rights, and at length, about 1570, she recognised the futility of persisting in her claims, and — all right to the property, receiving a dowry of £1000. Her descendants were constantly endeavouring to substantiate their claims, alleging some flaw in her resignation, but they never succeeded in doing so.

As a matter of fact, however, a very large part of the Highlands was de facto in the hands of owners who de jure had no claim whatever. Sometimes the Kings of Scotland created jealousies and strife between the great chiefs by granting the lands of one werful laird to another, and even making simultaneous grants of the same estates to different people. In 1498 James the Fourth granted the Bailliary of Trotternish to both MacLeod of Dunvegan and to MacLeod of the Lewes, leaving them to fight it out between them. In 1542 James the Fifth granted the estates which had been for centuries the property of the MacDonalds of Sleat to MacLeod of Dunvegan, a grant which was the cause of endless disputes between these powerful clans.

The Kings of Scotland were directly responsible for the turbulence and unrest which prevailed in the Highlands at this period. As long as they were united under the strong rule of the Lord of the Isles, the Highlanders lived at peace among themselves, but were an unceasing cause of anxiety to their rulers at Edinburgh. Long after the final forfeiture of the Island Lords their representatives were constantly endeavouring to regain their lost power. As late as 1545 seventeen of the chiefs entered into negotiations with Henry VIII. with a view to transferring their pane to the English monarch. This shows the reality of the peril the Scottish Kings had to face, and it may well be that they considered any policy justifiable which would sow dissensions among the members of a confederacy which had been for two hundred years an unceasing source of danger to the kingdom.

I take almost at random some other instances showing the lawlessness which prevailed during the period under consideration. In 1674 proceedings were taken to obtain payment from M'Neil of Barra of some money due from him to a merchant in Glasgow for 'certaine merchand wear' bought by him, and an unfortunate messenger named Munro was sent to serve legal letters on M'Neil. The results were disastrous, for Rorie M'Neil in hye and proud contempt of His Majesties authoritie did deforce molest trouble and persew the said messenger and notar, and did most cruellie and inhumanlie dischaige foure scoir shott of hagbutts muskets gunns and pistols at them, and threw great stones frome the house whereby they were in hazard of being brained and so durst not for thair lyvis approach nearer to have left copies at the principall door thereof, as use is, so they left them on the

ground, on — informed of which Rorie M'Neil and others to the number of twentie all armed with hagbutts guns pistols and other invasive and forbidden weapons, being thieves robbers sorners and broken men did persew and follow after the said messenger and notar to the yle of Fuday and ther did take and apprehend ther persones, and did detainee them captives and prisoners ther the space of two dayes, still threatening and menacing them and did most proudlie and insolentlie robb the wreits they had then in their compayne from them and in high contempt of his Majesties autorite did rend and ryve the samen.' Rorie M'Neil, however, did not get off scaithless. He was tried at Edinburgh in 1679, and fined £1000, and to be imprisoned till the fine was paid, while one of his dependants named Donald Gair was also condemned; 'his haill moveable guidis and gear were escheat,' and he was imprisoned during the King's pleasure.

In 1587 Rorie M'Leod of Dunvegan seems to have been guilty of an act of piracy on the high seas, in that 'he reft spulzied and took certaine wairs guidis and geir out of a bark at ye mouthe of Loch Long.' In this case, though justice was very slow, the delinquent had to pay the value of the goods taken, £500. The discharge is dated December, 1604, and sets forth all the circumstances.

In 1618 we have a very curious account, relating how certaine Kenneth M'Alayne of Glenelg did wrang in his wrangous violent and masterful spoliation away takyng recepting and withoulding by himself his servants complices and utheris in his name, of his causing sending out command reset and assistance and ratifikatione fra Alexander Duff Johnsons Burgess of Inverness furth of his merchand builth in Inverness upon the twentie first day of November, off the particular quantitie of guidis geir and merchandeice particularlie under wrettin of the pryce particularlie under specifit.'

Then follows a long list of the articles stolen. This includes 'gryt blew bonnates' worth £12 Scots a dussein, 'less bonnatis' worth £10 the dussen, kourdes (which, I suppose, is cord), 'beutting clathes' which cost thirty shillings, groceries, and other miscellaneous goods. Besides all these, a quantity of money was stolen, including an item of 'forty fyve aucht schyllinge pieces pryce of the everyone of them nyne schylliages'. There is no evidence to show whether the unlucky complainer ever got back his property or the value of it.

It would be easy to multiply instances showing the lawless condition of the Highlands during the 17th century, and, as will be seen further on, letters written at the period are full of references to tumults, robberies, and crimes of all kinds.

Perhaps one great cause of this was the appalling ignorance which vailed in all ranks or life. The clergy were more or less educated, and in 1559 the Earl of Argyle signed his name to a bond of manrent, which is among the Dunvegan papers, but his writing is phenomenally bad, and a few years earlier not one of the seventeen chiefs, who signed the commission referred to above authorizing their envoy to treat with Henry VIII., could write their names.

The usual form of signature was 'with my hand led at the pene by ye notar becaus I can writ nocht, by my command.' Even Marie MacLeod, who, as is proved from the Lord Treasurer's accounts, was, about 1560, attached to the Household of Queen Mary, could not write. Her uncle, Tormod, is said to have been educated at Glasgow, but, if this be true, writing cannot have been included in the curriculum, for he signed in the usual form.

His son Rorie Mor was the first chief who could write, and he always used the Erse character; his wife, a daughter of the house of Glengarry, was, however, illiterate.

In 1609 Bishop Knox succeeded in getting the Western chiefs to accept the Statutes of Iona, the sixth of which provided that the eldest sons of the upper classes should be educated in the lowlands; and we find from that time forward among the bills and discharges preserved at Dunvegan a large number for tuition, board, and lodging at Glasgow and Edinburgh. Towards the end of the century, Mr. Martin, the historian, was governor to the young lairds at Dunvegan, and the chiefs' daughters were educated at Edinburgh, learning music, dancing, and painting in much the same way as to-day.

In the eighteenth century, but not earlier, we begin to find among the estate accounts items relating to the salaries of school masters maintained for the instruction of the masses. One is somewhat surprised to find from the places at which documents were executed how much travelling was done in the seventeenth century. The Chanonrie of Ross, now called Fortrose, seems to have been a great

place for transacting business, many deeds being dated there. Rorie Mor died there in 1626, having probably gone there on business, and is buried in the Cathedral, and the same chief frequently visited Glasgow, and once went to London, as is proved by a letter from King James to the Council in Scotland, dated 1613.

There were, of course, no roads in the West Highlands, but there was an excellent breed of ponies, as is mentioned in the notes attached to a curious map of Skye made about 1650, and even in the south at that period wheeled conveyances were not much used. But no doubt most of the travelling was done by sea. In a charter, dated 1498, MacLeod is required to keep ready for the King's service one galley of 36 oars and two of 16 oars. The young Captain of Clanranald married Moir MacLeod in 1613, and she received as tocher, in addition to 'nine scoir of gude and sufficient quick ky (i.e. 180 living cattle), ane gailley of twentie foure airis with her sailling and rowing geir de and sufficient.'

The fact that almost all the instruments of seisin were dated in May and none of them in winter, probably points to the difficulty of winter travelling, and no doubt locomotion was slow and uncertain. One letter, towards the end of the seventeenth century, says what a wonderfully quick e'er the writer had, having actually come from Edinburgh to Dunvegan in a week.

After the restoration, Rory Matkand went to London. His 'Taylor's bill' in 1661, amounted to something like £3000 Scots, about a fourth of his rental, and this was for an outhit to go to Court. The clan had suffered very severely at Worcester, and I dare say he thought the King would confer on him some signal mark of Royal favour. But Charles never even referred to the sacrifices the clan had made in his cause, and MacLeod returned north much mortified. He is said to have declared that never again should clansmen of his draw sword for the ungrateful Stewarts. They certainly never did. There are letters extant from James II. and Dundee, in 1690, imploring their assistance, and no effort was spared to attach them to the Stewart cause in 1715 and 1745, but they took no part in any of these risings.

There seems to have been no regular post at all. The letters contain very frequent references to the opportunities which some chance traveller gives of sending a letter, and to the expense of sending a special messenger. Frequently a letter is an answer to one dated several months before. Probably the lack of postal arrangements accounts for the small number of letters dated before the beginning of the eighteenth century. The earliest is a missive anent we addressed by a certain Ronald M'Alayne to Rory MacLeod of Dunvegan in pei 1596. A dispute as to the ownership of one third part of Glenelg had been going on ever since the early years of the sixteenth century between Lord Lovat and MacLeod. From this letter it appears that MacLeod's instrument was 'tint,' and that great efforts had been made by both parties to find it, the one party intending to 'keep it weel other to ryve and burne it.' The phraseology is deliciously quaint, but the letter is too long to give in full.

A letter, dated November 24th, 1666, from a tailor in Edinburgh, regrets that he can get no holland 'worthie your Honours wear, the merchants being afrajd to take in mair by reason of the great trubble yat is happening heir.' This refers to the Pentland rising and the Battle of Rullion Green.

Another letter from Edinburgh, in October, 1667, says: 'There is account of internal trubbles in the next countrie. Tweddale has gone to Court. The Douglass Regiment is recalled to France. The French King has adopted our King's mediation between him and Spain in the affairs of Flanders, and hath been asked by the Holland ambassador to mediate lykwayes; however he is strengthen with 150,000 men against the next season.'

A letter from D. M'Kinnon in 1677 is very curiously worded. 'These are shewing that I had a continual motion since leaving your honours house, but I hope it will with Gods grace rest in ye proper center if yair cum not greater opposition, but it also empties ye bottom of my purse. It is uncertaine qhat will befall the Duke of Lauderdale, but we expect he will cum frie off.'

The timber merchant who, in 1672, agrees to sell 600 'dealls' at £42 per 100, but begs MacLeod to tell everyone he paid £48, is somewhat naive. His ending is rather amusing. 'Right Honourable your Honour's everlasting servant to command while I am.'

A certain Alexander MacLeod, referring to an invitation his daughter has received to stay with a friend, is most anxious that she should go, because he is 'fully persuaded of her opportunitie to attain

to some more breiding by the society of your virtuouse bed fellowe.'

The same writer in another letter asks for 'ane gallon of ye best liquour which is for the use of some tender persones.'

MacLeod, on August 23, 1690, writes to his father, saying 'all the professors at the Edinburgh University are to be deprived next Wednesday. No man can lay his mind to his book in this town by reason of the tumults and confusion.' Thomas Fraser, writing from Beaufort in 1691, is afraid his letter 'cannot com safely in your hands the way meme so dangerous by robbery'

He also refers to a fire at Whitehall, which has done damage ty the extent of £100,000. The fire which destroyed Whitehall took place in 1698, but this was the earlier fire of April, 1691, when it was partly burnt.

References are made to the Battle of Steinkirk, and to, projected French descent on Scotland in 1692. The tax of 14 for every hearth is also referred to in a letter about the same date.

In 1692 an account is given of a great earthquake in Flanders and France, 'when the erth was visibly seen moving like the waves of the sea.'

There are many other points on which an old charter chest has much light to throw, such as the tenure and value of land, and the prices of commodities, both home-grown and imported, but the space at my disposal forbids my entering on these matters in the present article.

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