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THE HISTORY
OF THE
PROVINCE OF CAT
(CAITHNESS AND SUTHERLAND)
FROM THE EARLIEST TIMES TO THE YEAR 1615.

BY THE LATE
REV. ANGUS MACKAY, M.A.,
Author of the "Book of Mackay," etc., etc.

EDITED BY REV. D. BEATON, WICK.
WITH FOREWORD BY LORD REAY.

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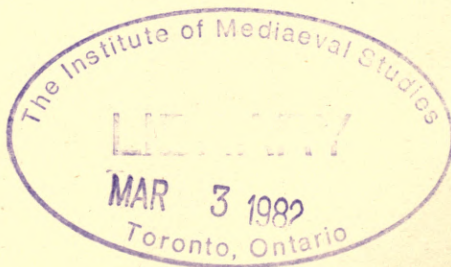


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Jan'y 25 1915



FOREWORD.

The HISTORY OF THE PROVINCE OF CAT (otherwise the Counties of Caithness and Sutherland) is a most elaborate and careful work. The ground covered is from "Before the Dawn" to the beginning of the Seventeenth Century. The Author has made most excellent use of his materials, and has brought to light many sources of knowledge that have hitherto been overlooked.

It is impossible in a short Introductory Note to deal with the merits of the work, but I would desire particularly to call attention to Chapter IV., which deals with the Advent and Settlement of the Norsemen in a way in which, so far as I am aware, this matter has never been touched upon before.

Chapter VI., dealing with the Conflicts of the Clans, is a not less valuable contribution to History.

I am particularly struck with the way in which the story of the Church in Caithness is rendered.

The book abounds with interesting points for those who care for local history, and the Author has handled his subject so as to make it a contribution to national history.

REAY.

May 15, 1914.

ERRATA.

Page 26 : footnote, line 1, for "Galish" read "Gaulish."

Page 27 : footnote, line 9, for "Graupius" read "Granpius."

Page 52 : footnote, line 5, for "Saga Library, 116" read "Saga Library, I, 116."

Page 140 : line 6, from foot of page, for "outed" read "ousted."

Page 142 : line 7, for "1550" read "1560."

Page 149 : line 14, for "Caihness" read "Caithness."

Page 154 : line 12 from foot of page, for "Rengent," read "Regent."

Page 191 : line 5 from foot of page, for "June" read "July."

EDITOR'S PREFACE.

IN seeing this work through the press my attention has mainly been confined to the verification of references and the collation of quotations with the original sources. In this I had the valuable help of James MacDonald, Esq., W.S., Edinburgh, who kindly verified those references from books which I had not in my possession. In Mr. MacKay's lifetime he had submitted the chapter dealing with antiquities (Chapter I.) to Dr. Joseph Anderson, and the chapter dealing with the Celtic Church (Chapter III.) to Rev. A. B. Scott, B.D., Helmsdale. Both Dr. Anderson and Mr. Scott made some corrections and suggestions which were noted in the margin of the MS. I have taken the liberty of incorporating these into the text. Dr. Anderson's pre-eminent position as an antiquary and the intimate knowledge he possesses of northern antiquities make any criticism of his particularly valuable. Mr. Scott has also given evidence in his studies on the hagiology of the Pictish Church that his opinion in his own department is worthy of all respect, and it is to be hoped that his forthcoming work—*S. Ninian and the Founding of the Celtic Church among the Britons and Picts*—will soon be published, as it is sure to throw new light on the early Celtic Church. I may be permitted to say that Mr. Scott informs me that the Sutherland place-name—Kilchalumkil (Strathbrora), see p. 33, which is supposed to be a dedication to the great Dalriadic missionary, Columba of Iona, in its oldest form appears as "Gillyecalomgill" (1450), that is the *gill* of Gillecalom. This, of course, tells against Kilchalumkil being a commemoration of Columcille. The first Roman Abbot of Fearn was a Maol-Cholm, and it may be that this place-name commemorates this Colum; at least his name seems to enter into some Ross-shire place-names.

Any alterations made in Mr. MacKay's MS. were of an unimportant nature and consisted in the correction of a few

grammatical slips and of two or three dates that were manifestly wrong. With these exceptions, and the footnotes in square brackets for which I hold myself responsible, the work is wholly Mr. MacKay's. In regard to these footnotes they are mainly illustrative but here and there they are the expression of the opinions of authorities which differ from that stated in the text. I did not feel at liberty to make reference to some statements and points which if the work were mine I would either have omitted or put in a different way as it was my desire that the book would go forth to the public as Mr. MacKay had left it. One could have wished that he had lived to finish it and see it through the press. For even since the first part of the MS. was finished a number of books bearing on northern history have been published containing material that might have been used with advantage, such as Dowden's *Bishops of Scotland*; Dinan's *Monumenta Historica Celtica*; *Records of Caithness and Sutherland* (Viking Club); *Second Report and Inventory of Monuments and Constructions in the County of Sutherland*; and *Third Report and Inventory of Monuments and Constructions in the County of Caithness*.

I have to acknowledge my indebtedness to R. J. G. Millar, Esq., Editor of the *John O'Groat Journal*, Wick, and George Bain, Esq., Librarian, Wick, for the valuable help given in reading the proofs.

D. BEATON.

WICK.

BIOGRAPHICAL SKETCH

OF

REV. ANGUS MACKAY, M.A.,

Corr. Member of the Soc. Antiq. Scot.

THE Rev. Angus MacKay was born at Rhiancaitel Cottage, Farr, Sutherland, on 23rd November, 1860. In his boyhood he showed promise of more than ordinary ability. His first prizes were obtained from the Edinburgh Sutherland Association. Later on he was the winner of the MacPhail bursary, and at the age of 15 he entered the Old Aberdeen Grammar School. On winning Lord Reay's bursary he proceeded to St Andrews University, where as a student he had a very successful career. In 1882 he was appointed an Honorary Member of the Literary Society of Saint Andrews, and in 1885 he took his Master's degree. He attended the New College, Edinburgh, for his theological classes, and on the completion of his course there he was licensed by the Free Church Presbytery of Tongue in June, 1886. During his college vacations he for some time taught the blind and deaf in the northern counties. He took a great interest in the crofters' cause and gave important evidence on their behalf before Lord Napier's Commission. For some time he acted as assistant at Durness and Strathpeffer. In January, 1889, he received a call from the Free Church congregation of Westerdale, Caithness, and was ordained 12th March the same year. Mr. MacKay took a great interest in scientific studies, particularly Astronomy, in which branch he attained to more than ordinary proficiency of knowledge. As an antiquary he contributed two papers to the *Proceedings of the Society of Antiquaries of Scotland*, viz., "Notice of Two Flanged Palstaves of Bronze from Craig-a-Bhodaich, Farr, Sutherland" (vol. xliii, p. 240), and "Sutherland and Caithness in Ancient Geography and Maps" (vol. xlii., p. 79). The latter is a very scholarly and important discussion of the subject; it is reproduced as the second chapter of the present work with a few

alterations. In view of his interest in antiquarian subjects he was made a Corresponding Member of the Society of Antiquaries of Scotland in January, 1908. It was, however, in the field of history that Mr. MacKay did his best literary work. He was an enthusiastic Celt and contributed many articles of interest to *Highlanders* to the *Celtic Monthly*. As a subscriber to the Old Lore Series of the Viking Club he contributed a number of historical notes and papers to the *Miscellany* of that Club. The work, however, by which he came most prominently before students of northern history and genealogists was the *Book of MacKay*. It was a work involving immense labour and research, and had the fortune to be well received by experts, though it is generally acknowledged that it had a strong bias towards the House of MacKay. Its attitude to the House of Sutherland also met with some adverse criticism. It is so planned that the history of the Reay Country (*Duthaich Mhic Aoidh*) is woven into the genealogical details of the MacKay family. The book is one of the most important works dealing with northern history and genealogy that has appeared in recent years. In connection with these genealogical studies it may be mentioned that Mr. MacKay contributed the article on Lord Reay to Sir James Balfour Paul's *Scots Peerage*. In 1906 he edited the *Autobiographical Journal of John MacDonald*, which was also very well received by the reviewers both at home and abroad. MacDonald had quite an eventful career though he does not make as much of it as one could have wished. He passed through the Siege of Gibraltar and acted as servant on one of the ships which accompanied Lord Macartney on his mission to the Chinese Court in 1793. In addition to these Mr. MacKay wrote the article "Halkirk Parish and Village" in *Ye Booke of Halkirk*. For many years he was busily engaged in gathering material for what he regarded as the most important literary undertaking of his life, viz., *The History of the Province of Cat*. At the time of his death he had been able to reach the first decade of the seventeenth century. The MS. was left practically ready for the press and is presented to the reader in the succeeding pages. For long Sutherland and Caithness had to rely for their history on Sir Robert Gordon's *Genealogical Hist. of the Earldom of Sutherland* and Calder's *History of Caithness*. The former, though indispensable to the student, is to be used with caution as Sir Robert was strongly biassed in the interests of

the House of Sutherland. As for Calder's *History* one cannot praise it too highly; it was certainly a remarkable production for the time it was published. And when one considers Calder's distance from well equipped libraries, and also the fact that much of the material he used was then in MS., one's admiration for the Caithness historian is increased. Of course it is not to be lost sight of that as far as Sutherland is concerned two works bearing on its history were published in recent years, viz., Sir William Fraser's *Book of Sutherland*, and *Sutherland and the Reay Country*. But none of these, important and interesting in their own departments, can be strictly called histories. To these must be added the *Book of MacKay* which deals with the northern history more as illustrative of the life-story of the MacKays than as a connected narrative. The extraordinary mass of new material placed within easy reach of students demanded that the history of the north should be dealt with by one having the necessary qualifications, and this was the task Mr. MacKay set before himself. The necessity of accomplishing this work is seen in the fact that even the second edition of Calder's *History* is now out of date. In the period covered by Mr. MacKay he made use of the Saga literature and the Government Record Series, with the result that he has been able to put many points in a new light. His explanation of "Teer" in the name St Tear as coming from "Deer" and having its analogy in the Caithness form "Trostan" for the Aberdeenshire "Drostan" is as satisfactory an explanation as has yet been given of the derivation of this word. It is unnecessary at this stage to give an estimate of the value of the *History of the Province of Cat* as the book is now in the hands of the reader, and every one may be allowed to judge for himself.

Mr. MacKay died on the 9th December, 1911, and was buried in Farr Churchyard.

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CHAPTER I.

BEFORE THE DAWN.

FROM an early period, until the overthrow of the Norse rule in the 13th century, what are now known as the counties of Caithness and Sutherland constituted one province, called Cat or Cait. And while of this Cat Cataness, now Caithness, is a Norse variant, the Gaelic designation of Sutherland is never anything but Catuv to the present day, for Sutherland itself is a purely Norse compound, meaning "the Southland" of said Cat. Hence the terms Catuv (Sutherland) and Cataness are radically identical, the former giving the Celtic name of the province and the latter the altered Norse form.

The earliest reference to this province that we know is to be found in the Irish and Pictish additions to the *Historia Britonum*,* probably based upon earlier sources of information. There we are told that the seven sons of Cruthne, the legendary ancestor of the Pictish race, divided Alban among themselves into seven provinces, one a piece for each to rule over, and that the names of these sons were bestowed upon their respective territories. In a quoted Irish stanza, ascribed in one version to St Columba of the 6th century, the names of the seven sons and consequently of the seven provinces are given, of which this is an English translation :—

Seven sons of Cruthne
Divided Alban into seven divisions :
Cait, Ce, Cirig, warlike clans,
Fib, Fidach, Fotla, Fortrenn.

* Chron. of Picts and Scots, p. 25.

Whether these verses are the genuine fruit of Columba's muse or not—that he was a poet we know—they profess to represent, and undoubtedly do, an ancient Pictish tradition regarding Alban's seven provinces, the first of which is the northern Cait. We may remark in passing that mediæval Ireland was divided into five parts or, as it is often put in their own language, "five-fifths."

In the *De Situ Albanie*,* compiled about the middle of the 12th century by one who got much information from a contemporary, Andrew, Bishop of Caithness, we have a later tradition regarding the divisions of Alban, representing the probable state of matters in the 9th century when the Norsemen seized the north of Scotland. Alban lay to the north of the Forth, it is said, and was divided in ancient times (*antiquitus*) by seven brothers into the following seven parts:—Mearns and Angus, Atholl and Gowrie, Strathearn and Monteith, Fife and Fothreue,† Mar and Buchan, Moray and Ross, and Caithness. By the time this was written a bishopric had been erected co-extensive with the old province of Cat, and as its seat was in the northern half in early times, probably for this reason the province came to be designated in ecclesiastical parlance by the Norse Cathaness, for the Norsemen themselves did not apply this name to the southern half. As it marched with Moray and Ross, according to the above, it clearly included Sutherland, and is differentiated from the other six provinces in that it is referred to as a single unit, while they all have two names to indicate their two parts. But the writer goes on to say that this seventh province is divided in the middle by the Ord range of hills (*mons Mound*) into Cathanesia on this side the mountain and on that (*citra montem et ultra montem*), which shows that it also had two parts, although the name of the southern portion is not given here.

* Chron. of the Picts and Scots, p. 135.

[†Fothreue—Fothrif or Fothreue, a district of Scotland embracing Kinross and part of Fife.—Skene's Chron. of Picts and Scots, p. 460.]

SUTHERLAND AND CAITHNESS ONE PROVINCE. 3

The contention that Sutherland and Caithness formed the two parts of one and the same province is further borne out by Fordun's account in the 14th century of King William's invasion of Caithness in 1196. He says that the King crossed the Oyckell and subdued both provinces of the Catan people (*utramque provinciam Catenensium*) to his will.* Now the Oyckell separates Sutherland at the south from Ross, and the Sutherland people living beyond the river to the north are called by their Gaelic neighbours Cataich to this day. The configuration of the country, its rivers and mountain ranges, had much to do in the formation of Alban's provinces, as Dr. Skene so justly points out.† The province of Cat is a standing illustration of the truth of this. Some of its physical features fashion it naturally into one political unit, for the Dornoch Firth thrusts its waters far inland, and from thence the high banks of the Oyckell and the mountainous range of hills to Assynt cut off Sutherland and Caithness so completely from the rest of Scotland, that like the Black Isle, which is not an island, it might well be called an island. Nor did the ancients fail to observe this. In an ancient Irish tract edited by Dr. Todd, entitled *War of the Gaedhil with the Gaill* (p. 153), the territory in question is called *Insi Cat*, ‡ i.e., Islands of Cat, when enumerating the different parts whence came help to the Danes at the historic battle of Clontarf, near Dublin, in 1014. Among others mentioned were the men of "*Insi Orc ocus insi Cat, a Manaind ocus a Sci ocus a*

* Fordun's *Annalia*, cap. 22.

† Celtic Scotland, I., 7.

[‡ In a paper on "Innis in Place-Names," Dr Watson says:—"The Orkneys, of old Innse Orc, have now become 'Arcaibh' in Gaelic, a dative plural like 'Cataibh,' Sutherland. Innse Cat, the Cat Isles, are mentioned by old chroniclers as supplying helpers to the Norse at Clontarf (1014). . . . But it is in the sense of 'haugh' that 'innis' appears most widely in Scottish topography. Even in early usage there was probably a tendency to this meaning. Temporary islands are often formed by flooding, or by the forking of streams, and from this to 'river-side haugh,' 'meadow,' the translation is easy. The Inches of Perth form a case in point. Inchaffray, *Insula Missarum*, 'Mass Isle,' is now an isle no longer, though it is considered to have been one of old. It may be noted in passing that 'innis' is rendered into the Latin of the charters, etc., by 'insula,' even where it has never meant anything other than 'haugh,' a habit which sometimes has given rise to needless searchings of antiquarian hearts."—Celtic Review, III., 240.]

Leodus'' (the islands of Orkney and Cat, from Man and from Skye and from Lewis). In a 12th century Latin description of Britain* Caithness is again called an island, and perhaps in other records as well.

This somewhat isolated part was inhabited by a settled people long before the light of history began to dawn upon Scotland, as the abounding remains of prehistoric places of sepulture and places of defence show. The builders did not leave any written record of their times, but what they built and what they left in the neighbourhood of these structures are fitted to convey a good deal of information regarding that distant past. Nor has research work in this field been neglected during the past fifty years, although much remains yet to be done. In Sutherland the principal worker has been the Rev. Dr. Joass, Golspie, while in Caithness eminent service has been rendered by the late Mr Rhind of Sibster and the late Sir F. T. Barry of Keiss. But the pre-eminent worker has been Mr Joseph Anderson, LL.D., now Keeper† of the National Museum of Antiquities, Edinburgh, who spent some of his early years in Wick, and has never ceased to take a special interest in the antiquities of the north. His five volumes of Rhind Lectures,‡ richly stored with facts gleaned in the north, bear testimony to this.

At the same time work of a similar character has been done by many hands throughout the British Isles and the continent of Europe, whereby much that was once dark is now made somewhat clearer. It appears that there was a lengthened period during which the inhabitants of Europe as a whole used edged tools and cutting implements of stone only, that betimes they began to fashion sharp tools and weapons of bronze, and that eventually they learned to manufacture swords, knives, etc., of iron. Technically these three stages

* Chron. of Picts and Scots, p. 154.

[†While this is passing through the press (March, 1913) Dr. Anderson has intimated his resignation of the post he filled so worthily and held so long.]

[‡Scotland in Early Christian Times (2 vols.); Scotland in Pagan Times (2 vols.); The Early Christian Monuments of Scotland (Rhind Lectures for 1892).]

of culture are known as the Stone Age, Bronze Age, and Iron Age, but they are not isolated from one another like water-tight compartments. On the contrary, they overlap to a considerable extent. Between each of the preceding and succeeding stages there must have been a transition period in which the older and less effective material gave way gradually to the newer and more efficient. Bronze was not only more costly and much less easily procured than stone, but its manufacture into implements demanded technical skill and the use of appliances unfamiliar to the general experience. This must have been no less true of the transition from bronze to iron, and thus, in every area, after the first introduction of the new material, a period of no inconsiderable duration must have elapsed before it had finally supplanted the older. Nevertheless, the three stages are broadly marked though not sharply divided.

The chambered burial cairn, sometimes long in proportion to its breadth, but oftener circular, is the most outstanding structure of the Stone Age in Cat which has escaped the gnawing tooth of time. The long chambered cairn is supposed to be the older of the two. Very good examples of these structures may be seen at Ach-coille-nam-borgie, on the east side of the river Naver, close by the roadway leading from Bettyhill to Skelpick, and about two miles from the former. On a dry, sunny slope three cairns lie all in a line, running practically north and south, and separated from one another by only a few feet. That at the southern end of the line is a chambered cairn of the horned type, 224 feet long by about 28 feet in breadth. At the northern end of this structure the horns project in the form of large stones set upright in the ground, a few feet apart, constituting a semi-circle 51 feet in diameter.

About the middle of the perimeter of this crescent, at a point in line with the centre of the cairn lengthwise, the mouth of the passage leading into the chamber shows itself. This orifice, which is well built of shapely unhewn stone, as is also the passage into which it leads, is only 14 inches square :

but 24 inches from the mouth the passage opens out to 20 inches in breadth by 30 inches in height, and is roofed with stone like a built drain along its length of 13 feet. This built way leads into a tripartite chamber 18 feet long by 66 inches broad by not more than 68 inches in height, and divided into three cells by upright slabs projecting from either side to about 20 inches of each other. The side walls of the chamber converge as they rise, until at a height of 68 inches it is roofed in by large lintel-like stones. On the floor of the innermost cell, the only one which has yet been examined, there lay upon the original gravel soil over 6 inches of unctuous clay, plentifully sprinkled with the remains of cremated human and animal bone, together with some flints, showing that this is an ancient resting place of the dead. The height of the cairn at that part which covers the passage and chamber was not less than 15 feet, but beyond this it becomes somewhat lower. In view of the small size of the chamber and of the passage leading to it, which have a combined length of only 31 feet, a cairn of 224 feet looks abnormally large, but this is characteristic of the long chambered cairns.

In a line with the horned cairn, 40 feet away to the north, another long cairn, rounded at both ends, whose chamber has not yet been laid bare, though many stones have been removed from it, extends to over 113 feet by about 28 feet in breadth. Still farther to the north, separated from the second structure by 12 feet, lies a circular cairn, 42 feet in diameter, holding in its heart a polygonal chamber of $7\frac{1}{2}$ feet diameter, whose sides are formed by huge upright blocks of stone with smaller stones built in between, and which was roofed by two immense slabs of stone. From this chamber a passage led outward to the north, but the cairn is too dilapidated now to trace it properly, for its stones were removed for building purposes in the early '70's of last century. It is reported that it, too, contained what looked like the remains of calcined human bones.

In the immediate neighbourhood, along the slopes of the shelving hillside, there are a number of small tumuli, about 10 feet in diameter by 5 feet in height, composed of earth and

stones, which yield an unctuous substance at the centre when excavated, showing that the slope was used as a prehistoric cemetery. Two miles to the south of this, on a low secluded ridge beside Skelpick burn, stands another chambered cairn running north and south, about 200 feet long by 28 feet broad by 15 feet high, with two horn-shaped projections at the north end measuring 62 feet from tip to tip. From the centre of this crescent a straight, built passage leads into the cairn lengthways for 10 feet, swells out into a funnel-shaped vestibule for 5 feet more, and passing between two huge slabs standing on end, $2\frac{1}{2}$ feet apart, admits into the first and smaller of two circular chambers, which are divided from one another by two other huge slabs, $3\frac{1}{2}$ feet apart. The first chamber has a diameter of $8\frac{1}{2}$ feet, the second and inner measures $10\frac{1}{2}$ feet across, and the walls of both converge as they rise. The height of the inner chamber is fully 8 feet, and on the left hand side, as one enters, there is a niche in its wall, about 2 feet square by $1\frac{1}{2}$ feet into the building. The vestibule and chambers are covered by large stones, some of them measuring $8\frac{1}{4}$ feet by $3\frac{1}{4}$ feet by 4 inches. The passage, vestibule, and chambers, do not take up more than 36 feet of the northern end of the cairn—the rest of the structure, 160 feet long, remains untouched, and is so secluded that it is in an excellent state of preservation. In its neighbourhood, as at Ach-coille-nam-borgie, a number of small circular tumuli are scattered on the slope above.

Two miles east of Bettyhill, and close by the road leading to Thurso, four large and lofty circular cairns, with the characteristic chamber and passage, are planted within a few hundred feet of each other on the ridges of Fiscary; while all around, over a space considerably exceeding a square mile in extent, hundreds of the smaller tumuli, averaging about 12 feet in diameter by 5 feet in height, may be counted on the dry hummocks. The association of such a number of small tumuli with the large chambered cairns, at the three places mentioned above, seems to indicate that the more influential families placed the ashes of their dead within chamber-vaulted

cairns, but that the common people deposited the cremated remains in the earth, marking the spot by more modest tumuli of stones and sods. These three groups of chambered cairns are but specimens of what may be found in the sequestered valleys of Sutherland and Caithness: our only reason for taking them and not others is that we know them best.

These large structures are now generally assigned to the late Stone Age, but it is impossible to fix the date in figures for lack of data. The Roman historian Tacitus reports that the Caledonians, who opposed his father-in-law on the Grampian slopes, in the first century A.D., were equipped with iron implements; so that at this early date the Iron Age culture prevailed in the north, and may have done so a century or more earlier. Allowing for a reasonable period of Bronze Age culture, it may be that they were places of sepulture many centuries before the Christian era began.

Now what do these immense mausoleums tell us about the people who reared them and used them? For one thing, we may conclude that the people were firmly settled in the land, and did not wander about from cave to thicket, as savages in a low state of culture do. There is abundant evidence that the ashes of the dead were consigned to these tombs generation after generation, indicating settled homes in the neighbourhood. So far were they removed from cannibalism that they manifested an extravagant reverence for their dead; and so highly organised were they as to make such large structures possible, for the collection of so many stones presupposes a multitude of men under the guidance of one master mind. Some scientists din our ears with the statement that prehistoric man was an ape-like savage, but this is a creature of the study rather than of the ancient tombs. As they practised cremation towards the close of the Stone Age in the north, the skeleton is seldom to be found in regular burials, but this is what Professor Sir William Turner, Edinburgh, reports regarding a skull found in the MacArthur cave, Oban:—

The great capacity of the skull, which, in its uninjured

state, had doubtless been capable of containing not less than 1730 c.c. of water, places it on a level with some of the most capacious skulls of modern Scotsmen which I have measured.*

In the chambered cairns of the south-west of England, in Gloucester, Wilts., Somerset, etc., inhumation was practised, showing good skulls, but a stature shorter than the average of to-day. Then, the skill which they showed in fashioning implements out of stone is admirable. The beautiful flint spear-head found at Rhifail, Strathnaver, corroborates this statement, and let it be borne in mind at the same time that Sir John Evans, a very great authority on this subject, is full of admiration and astonishment at the technical skill of the Stone Age man.† Altogether the trend of research is to place the men of this period on an unexpectedly high plane of culture, although nothing has been found to show that they knew anything of the art of writing.

During the Bronze Age, which is considered to have ended in some parts of the Continent in the 5th century B.C., but which may have lingered longer in Cat, the burial places were of a much less elaborate character than in the age preceding. They discarded the chamber and buried sometimes in stone cists, more generally after cremation, raising thereupon cairns of a larger or smaller character, but they not seldom put the ashes in an urn and buried it in the earth without any cist. This is not supposed to indicate a decline in culture but a change in custom, owing to the influence of a new people that had probably now arrived upon the scene. Small bronze blades, pins, and other personal ornaments are found in these graves.

In 1905 one half of a stone mould for casting leaf-shaped bronze spear heads was found near Skail, Strathnaver, and presented by the writer to the National Museum, Edinburgh. As the metals which go to form bronze are not found in the north, this discovery goes to show that the inhabitants had some

*Proceedings of the Soc. of Antiqs. of Scot., XXIX., 410.

† Ancient Stone Implements, chap. II.

trade connection at that time with the tin-bearing southern parts, and that they were able to manufacture bronze spears in Strathnaver in the prehistoric period. They tilled the land, they raised corn, they bred cattle and sheep, for remains of these have been found in Bronze Age structures, indicating a settled agricultural and pastoral life. Probably the early mythical Irish sagas endeavour to describe the culture of this still pagan period.

In the early years of the Iron Age, the age in which we now live, the borderland of written history is approached, but beyond that line for a long time the light is so uncertain and feeble that we have still to be guided by the archæological remains, if we would know a little about the people who then inhabited the land. A conspicuous feature of this time is the circular tower, a fortified dwelling-place now universally acknowledged to have been built and occupied by a Celtic people. This form of structure is not found outside Scotland, and in Scotland is most abundant in the northern parts. There are some in Argyll, Inverness, Ross, and the Hebrides; but they are most plentiful in the Cat province, the Orkney and Shetland islands. Throughout the fertile valleys of Caithness and Sutherland these towers are often separated by about a mile from one another, and in some cases by not more than 200 yards, as a reference to the Ordnance Survey map will show.

They are all built upon the same general plan, a circular tower of dry-built stone about 15 feet thick at the base, surrounding an inner court of about 30 feet in diameter, rising to a height of 35 or 40 feet, and open to the sky at the top. Access to the court is obtained by a passage through the wall about $5\frac{1}{2}$ feet high by $2\frac{1}{2}$ feet broad, with a cheek on either side against which a door, in the form of a stone slab, is kept in position by a bar inserted into small openings for the purpose on either side of the passage, while a little to the rear there is a recess for the guard to stand in. On either side of the court low openings lead into chambers with arched roofs in the body of the wall on the ground floor. About 9 feet

above the ground the wall splits into two portions, 3 feet apart, the thicker wall being to the outside; and from thence the inner portion is formed into galleries, tier upon tier, connected by a stairway winding round the tower from the court below to the top. Only the door faces outward, for all the galleries overlook the inner court, and from this direction obtained the needed light.

Owing to the numerous galleries the accommodation was considerable, more so than in the average mediæval keep; and it has been computed that 30 families could have taken shelter within such a place for a short time. Sometimes underground shelters for cattle, etc., contiguous outside, were connected with the inner court by a concealed passage through the wall, whence the defenders could pass and re-pass unseen. This is what Dr. Joseph Anderson has to say of these towers:—

The design of the whole structure and the arrangements of all its separate parts exhibit a careful and laborious adaptation of means and materials to the two main objects of shelter and defence. The clever constructive idea of turning the house outside in, as it were, placing its rooms within its walls, and turning all their windows towards the interior of the edifice, implies boldness of conception and fertility of resource. . . . In short the concentration of effort towards the two main objects of space for shelter and complete security was never more strikingly exhibited, and no more admirable adaptation of materials so simple and common as undressed and uncemented stone for this double purpose, has ever been discovered or suggested.*

While no implements of stone, bronze, or iron, which are types distinctively characteristic of the Stone or Bronze Age, have been found within these towers, yet Roman coins have been discovered, showing that they were occupied during the Roman period in Britain, and a reference in a Norse saga indicates that they were used for defence as late as the 11th century. The remains of the ox, horse, sheep, dog, etc., stone querns for grinding corn, and even charred corn itself, have been found

*Scotland in Pagan Times, I., 203, 4.

buried in the ruins of these towers, proving that their occupants possessed the usual domestic animals, and that they were given to agriculture. Indeed these towers are almost always found associated with fertile arable land, but their great number would lead us to conclude that the times were very turbulent.

As already stated, the round-tower men were Celts, or, to be more definite, Picts. How then does it happen that their strongholds are now almost universally known to scientists by the Norse derivative *broch*? To the Gaelic-speaking Highlander they are everywhere the Gaelic *dun*, a fort, a fortified enclosure, their proper and original name. But in the northern corner of Caithness, in the Orkney and Shetland islands, where a good many have been diligently excavated, and described in the *Proceedings of the Society of Antiquaries of Scotland*, they are known as *broch*. Hence, the fashion of late is to give a Scandinavian name to a Celtic structure. This may be science, but it is not strictly accurate.*

[*Dr. Joseph Anderson in a paper read before the Society of Antiquaries 9th June, 1891, thus refers to the word "broch":—"The name 'brugh,' or, as it is now written, 'broch,' by which these structures are generally known in the extreme north, is not a modern corruption of the Norse term 'borg.' It is the original native name by which they must have been known in Pictish times by their Pictish builders. The primary signification of the Gaelic word 'Brugh' was 'a large house' and 'Brughadh' meant a farmer. Probably we have a simple translation of the older term in the name 'Bighouse,' applied to one of the Sutherland brochs. The Irish word 'brugh' also meant primarily a large house, with the secondary signification of a fortified place, while Bruighe or Brugaidh meant a farmer or husbandman. In early times, says Robertson—(Scotland under her Early Kings, I., 103; II., 167, 260)—the members of the Irish clans were divided into two classes, the Brugaidh or free members, living each in his separate Brugh, while the Biotaigh was the villager, sharing and cultivating in common the lands of the Baille-Biotaigh. The Brugaidh was originally the member of the clan who possessed a brugh—the householder tracing his origin to the founder of the race, and hence entitled to his free allotment, deriving his name from his 'Brugh' or separate house, while the Biotaigh was the man who held his land by paying 'biodh' or rent. While the brughs in Ireland were thus the ordinary residences of the farmer freeholders of the clan, the brughs in Scotland appear to have been originally the same, and to have assumed the peculiar form and structure by which we now know them, in consequence of necessity compelling their owners thus to protect themselves, their substance, and their dependants from the constant depredations of marauding bands." (Archæologia Scotica, V., 174).]

CHAPTER II.

A STUDY IN ANCIENT GEOGRAPHY.*

PTOLEMY of Alexandria, who flourished c.140 A.D., compiled a geography of the then known world in eight books, which is such an improvement upon earlier attempts of a similar kind that it continued in use until after the revival of learning in the 15th century. His longitudes were calculated from a point in the Canaries, supposed to be the westernmost part of the world; but he reckoned it as only $2\frac{1}{2}$ degrees west of Cape St. Vincent, whereas the real distance is over 9 degrees. Partly owing to this miscalculation, some countries are thrown considerably out of place when his data are reduced to map form, and this is especially true of Scotland, which from the Clyde and Forth northward is twisted due east, making thence a right angle with England. Notwithstanding this glaring defect, however, his geography of the north of Scotland cannot fail to interest the antiquary in search of light upon the place-names and people of that part.

Starting from the *Volsas Sinus* in the west, which he sets down in long. 29 deg. and lat. 60 deg., 30 min., and which scholars now generally understand to indicate Lochalsh Kyle, the names of the places given by him, working round by the north to the east side, are as follows, with Ptolemaic long. and lat. respectively. The river Nabarus, long. 30 deg., lat. 60 deg., 30 min.; the promontory Tarvedum or Cape Orcas, long. 31 deg., 20 min., lat. 60 deg., 15 min.; the promontory Virvedrum, long. 31 deg., lat. 60 deg.; the promontory Verubium, long. 30 deg., 30 min., lat. 59 deg., 40 min.; the river

[*This chapter, with the exception of the omission of a few paragraphs, was read as a paper before the Society of Antiquaries and appears in their Proceedings, XLII., 79-94.]

Ila, long. 30 deg., lat. 59 deg., 40 min.; and Alta Ripa, long. 29 deg., lat. 59 deg., 40 min., the bank of the Oykeell, between Ross and Sutherland. In the district now called Caithness he locates the Cornavii, the Caereni he places in the Strathnaver country, and the Lugi in South Sutherland. The above too meagre data is all that Ptolemy gives for that part. We shall now look at the various names in detail, endeavouring to extract from them their story.

Cornavii.—This was the name of the tribe occupying Caithness, and means “people of the Horn,” from a Celtic root appearing in Gaelic *corn*, Welsh *corn*, Breton *korn*, all cognate with Latin *cornu*, a horn. The people occupying the peninsula between the Dee and the Mersey in England were also designated Cornavii by Ptolemy; while to this day we have Cornwall with its Cornish, and also *Cornouaillais*, a large district in Brittany to the south of Cape Finisterre, running out into a sharp point. Thus the *Cornavii* of Caithness got their name from the horn-shaped territory which they occupied, as did the others above mentioned. But when the Norseman made his appearance in the north, instead of giving a brand new name to the land he translated the old Gaelic *corn* into his own *ness*, a snout or nose, by which he often designates this part, although his most common form was *Kataness*, the Ness of Kata, the name that is still used—and this latter to distinguish it from *Catuv*, Catland, which in his hands became *Sudrland*, now Sutherland.

Caereni.—These dwelt in the Strathnaver country and away west towards Assynt. The word is understood to be a Latinised form of the Gaelic *caora*, sheep, as Dr. Alexander MacBain and other well known authorities acknowledge, and means “the sheep people.” The root is also to be found in the Cymric *caeriwrch*, roebuck, and seems to be common to the Celtic languages. About one thousand years after the time of Ptolemy such a name well suited the people of these rugged parts, for this is how Matthew of Paris describes them in his quaint map of c. 1250, “*Regio, montuosa et nemorosa, gentem incultam generans et pastoralem, propter mariscum et*

harundinetum,” i.e., a mountainous and woody region, producing a people rude and pastoral, by reason of marshes and fens. This country, full of straths and so suited for his favourite sheep, the Norseman dubbed *Dalir*, the Dales. In the *Njal Saga*, translated by Dasent, we are told that Earl Sigurd of Orkney held, besides Caithness, the following lands in Scotland, viz.:—“Ross and Moray, Sutherland and the Dales.”* Dr. Skene, however, in his *Celtic Scotland*, without giving any reason whatever, jumps to the conclusion that *Dalir* is to be found on the west of Scotland, and that it is to be identified with the *Dalriada* of the Irish annalists. From a plain reading of the *Saga* we would naturally expect to find the “Dales” in question not on the west coast, but in the immediate neighbourhood of Sutherland, and, further, the plural form *dalir* indicates not a single dale but many.

Besides, in the *Orcades* of Torfæus, as translated by Pope, we hear again of the “Dales,” but this time they are associated with Caithness. Evidently by the *Dalir* of the Norsemen we are to understand the collection of straths, extending from the borders of Caithness and along the north of Sutherland to Assynt in the west, known at a later period as Strathnaver. To a collection of valleys suited for the pasturage of sheep the Norsemen were prone to give such a name, as, for example, *Dalir* on the shores of Hvamsfirth in Iceland, and *Dalir* in the west of Norway—of the latter *Rumsdale* and *Gudbrandsdal* form a part. Strathnaver that was thus the sheep rearing country of the Caereni about the beginning of the Christian era, and that was said to be devoted to the pasture of flocks in the 13th century, was to a large extent depopulated and turned into sheep-walks in the early years of the 19th century. It may well be called the country of the Caereni at the present day, for too much of it is under sheep and deer.

Lugi.—This tribe inhabited the coast side of Sutherland from about the river Ila at Helmsdale to the neighbourhood of Strathfleet in the south; in other words, what is still known

[*Icelandic Sagas, III., 347.]

as the *Machair*, lowland by the sea, from Gaelic *magh*, a plain, the most fertile part of that county. An echo of this old name Lugi is still to be found in the parish name Loth*, as also in Lothbeg and Lothmore, flat swampy places that had to be drained about a century ago. The low, fertile stretch of maritime land now known as Louth, in Ireland, was in ancient times called *Lug-mag*†, Lug-field, showing a change from Lug to Louth not unlike that presented by the forms Lug and Loth in Sutherland.

But Lug was the name of a well known Irish pagan divinity, whose dwelling was underground, and whose festal day was *Lugnasad*, now *Lunasdainn*‡, on the 1st of August, corresponding with the Saxon Lammas, originally also a pagan feast. As votive offerings of the first fruits of the harvest were rendered at Lugnasad, the god Lug was in some way connected with tillage; and the probability is that he was a personification of the humble worm, from Gaelic *lug*, mud-worm, showing in Sutherland the adjective form *lugaideach*, long-necked like a worm. Even so the Celtic divinity Ogma, the patron of letters, whence comes the word ogham, derives his name from Gaelic *og*, later *eag*, a notch.§

With Lugi compare Lugu-baliam, the ancient name of Carlisle as seen in the *Chronicles of the Picts and Scots*, p. 298, and also the Gaulish Lug-dunum, now Lyons. Both these towns stand at the confluence of rivers, and in a fertile neighbourhood. But to follow up: two thousand years ago the highlanders of Strathnaver were sheepmen or shepherds, and the lowlanders of the Machair were earth-tillers or given to agriculture, a distinction which still holds comparatively true.

Nabarus.—This river is undoubtedly the Naver in a Latin dress, showing an older form Nabar or Navar. In various

*By Gaelic speakers Loth is pronounced Logh, with a distinct "g" sound—Second Stat. Account, Loth, p. 188.

†De Jubainville's "Irish Mythological Cycle," p. 172.

‡Ibid, pp. 78, 172.

§ Professor Anwyl's "Celtic Religion," p. 39.

charters of the 13th century it is written Nauir, Navir, and Navyr; and at the present day the word is pronounced by the Gaelic inhabitants Nauer. It has thus undergone very little change during close upon 2000 years. When the river has run about three quarters of its course to the sea the sacred Loch Mo-Naire, or Loch Mo-Na(u)ir as it is sometimes pronounced, dedicated to someone Nair or Nauir, lies within a few hundred feet of its right bank and empties itself into the stream. The name of the loch and river have come from the same root, and as the loch is the sacred object it probably gave its name to the river, as is not seldom the case in Celtic Gaul.

Indeed we think it likely that the now common form *Naire* instead of *Nauir* is due to folk-etymology, dating back to about the middle of the 17th century, when the house of Sutherland planted an aggrandising colony of Gordons in Strathnaver in the teeth of vehement opposition on the part of the native people. Hence the traditional saying that there is no virtue in the waters of this loch for a Gordon, but based upon the tradition that the loch owes its virtue to a charmed stone flung in by a woman, who kept crying *mo naire, mo naire* (shame, shame), as she fled with her treasure before a Gordon bent on spoiling her; and who at the same time invoked a blessing on these waters for the ailing of every name save that of her pursuer's. This folk-story, born of the long cherished hatred of the Strathnaver people towards the Gordons, probably accounts for the modern long drawn out form Mo-Naire.

The late Dr. Henderson, Lecturer in Celtic, Glasgow University, held that Mo-Nair was a Celtic demi-goddess* to be frequently met in Irish mediæval literature. If this is correct, then in Nabarus we have concealed the name of a Celtic pagan divinity, to which the people of Strathnaver paid their devotion, such as it was, at Loch Mo-Nair on the first Monday of the Quarter in the old style down to within the time of the present writer. The same rites and at the same times of the

*Since writing the above we find it confirmed by other acknowledged authorities. [Henderson's "Survivals in Belief among the Celts," p. 316.]

year were observed at St John's Loch, Dunnet, and at St Tredwell's Loch, Papa-Westray. Perhaps at the two latter places the pagan cultus of Nair was grafted on Christian superstition, a very common practice.

Tarvedum.—This promontory lies some distance to the east of the Naver, according to the data with which Ptolemy supplies us. George Buchanan surmised that it indicates one of the headlands of Strathnaver, for this is what he says in his *Historia*:—"In ea fronte tria attolluntur promontoria; altissimum in Navernia, quod Ptolemæo est Orcas sive Tarvedum", i.e., on that face three promontories jut out; the highest is in the Naver country, which is the Orcas or Tarvedum of Ptolemy. Captain Thomas in a very important paper on the "Ptolemaic Geography of Scotland," which appeared in the *Proceedings of the Society of Antiquaries of Scotland**, dated 12th April, 1875, is evidently so impressed by the outstanding character of Cape Wrath that he identifies it with Tarvedum, and concludes that Ptolemy made a mistake in locating it to the east instead of to the west of the Naver.

But there is no cause to lay such violent hands upon the geographer's facts in this case, for the alternative name Orcas indicates that it must be looked for to the east, and on that part of the mainland facing Orkney. And it is very probable that Tarvedum is now represented by Holborn Head, on the left side of the bay into which the Thurso discharges itself. The Thurso, indeed, is the Norse *Thiorsa*,† Bull River, a well known river name in Iceland. But Tarvedum comes from a Celtic root meaning "bull," as seen in Gaelic *tarbh*, Cymric *tarw*, and Cornish *tarow*, cognates of Latin *taurus*, and may be compared with the Gaulish Tarve-dunum of Marcian, which means "Bull-fort." The probability is that the old name was Gaelic *Tarbh*, that the Norsemen translated this into the Norse equivalent *Thiorsa*, for this seems to be the key which Ptolemy

[*Vol. XI., 198.]

† The town of Thurso is called "Inbhir-Thiorsa" in Gaelic, showing the Norse form more purely.

gives in Tarvedum. Even as they turned the Gaelic *corn* into the Norse *ness*, so did they change the Gaelic *tarv* into the Norse *thiorr*. And probably they practised this system of translating the native place-names of Scotland into their own language more frequently than is generally supposed. This is a point on which we would lay special emphasis, for we do not think that its importance is yet sufficiently realised.*

Orkas.—Ptolemy gives this as an alternative name to Tarvedum Head, which we have just discussed. Pinkerton in his *Enquiry* suggests that Cape Orkas may be "Dunnet Head in Caithness-shire, the most northern point of Britain, fronting the Orcades." Dr. Alexander MacBain† suggests further that Tarvedum and Orkas indicate Holborn and Dunnet, the promontories on either side of the bay into which the Thurso flows. These two views are rather supplementary than contradictory, but we believe that Pinkerton has hit the truth in equating Orkas with Dunnet Head, for it is quite likely that Ptolemy stumbled with his facts when he gave the two names to one promontory.

There is a general agreement that Orkas shows Old Gaelic *orc*, a pig, hence sea-pig or whale, cognate with Latin *porcus*, English *pork*, etc. It is characteristic of the Celtic languages to drop a radical Indo-European *p*, as for example Sanskrit *pitar*, father, while it remains *pater* in Latin becomes *athair* in Gaelic, and undergoes a similar change with regard to *p* in all the other members of the Celtic group. An exception to this rule, however, the Latin *porcus* remains *porch* in Welsh, while it becomes *orc* in Gaelic according to rule; and to this extent the form Orkas shows greater affinity to Gaelic than to

*A good illustration of this process may be seen in Loch Long, which means "Ship Loch," from Gaelic "long," a ship. Ptolemy evidently indicates this inland arm of the sea by his "Longi fluvii ostia," giving the Celtic name as he found it, but the Norsemen changed this into their own Skipa Fiord, Ship Firth.—Johnstone's "Norwegian Account of Haco's Expedition," p. 76.

[†Transactions of the Gaelic Society of Inverness, vol. XVIII.]

Welsh, although it may be objected, without any proof, that Welsh *porch* is a loan-word.

Diodorus Siculus, who flourished c. 50 B.C., says that Britain is triangular in shape, like Sicily, terminating in three promontories, viz., Kanton (Kent) and Belerion (Land's End) in the south, and Cape Orkas in the north. As Diodorus was only a compiler and not a traveller, where did he get his facts? Mr. Charles Elton tells us that Pytheas, an explorer of the 4th century B.C., described Britain as "of a three-cornered shape, something like the head of a battle-axe"*; and Dr. Robert Munro says that Pytheas† was the first to make these three terminating promontories known.‡

Orkas is closely connected in meaning with the place-name Orkney, which lies directly to the north and not far away. The Irish annalists invariably refer to Orkney as *Innsi Orc*, Islands of Orc, or simply *Orc*, while at the present moment the Gaelic-speaking people of Caithness and Sutherland designate Orkney *Arcaibh*, and the Pentland Firth they know as the *Caol Arcach*, Sound of Arcaibh. Evidently the Norsemen accepted the Gaelic name for the islands and called them Orku-ey, Ork islands, for *ey* in Norse means "island"; but the old *Caol Arcach* they altered into *Petslands Fiordr* because they found Caithness inhabited by the Picts, and yet the older name still survives in the language of the people, although it does not find a place upon our English maps. As Dunnet Head thrusts out farthest into the waters of the sound between Caithness and Orkney, which is still called *Caol Arcach*, it may have for that reason got its name Orkas.

In the map of 1572 given in Bishop Leslie's *History*

*"Origins of English History," p. 30.

† "Prehistoric Scotland," p. 3.

[‡Owing to the Greek romancers the reputation of Pytheas suffered seriously and historians for a time gave him scant respect, but more recent writers have re-established his reputation. A list of the English, German, and French works and articles dealing with the travels of Pytheas will be found in Dinan's *Monumenta Historica Celtica*, I., 55-57.]

Dunnet Head is marked as to-day, but in Mercator's map of 1592 it is marked Quinienap. The terminal is Gaelic *enap*, a lump or mass, which is very descriptive of the lofty, bluff headland now bearing a lighthouse upon its cold brow. And the initial *Quini*—probably shows Gaelic *cumhang*, narrow, for the headland has a somewhat contracted neck. With this compare Cuinighoe, Narrow-creek, on the east side of Ardnescich, Farr, where the creek is true to its name.

Virvedrum.—This promontory, the next in order after Cape Orkas, indicates Duncansby, the snout or nose of Caithness. Although broad and stretching far out to sea, it is low compared to the other leading northern headlands, especially on the side facing the Pentland Firth, and completely dominated by the neighbouring Warth Hill, 400 feet above sea level, whence the ground slopes down for a considerable distance to the naze. While Dunnet Head lifts its commanding crown about 500 feet above sea level, even the eastern or loftiest side of Duncansby never rises above 200 feet, and then lies under the Warth Hill. Stripped of its Latin dress, the old name Virvedrum presents the form *For* or *Far-fothair*, for the *v* here is a digamma with the force of *f*. The initial *For* or *Far* is a well known Old Gaelic word, meaning "high" or "projecting," and the terminal is the Gaelic compound *fo*, under, and *tir*, land, meaning "underland." Fother in this sense is quite a common place-name, as in Fodderty contrasted to Achterneed (which latter overlooks it, and shows Gaelic *uachdar*, over), Strath-fother, Inver-fother (Dingwall),* Fetter-cairn, etc. Fother is compounded after the same fashion as Letter, which consists of Gaelic *Leth* and *tire*, meaning "half-slope" as applied to the side of a glen. Thus Virvedrum means "the projecting underland," and should be compared with the lofty tongue of land called Faraid in Durness, a softened form of *Faraird*, "the projecting height."

Verubium.—This headland is most probably what the

[*The Gaelic for Strathpeffer is "Srath-pheofhair" and for Dingwall "Inbhir-pheofharain." Dr. Watson says that "peofhair" is connected with the Welsh "pefr," beautiful, fair.—Place-Names of Ross and Cromarty, p. 98.]

Gaelic-speaking people of the north call the *Ceann Dearg*, Red Head, of Stroma, referred to in the *Orkneyinga Saga* as Raudabiorg, Red-cliff, in the Pentland, off which the earls Thorfinn and Rognvald had a fierce sea fight, about the year 1040. Sailing eastward along the north coast of Caithness the voyager beholds its lofty red head from afar, and for shaping a course through the treacherous narrows of the Pentland it is an indispensable landmark. Such a prominent feature was sure to impress the early foreign mariners, who, greatly daring, ventured through these northern seas, and they were almost certain to make a note of it for future reference. The Gaelic *ruadh*, red, akin to Latin *ruber* and *rufus*, is the root of Verubium: the initial limb may be Gaelic *Far*, although Ptolemy does not show the double *r*. If our reading is correct, then it means "the projecting red," a name which exactly describes the *Ceann Dearg*. The Gaelic form of the principal root may be seen in the Irish saint name *Maol-Rubha*, the Tonsured Red, which became Latinised into St Rufus, and even takes the form Rice. Of course, the colour of the rocks suggested the name Red Head. And though Stroma is an island, yet it lies so close to the shore as to be practically a part of Caithness, which parochially it indeed is.

It is but right to state, however, that Captain Thomas identifies Verubium with Noss Head, near Wick, and that he bases his opinion upon the given Ptolemaic position. But too much importance should not be attached to this, for evidently the geographer is paying particular attention to the features in the immediate neighbourhood of the dangerous Pentland, while from the Kyle of Lochalsh to the Naver he ignores everything, even Cape Wrath.

Ila.—This river is the Helmsdale, in Gaelic *Ili*; and Helmsdale itself is *Bun-ili*. *Ili* is pronounced Ele, for the Gaelic *i* has always the *e* sound, and in this case the initial *i* is as short as a mere breath. In this respect the word differs from *Ile* (the Gaelic form of the river Isla, Perthshire, and of the island, Islay), which has the initial vowel long, and seems to come from a different root, although some scholars, ignoring this

difference, persist in deriving the two forms from the same source. Various derivations have been suggested for *Ila*, from Iberian to German and Greek, but at best they seem to us but learned guesses. We venture to suggest that *Ili* may be connected with Gaelic *li*, a flood, and that the initial *I* shows the article *in*, whose final letter got swallowed up in the following lingual, according to an established rule. Thus read it means "The Flood." With this compare the river Fleet, Gaelic *Floid*, which falls into Loch Fleet, about 20 miles to the south of the *Ili*. Like the London Fleet River and Fleet Street, the Sutherland *Floid* is derived from Norse *fljot*, flood, the name of an important stream in Iceland. And so it happens that two neighbour river-names on the east side of Sutherland may be exactly similar in meaning, but the one proclaims the fact in the Gaelic *Ili* and the other in the Norse Fleet.

Alta Ripa.—In the 1478 Latin version of Ptolemy these two words are a literal translation of the original two Greek words used by the author, and mean the "High Bank" of some river or firth. From the data given High Bank lies one third of the distance between *Ila* and Varar (Beaully Firth), and is evidently the *Ekkialsbakki*, *Ekkial*-bank, of the Norse saga, now known as Oykell, between Sutherland and Ross. The place-names Oykell; Ochill Hills; Glen Ogil; Ucal, near Loch Eriboll; Loch Oich, the highest of the chain of lochs forming the Caledonian Canal; etc., are all derived from the same source, a cognate of Gaulish *uxellos*, high, Welsh *uchel*, high, whence some maintain that these forms show such an affinity to Gallo-Cymric as to indicate that Pictish belonged rather to the Cymric than to the Gadelic side of Celtic. But the radicals of the above given five forms are Oyk, Och, Og, Ue, Oich, and are related to Gaelic *uchd*, breast, whence *uchdach*, height, and *uchdal*, pertaining to a height; and also to *ug*, top of breast, with Genitive *uige*, as in *Cnaimh-uige*, collar-bone, showing a stem sufficiently close to Oyk or Oich. Thus Oykell shows every whit as much affinity to Gaelic as it does to Gaulish or Cymric. And while Ptolemy in this case took the Pictish Oykell and translated it back into his own Greek, the Norseman took it as he found it and stuck

bakki, bank, to it, so that in the latter's hands it became High Bank or High Height.

From this cursory examination of the ten names with which the old geographer provides us, it may be undoubtedly concluded that by the time of Ptolemy, however much earlier, a people speaking a Celtic language inhabited Cat. In this respect the testimony of philology corroborates the evidence of archæology, for both proclaim that the Celts were in the north during the early years of the Christian era. The Celtic languages, however, fall into two main groups, viz., the Gadelic, consisting of Irish, Manx, and Scottish Gaelic; and the Cymric, consisting of Welsh, Cornish, Armoric, and some Old Gaulish. To which of these groups does the language of the ten place-names belong? Well, while these names show an intimate connection with Gallo-Cymric, as might be expected, every one of them can be reasonably traced to an Irish or Gaelic root. If the general opinion of scholars be justifiable, that the Gadelic branch of the Celts reached Britain first, and that the Cymri, when they came afterwards, pushed the Gaels before them northwards, we would naturally expect to find the latter settled here. Besides, so intimately connected were the Cat folk with Ireland at this date that the Irish *Mo-Nair* was invoked in Strathnaver, while the people of the east of Sutherland sur-named themselves by *Lug**, a name still preserved in our Highland *Lunasdainn* festival, and perhaps also in Ben Lughal (Ben Loyal on the map), near Tongue.

Another fact worthy of notice is that of the six Ptolemaic stations, on the coast line between the Kyle of Lochalsh and the Dornoch Firth, four are headlands in the surging Pentland Firth, to wit, Tarvedum, Orkas, Virvedrum, and Verubium, with the rivers Nabarus and Ila to the west and south respectively. Evidently the men who provided the geographer

*The immediate neighbours of the Lugi to the south are called *Smertæ* by Ptolemy. *Smert* also was a Celtic goddess, whose name is often met on Gaulish votive tablets, and known to the Galatians of Asia Minor as *Smerto-mara*, *Smert-the-great*. See Prof. Anwyl's paper on "Ancient Celtic Goddesses" in "The Celtic Review", III., 26 seq.

with his facts had a wholesome sense of the need of minutely charting these wild waters, so as to make them navigable to the sailors who came thither to trade. Dilettante explorers would roughly record outstanding features, but these men are so practical in what they note that it looks as if there were some trading connection between the north of Scotland and the Mediterranean in the time of Ptolemy. The popular conception of the northern Picts of the second century is that they were but rude savages, naked save for a coat of paint. But this is utterly false, as the remains found in their fortified duns testify. They had querns and spindles, the former to grind their corn and the latter to spin their wool. They were quite in a position to export wool, skins, tallow, hides, etc., and we believe they did so, for in the 4th century B.C. the merchants of Marseilles thought it worth while to dispatch the astronomer and mathematician Pytheas on an exploring expedition to Britain, with a view to promote trade with these parts, and the explorer came as far north as Shetland.*

It is to be noted that Ptolemy takes no knowledge of the Catti, whence came *Cataoibh* (Sutherland) and Katness† (Caithness), for the tribe was not as yet consolidated. In the Bodleian map of c.1250, however, the Strathnaver and Assynt country is drawn very mountainous, and standing among the hills a cat-like figure is shown, with the legend "*Hic habundabant lupi*," i.e., here wolves abound. Gordon of Gordonstoun tells us that the country was infested with wild cats in early times, whence the modern place-name *Cataoibh*, with the name *Cataich*,‡ Cats, for the inhabitants. The

* Elton's "Origins of English History," pp. 13-40.

† Cleasby, of Norse dictionary fame, derives Katness from Norse "kati," a small ship, and "ness"; but the Norse derivation of the first limb is most improbable in view of the frequent reference in mediæval Gaelic writings to the land of Cat. In the *Felire* (Calendar) of Angus the Culdee (9th century) St Donan is said to have been commemorated "i Cattaib," in Catland; and in the Irish additions to the *Historia Britonum* the extremities of Pictland are described as "O chrich Chath co Foirciu," i.e., from the bounds of Cat to Forchu (Chron. of Picts and Scots, p. 43). Like Orc, evidently this part of the country was known as Cat long before the advent of the Norsemen.

‡ It should be pointed out that Old Gaelic "cat," Modern Gaelic "cath," Welsh

probability is that there was a tribe of Catti, which ultimately included the Cornavii, Cæreni, and Lugi, dwelling in a part of the country where the wolf and wild-cat found abundant cover, for as late as 1427 the barons of Scotland were called upon by an Act of Parliament to extirpate all wolves found upon their lands. And besides this, not without reason did the Norsemen dub the north-west shoulder of the country Durness, "Wild-beast-ness," from Norse *dyr* and *ness*.

"cad," and Old Galish "catu-s," all mean "war," hence the Catti (warriors), a tribe of Britons in the neighbourhood of Gloucestershire, and the Catu-riges (battle-kings), a tribe of ancient Gaul. See Prof. Rhys' "Celtic Britain." Also from the same root comes Sucat, the original or boy name of St. Patrick, patron saint of Ireland, a compound of Su, good, and cat, which may be freely translated into the Scots vernacular "Bonnie fechter." See Prof. Zimmer's "Celtic Church," p. 38. If the northern name, however, had been originally derived from Old Gaelic "cat," war, the present form would rather be Cathaich, but instead of that it is the hard form Cataich, meaning "pertaining to Cats"; and the Duke of Sutherland is always designated in Gaelic "Diuc Cat," Duke of Cats. Perhaps the totem of the tribe was the cat, although some hold that the cat was not known in Scotland before the 8th century, B.C.

CHAPTER III.

THE PICTS ARE IN THE LAND.

FROM an expression in the speech which Tacitus puts into the mouth of Galgacus, the Caledonian leader, on the eve of the battle of Mons Graupius,* that no people lived to the north of them and that they were the northernmost inhabitants of Britain†, we may conclude that the Cat folk, from the extremities of the island, took part in that bloody fray. In this last year of the campaign (86 A.D.) the Roman fleet coasted northwards from the Tay, doing all possible damage along the seaboard, during which they discovered and subdued Orkney (*quas Orcadas vocant invenit domuitque*).‡ This seems to mean that they punished the flat lands of Orkney, and that they sailed west through the Pentland Firth. The hostile cruise as far as Cat may also imply that the northern people were in the Caledonian confederacy that opposed the Roman arms of

[**“In a recent edition of the *Life of Agricola*,” says Dr. Skene, “from two Vatican MSS., by Carolus Wex, published in 1852, he substitutes Tanaus, Mons Graupius, and Boresti, for the Taus, Mons Grampius, and Horesti of the ordinary editions as the correct reading of these MSS., and Mr Burton has at once adopted the two former readings. The author, however, questions their accuracy. It is hardly possible to distinguish ‘u’ from ‘n’ in such MSS., and they are constantly interchanged. That Tanaus is the correct reading of the first, is plain from the form of the name in Ptolemy, Taona or Tava, and the real form of the second he cannot doubt was Graupius”—“*Celtic Scotland*,” I., 52. In opposition to Dr. Skene’s reading “Grampius” modern scholars hold that the reading in the earlier MS. of Tacitus’ *Agricola* is “Graupiam” while in the later it is “Graupium” though in the marginal index it appears as “Graupius mons.” The reading “Grampium” from which comes “Grampians” first appeared in Francis Pruteolanus’ editions of the *Agricola* in the 15th century. These editions were not carefully printed from the MSS., and are the source of many errors in the current form of names such as “Grampius” for “Graupius” and “Horesti” for “Boresti.”]

† “Sed. . . nulla jam ultra gens, nihil nisi fluctus et saxa.”—Tacitus’ *Agricola*, c. 30.

‡ Ibid., c. 10.

Agricola, and that they were assailed from the sea in consequence.

In 206 the Emperor Severus vainly endeavoured to subdue these Caledonians, and again in 296 and 306 Constantius Chlorus came into contact with them, when they are for the first time designated Picts, a name that continued in use until after the Norsemen settled in the land, as witness the form Pentland Firth, i.e., Pictland Firth. It does not admit of a doubt that the Caledonians of Tacitus were the Picts that fought with Chlorus, for Eumenius, the panegyrist of the latter, speaks of "the Caledonians and other Picts" (*Caledonum aliorumque Pictorum*), which is definite enough. To Irish writers they were also known as Cruithne, of which form there still exist traces in the far north; and generally speaking these Caledonians are known as Cruithne in Irish writings, though in a Latin text they are more commonly called Picts.

We have already referred to the hoary legend that Alba was divided into seven provinces among the seven sons of the Pictish Cruithne, and that the province of Cat is supposed to derive its name from one of these sons. But from the same source we learn that "Onbecan, son of Caith, son of Cruithne, took the sovereignty of the seven divisions."* The meaning of this legend is that a son of the regulus of Cat became king of Alban. Besides this, in various ancient tracts, collected by Dr. Skene, the Picts are said to have come at first to Alban by way of Ireland, and in their migration they are generally associated with Cat. This is how the matter is put in Layamon's Brut, which is supposed to have been compiled c.1200 A.D. :—

A certain king "gave them (the Picts) in hand a great deal of land, all about Caithness, there they chattels wrought [made homes]. . . They took their messengers and sent to Ireland to the king of the land" for wives, who were given to them. "Through the same women, who there long dwelt, the folk gan

* Chron. of Picts and Scots, p. 23.

to speak [use] Ireland's speech : and ever since the usages dwell [they do] in the land."*

Greek and Latin writers, stirred by the narratives of early travellers, like Pytheas, Posidonius, etc., took to uttering the most fantastic tales about distant lands and their peoples. Like our own geographers of less than two centuries ago, who peopled the unknown places of the earth with monsters, these writers did not hesitate to charge with cannibalism and polyandry tribes of whose social life they knew next to nothing.† At the hands of writers of this spirit the reputation of the distant northern Picts has suffered not a little, and in this connection Dr. Robert Munro remarks, "The stories about cannibalism and laxity of morals are probably mere gossip, deriving at anyrate little or no support from archæological evidence"‡; no, nor from the biography of Columba, one of the evangelists of the northern Picts, compiled in the 7th century by Adamnan, also a labourer in the same field. There we read of fathers sorrowing over ailing children, of children waiting upon parents, of husbands and wives, as if the family relations of life and home were quite normal among the Picts. There is not a hint to the contrary in all this book written by a scholarly man dwelling among the Picts.

Of the eleven Cat place-names, including Smertæ, given by Ptolemy, we saw that three, viz., Nair, Lug, Smert, have their probable root in Celtic pagan deities. In the Irish additions to the *Historia Britonum* we learn that from the Picts "are every spell, and every charm, and every sreed, and voices of birds, and every omen"; and that *druidheacht is idhlacht maith*. . . *uaidibh ro munadh*, i.e., "druidism and idolatry well. . . by them were taught."§ Evidently the Irish

* Chron. of Picts and Scots, p. 159-160.

† In this connection Mr. Elton says truly, "Hence came the travellers' tales of one-footed men, of Germans with monstrous feet and ears, of fantastic kings in Thule, and Irish tribes who thought it right to devour their parents."—"Origins of English History," p. 82.

‡ "Prehistoric Scotland," p. 14.

§ Chron. of Picts and Scots, pp. 31, 42.

looked upon the Picts as past masters in druidism, and we may conclude that, like the Irish and Highlanders of to-day, they had such a lively imagination as to create for themselves spirits when confronted with the mysteries of nature.

They observed the heavenly bodies and swore by them, but their principal objects of devotion were the supposed spirits dwelling in fountains, trees, and the earth itself, whence came fruitfulness. Adamnan has occasion to refer to a certain fountain which they "worshipped as a god,"* and the many sacred springs all over the land, which became associated with the names of Christian saints, are remnants of this old practice. Nature in her manifold manifestations appealed to them : much of what they feared or revered was but a personification of her.

It is a striking feature of those ancient Gaelic sagas which seek to portray the pre-Christian past, that the gods are seldom or never referred to. We read of superhuman men and women, but not of gods ; and we are told that the various ancient tribes traced themselves back to some deified ancestor. Like the Japanese of to-day, and like the Norsemen of the past, it is probable that these pagan Picts had some form of ancestor worship. In the *Corpus Poeticum Boreale* Vigfusson and Powell show that the Norse elves were the spirits of dead ancestors, coming forth from time to time from the mounds in which their dust lay. Now the Norse elf is the exact counterpart of the Gaelic *sidhe*, fairy, who was supposed to people the green hillocks not so long ago.

In the social life of the people the druid occupied an important place, for he was a necromancer who sought to propitiate and to influence the mysterious forces of nature, spiritual and material. He cast spells, administered charms, invoked spirits, and interpreted omens. In short, he was guide, philosopher, and friend to such as chose to purchase his favour. This was the druid, as he is represented in ancient Irish sagas, and this is the druid, whose ghost still flits through present

* "Life of Columba," p. 45, Ed. 1874.

day Gaelic folklore. In the north we have to this day the Gaelic saying, *Tha e fo dhruidheachd* (literally—"he is under druidism"), as applied to a man bewitched, and this other, *Tha e ri druidheachd* (literally—"he is at druidism"), said of one talking lewdly, for in course of time druidism became lewdness to the Christian mode of thinking and acting.

As we propose to discuss the conversion of Cat to Christianity during the Pictish period, until the religion of the Cross prevailed throughout the bounds, and as, for lack of other evidence, our conclusions are to some extent inferences from hagiological remains, we shall now proceed to enumerate the saints whose names are commemorated in churches, fairs, wells, etc., within the Province.

These saints fall into two great groups; first, the Celtic, indicated by their names and by the nomenclature of their commemorations; secondly, the Anglican or Roman, indicated after a similar fashion. The Celtic names and the dedications or foundations taking such a Celtic form as Kilmalie, now Culmally, proclaim the labours of the early Celtic church; the Anglican or Roman names point to a later period, when the old church was uprooted to be replaced by a diocesan episcopate after the model of Rome, under the influence of Queen Margaret and her sons. So intolerant was this new form towards the older that it would not commemorate the Celtic saints, and in many cases rededicated old sanctuaries to Roman names. This is a fact which Bishop Forbes amply acknowledges in the introduction to his *Kalendars of Scottish Saints*. In Cat are commemorated the following saints, after the Celtic fashion.

Ninian.—In the church and burial place of Navidale, near Helmsdale; and a church at the Head of Wick. Ninian was a Briton, the founder of a famous institution at Whithern in Galloway, and the apostle of the southern Picts. He died about 437.*

Bride.—In a chapel with indications of burial around it,

[* See "Nynia in Northern Pictland," by Rev. A. B. Scott.—"Scottish Historical Review," vol. II.]

and a Tobar Naomh (Holy Well) close by, at Scorrieclett, Halkirk. Though Bridoc or Bridget is Ireland's female patron saint, she was a Pict as her name shows, for Bride seems as closely related to Pictish Brude as Dolina is to Donald. She found such favour with the Picts of Alba that Necton, "king of all the provinces of the Picts," bestowed lands upon her church at Abernethy in perpetuity.* This was some time between 458 and 482. Her influence also passed over to the Orkneys, where she is commemorated at Stronsay and Papa Stronsay.

Faolan.—In the parish church of Clyne and in Aloyne's fair in the said parish. There were many Celtic saints of this name, but probably this was "The leper," for in Strathnaver one with a broken skin is said to be like Faolan, which shows that he was known among them. He flourished about 500, and in the Irish Calendar is said to have been of *Rath Ern in Alban* (Fort of Earn in Alba), i.e., among the Picts at Loch-earn-head. Faolan means "Wolfie."

Bar.—In the church fair and burial place of Fynbar† at Dornoch; and in a chapel at Barrock, Dunnet. His full name was Fin-bar, Fair-tuft, from his fair hair, but for brevity he is sometimes known as Finan, at other times as Bar, Baroc, though in the North the last part of his name is invariably used. According to pre-Reformation tradition, he was a native of the Cat province,‡ and consequently a Pict. Torfæus also records that a Bard, born of noble parents in Cat, passed over to Ireland, where he became a bishop§. For a Dane, writing in Latin, to turn Bar into Bard was not much of a mistake; but, as he was recording what he calls a certain fable (*fabula quædam*) or ancient tale, he dates it about the time the Norsemen were converted to Christianity. This is far too late, for the saint's name is preserved in Barrey, Bar's-isle, to the north

* Chron. of Picts and Scots, p. 6.

† Reg. Mag. Sig., 6th August, 1608; No. 2141.

‡ "Forbes' Kalendars," p. 275.

§ Orcades, i., c. 10.

of St Ninian's Isle, Shetland; and this form indicates that he laboured in the Orkneys ere the Norsemen settled there, like other Celtic saints whose names are similarly preserved. The Rev. A. B. Scott, Helmsdale, gives good reasons for believing that Bar's name is preserved in Barudal, now Berriedale, Latheron, and that the saint may have been born there.*

Columba.—In Eilean nan Naomh, Isle of Saints,† off the mouth of the Naver, where there was a monastic institution; Imir Chalumkil (Gael. *Iomair Chaluim-cille*), Rig of Columba, at Skerry, on the mainland opposite the above island; a chapel and *tobar* (well) at Dirlot, Halkirk; and a chapel and well at Kilchalumkil, Strathbrora, Clyne. He has also various commemorations throughout the Orkneys, and laboured much among the Picts, founding and ruling the monastery of Iona 563-97.

Donan.—In the church of Kildonan, the old parish church. He suffered martyrdom in the island of Eig in 617, along with fifty-two of his followers whose names are all preserved in the Martyrology of Tallagh. Donan means "Brownie."‡

Rect.—In Kilrect at Navidale, Kildonan. Rectaire, which indicates an official, was a disciple of Donan and perished in Eig.

Ernan.—In a chapel and burial place in the Strath of Kildonan. Ernan was one of the Donan martyrs.

Ciaran.—In a burial place at Dalnawillan, Halkirk, on the summit of a small eminence, which looks as if it had been fortified. Ciaran perished along with Donan in Eig, and his name means "Tawny."

Malic.—In the church of Kilmalie (Culmailly), formerly the parish church of Golspie; and in a well, Tobar Malaig,

* Trans. of the Gaelic Society of Inverness, XXVII., 22.

[† Dr. Watson says in a paper on "Some Sutherland Names of Places" that—"The island on the north coast which appears on O.S. maps as 'Eilean nan Naomh' is given in Gaelic as 'Eilean na Neimhe.' It has an old dedication to St. Columba, and I suspect that it is really from Old Gael. 'neimhidh'; Gaul. 'nemetan,' a sacred place."—"Celtic Review," II., 241. For a further discussion of this word in place-names see his "Place-Names of Ross and Cromarty," p. lxii.]

[See paper by Rev. A. B. Scott on "S. Donnan the Great and his Muinntir" in Trans. of the Scottish Ecclesiological Society, vol. I., part III.]

below Melvich, Farr. This is probably Mairie, one of the martyrs of Eig, for Mairie naturally develops into Malie, in accordance with Gaelic euphony.

Martin.—In a chapel at Ulbster, Wick, beside which stood a stone showing a Celtic cross and Pictish figures; and in *Tobar Martain*,* near Grumbeg burial place, Farr. Built into the wall enclosing the burial place of Grumbeg a stone has been lately found with a fine cross of a very early Irish type, as Dr. Anderson of the National Museum thinks.† Though not one of the Eig martyrs, Martin had some connection with Donan, for he is associated with him in Eig.‡ Martin was not an uncommon name in Strathnaver. A Pictish fort on the sea rocks at Baligill, Farr, is called Bad Martin, where *bad* shows the modern equivalent of the more ancient *pit*. Perhaps the Martin at Ulbster and the Martin at Grumbeg were different persons, for the two cross-bearing stones are so different.

Ian.—In the church of Kilean, Strathbrora, Clyne; and in a well near Helmsdale. Ian was a disciple of Donan and one of the Eig martyrs.

Devenick.—In a fair at Creich. He was a contemporary of Columba, and is reported to have laboured in the *provincia Cathinorum*, i.e., in the province of Cat.§

Maelrubha.—In a fair at Lairg. Under a very much later form of name, to wit, Sagairt Ruadh, Red Priest, he is probably commemorated in a chapel and burial place at Skail, Farr; and at Bal-na-kil, Durness.**

[* The supposed healing virtue in Martin's well is set forth in the couplet:

Aran air fhuine le connadh,
Is buirn a Tobair Clais Mhartain.
Bread baked on brushwood,
And water from the well of Martin in the dell.

—Proc. of Soc. Antiq. Scot., XLII., 94.]

[† Second Report and Inventory of Mons. and Consts. in the County of Sutherland, pp. 86-7.]

‡ Martin's "Western Isles," p. 277.

§ Forbes' "Kalendars," p. 323.

[** See paper by Rev. A. B. Scott on Maelrubha, in Scottish Historical Review, vol. VI., and Dr. Reeves' paper in the Proc. of the Soc. of Antiq., Scotland, Vol. III.]

Machan.—In a chapel at Doll, Brora. He was educated in Ireland, flourished during the 6th century, and laboured in Alba.

Talorc.—In the site of an old church at Halkirk; and another near the village of Watten.* A common Pictish name, he was of a very early period, as we shall show later on.

Diman.—Camerarius reports that he died in Strathnaver in 670. In this case local tradition has nothing to say, though his name is perpetuated in Daimsey, an island in Orkney. John, as Pope elect, sent a letter to the Irish church in 640, regarding the Easter question and the Pelagian heresy, addressed to various dignitaries, among whom was a Diman.†

Trostan.—In a church at Westfield, Halkirk, still one of the Caithness high-places for burial; a church and well (*tobar*) at Westerdale, in the same parish; a church near the present parish manse of Olig; a chapel near Brabster, Canisbay; and in the chapel of Teer, near Ackergill, as we think. He founded the monastery of Deer, Buchan, along with his teacher St Columba, as is said in the *Book of Deer*, though some modern students will not believe that Columba was ever permitted to get to Deer.‡

Colum.—In the parish church of Reay, as St Colman; and in a chapel on Dunnet Links, as St Coomb. The latter is sometimes assigned to St Columba, but it is more likely to be St Colum of Aberdeenshire fame.

Madan.—In a chapel at Freswick, Canisbay; and perhaps at Bower-Madan, Bower. The Aberdeen Breviary says that he was honoured at Fraserburgh. He and Colum or Colman had much repute in Aberdeenshire.

[* There is a Knocktarloc to the south of Greystones but there is no evidence of the site of a chapel.—Eccles. Hist. of Caithness, p. 80n.]

† Bede's "Ecl. History," bk. ii, c. 19.

‡ It is noteworthy, however, that St Columba's foundations at Derry and Durrow, both in Ireland, are derived from G. "dair," oak, hence "doire," a copse, whence also is derived Deer. It may be that the name of the parent school of Durrow was given to Deer; if so the Columban connection is established. [See paper on Drostan by Rev. A. B. Scott in Trans. of the Gael. Society of Inverness, Vol. XXVII.]

Triduan.—In a chapel at Kintradwell, Loth; and in a chapel at Balachly, near Achavanich, Latheron. This lady flourished during the middle of the 7th century, and had a great reputation for curing sore eyes.

Curitan.—In a fair at Loth, called Carden; and also perhaps as Eyartan in Braemore, Latheron. The Latinised form of his name is Boniface. A great friend of St Triduan, he flourished in the middle of the 7th century.

Fergus.—In the church of Wick; and in the church of Halkirk. In the Aberdeen Breviary he is said to have come from Ireland to Aberdeenshire, and to have passed thence to Caithness. He was of the early 8th century.

Caelan.—In a fair at Rogart. The name is a common Gaelic form and means the "Slender one."

Etchan.—In a fair at Bonar Bridge. This was the name of the bishop of Clonfert, Ireland, who ordained St Columba, but there may be no connection between the one and the other.

Assine.—In the church and parish name Assynt. He had a dedication at Bracadale, Skye, and another in Easter Ross.*

Cailtan.—Dempster states in the *Menologium Scoticum* that Cailtan was an abbot in Sutherland (*Cailtanus abbas in Sutherlandia*). All traditions regarding dedications to him in Sutherland are now lost, so far as we know, but he was probably one of St Bar's successors at Dornoch. The name means "Eunuch."

Duthoc.—In a chapel near Kilmster, Wick. The patron saint of Tain, he is reported dead in 1065.†

The following indicate a later and non-Celtic form :—

Andrew.—In the church of Golspie. Andrew superseded Malie as patron saint of the parish.

James.—In an altar in Dornoch cathedral; and a fair *La Feill Sheamuis* or Jamesmas.

[* Dr. Watson derives Assynt (Easter Ross) from N. "Ass," rocky ridge, and "endi," end.—Place-Names of Ross and Cromarty, p. 78.]

[† "Annals of Ulster," II., 15.]

Thomas.—In the church of Skinnet, Halkirk, to which Gaelic speakers refer as *An Abaid*, Abbey, showing a superseded Celtic foundation.

Peter.—In the church of Clyne, which was a supersession; a church at Kildonan, also a supersession; a chapel at Olgrinbeg, Halkirk, contiguous to which the field is called “an Abaid,” showing that an earlier Celtic saint was superseded; the church and fair of Thurso; and the church of Kirkiboll, Tongue, which shows the Norse form *Kirkia-boll*, indicating a foundation during the Norse period.

John.—In a hospital at Helmsdale, a church near the Loch of Dunnet; and a chapel at St John's Head, Canisbay.

Mary.—In the church and well of Lybster, Reay; at Marykirk, Duncansbay; a well and burial place at Scouthal, Watten; and at Marykirk of Sibster, Wick.

Catherine.—In an institution of some kind and a well lying to the west of Watten Manse.

Gavin.—In a church at Dorrery, Reay.

Magnus.—In a chapel at Shebster, Reay; and in a hospital at Spittal, Halkirk. This is the Norse Earl Magnus in whose memory Kirkwall Cathedral was raised, so that the Spittal institution dates back to Norse times, and is certainly post-Celtic.

Benedict.—In a chapel at Shurrery, Reay, where he is Celticised into *Bennachdan*, Blesser.

Cuthbert.—In a church at Haster, Wick.

Francis.—In a convent at Dornoch; and a nunnery at Closters, Wick.

These are all the known dedications, but it must be remembered that there are quite a number of ruined chapels in the province whose patron saints are forgotten in the tradition of the present day.

To sum up, we find forty-seven dedications that are of a Celtic character, twenty-four that are of a non-Celtic character, and the names of two Celtic saints without known foundations. Allowing each of these two saints one location

apiece, which is very moderate, the proportion stands forty-nine Celtic to twenty-four Anglican—by Anglican we mean the Church of Austin of Canterbury, which was Roman. That is to say, over sixty-seven per cent. indicate a Celtic origin, a very large proportion indeed when we remember the circumstances of the case. The Norsemen began to harry the province about the beginning of the 9th century, and if they behaved themselves there as they did elsewhere the Christian churches became their prey. Certain it is that Christian work in these parts suffered a set back from that date. And when in the early 11th century the Norse folks of Cat turned to Christ, the Romish Church and her saints were rather favoured by them than the old Celtic Church of the land. Consequently the Norse Kirkia-boll, Tongue, is dedicated to Peter, while Magnus is honoured at Spittal.

Towards the beginning of the 12th century the feudalising sons of Queen Margaret, finding that the tribal constitution of the Celtic church did not suit their policy, which was to make the nobles one bulwark of the throne and the church another, discountenanced the old institution and richly dowered the hierarchical Church of Rome. King David I. of Scotland was as strong a believer in the dictum "No bishop, no king," as ever was the coiner of the saying, King James VI. From the tribal and congregational character of the Celtic church it was unsuited for a state and established purpose, a lever in the hands of the monarch, hence it was discountenanced in every possible way by the king and his barons.

Then, again, when the Church of Rome got her foot firmly down in the realm, it was but natural that she should try to blot out the memory of an institution which refused so persistently, and for such a length of time, to take her cue from the Vatican. As is generally acknowledged, and as we saw ourselves, it became the fashion to suppress Celtic dedications, in order to effect this end. The pre-Reformation kalendar prove this up to the hilt. Take the kalendar of Culross, for instance. Culross was founded by a Celt at the close of the 7th century, but in 1217 a Cistercian house, whose kalendar we

still have, was reared upon the old foundation. Bishop Forbes says :—

This kalendar is a witness to the complete Anglicanisation of the Scottish church, which took place after the epoch of St Margaret. It will be seen how few of the Celtic saints occur among its entries, and therefore we must believe that . . . they [the Cistercians of Culross] very much ignored what had gone before, and cut themselves off in sentiment from the old historical Church of Scotland.*

The Kalendar of Fearn Abbey, founded in 1230, upon the southern shore of the Dornoch Firth, is almost as Anglican as that of Culross. Nor is there any reason to doubt that the kalendar used by Bishop Gilbert at Dornoch, on the northern side of the same firth, was any whit less Anglican. Yet after all this about 67 per cent. of the hagiological remains in Cat stand to the credit of the Celtic Church. This surely means that she laboured so well and successfully in these northern parts that the people refused to abandon her saints notwithstanding all efforts to the contrary. Like their descendants of to-day, these Picts may have been obstinately conservative in religious matters, but doubtless the Celtic Church won their deserved attachment by the zeal and piety of her clergy.

But to turn to another point. According to Bede, who wrote in 731, St Ninian was the apostle of the southern Picts, and laboured up to the "steep and rugged mountains" (Grampians) which separate the southern from the northern Picts. He also says in the same connection that the Picts to the south of the Grampians accepted Christianity "long before" the arrival of St Columba.† If they did, then we would expect the Christian religion to filter over the hills into the north at the hands of Ninian's disciples, during the 150 years which elapsed before the Irishman came. And so it did, for Ninian is commemorated in many places in the Aberdeen-Buchan

* Forbes' "Kalendars," p. xxi.

† "Eccles. Hist.," II., c. 4.

territory, whence his disciples carried his name over to Caithness, and thence to Orkney and Shetland.

St Ninian's name is cut deeply in the Orkneys. North Ronaldshay was of old Rinanse, i.e., Ringan's-isle, for Ringan is another form of Ninian, and this name was borne by the island before the Norse settlers were turned to Christianity. In Shetland, too, there is a St Ninian's Isle, with its sculptured stone and ogham writing, while Kirkwall Cathedral had an altar to St Ninian, as the Great Seal Register shows. But as Caithness was the stepping stone to the Orkneys, the Pictish disciples of Ninian must have brought the Gospel to their brethren in our province at an early date. It may have been the same early Pictish influence that brought to us the names of Faolan and Bride, though Bride is doubtful.*

St Donan, who was put to death in the island of Eig in 617, laboured before that in Kildonan, Sutherland, where he must have resided for a considerable time, for there are various references to him in the topography of the strath, such as *Suidhe Donain*, Seat of Donan, etc. His companions as we saw, scattered themselves throughout the country round, and laboured away until some hostile influence caused them to pass over into Eig to martyrdom. St Bar, who is said in the Martyrology of Aberdeen to have died in the land of Cat, "among that fierce people" (*ferocem illam gentem*), where he is remembered so far apart as Dornoch and Dunnet. St Diman, too, is said to have departed this life in Strathnaver in 670, and St Devenick laboured at Creich many years earlier. Thus before the close of the 7th century not a few are definitely shown to have preached Christ in the province.

In Adamnan's Life of St Columba we read that on a certain occasion, when the saint was visiting the royal court at Inverness, he successfully urged King Brude to recommend his friend Cormac to the regulus of Orkney, and that Cormac not long after owed his life to this intercession, when voyaging

* In Strathnaver they still reckon time by so many days before or after "La Feill Bride," Day of the Fair of Bride (Candlemas Day), which rather points to a later and Romish influence.

in these northern parts in search of an island to settle on. A small island lying off the mouth of the Naver is called Colme Isle in charters, but is known in the language of the people to-day as Eilean nan Naomh, Isle of Saints. The two names show that there was an ancient Christian settlement here, dedicated to St Columba, which must have been pre-Norse, i.e., older than 800 A.D. During the 6th and 7th centuries the Irish monks were possessed with a desire to settle upon lonely islands, just as did St Columba himself, but after the Norse began to scour our seas the practice was given up, for such habitations exposed them to the plunder and rapine of the heathen Vikings.

Opposite Colme, and not far inland, to the back of Skerray, there is a sheet of water, called Loch Cormic, to which is attached the tradition that, when the *muinntir* first settled on Colme Isle, one of their number was pursued and slain by the heathen folk of the land at this loch, and that the saint kept calling on Cormac as he fled. Of course this is only a tradition, but it may indicate that this island-institution, dedicated to St Columba, was founded by Cormac, and that it was in this neighbourhood the latter narrowly escaped death, as recorded by Adamnan. We would also point out that there are no less than five known dedications to Columba in Orkney* alone, which may also be connected with Cormac's journey to the north, towards the close of the 6th century.

Seeing that the Naver folk still speak of their Isle of Saints, which ceased to be a saintly isle 1100 years ago, it may be concluded that it was a Christian centre of influence for some generations ere it could make such a deep impression upon the memory and imagination of the Cat folk. If it flourished from the time of Cormac, that would allow it 200 years of usefulness before the arrival of the destroying Norsemen, and accounts for the veneration still felt by an ultra-Protestant people for this

* At Walls ("Reg. Mag. Sig.," 30 April, 1545, No. 3102); in the island of Stronsay ("Ibid.," 15 May, 1600, No. 1038); and at three places in South Ronaldshay, viz., Grymness, Hopay, and Loch of Burwick (Anderson's "Ork. Saga," p. xiv. n.).

small, green island. As there are no stone remains of any kind in the island, the buildings must have been of wood, like those of Iona at an early period.

The close connection between Caithness and Aberdeen-Buchan demands notice. St Drostan, who is called Trostan in Caithness, has four, probably five*, dedications in the shire not far apart; St Fergus, St Colum, and St Modan have two apiece, also close together. Elsewhere throughout the Province they have none, of which we can get any trace. But these four saints were eminently connected with the Buchan side of the Moray Firth, and the elder was the founder of Deer. Evidently those who founded these churches came to Caithness by way of Buchan, crossing the Moray Firth as did the disciples of Ninian at an earlier period. For the Picts of Buchan to come to the help of the Picts of Cat was most natural, for the mountains of Caithness were beckoning to them from beyond the waters.

Ere the troops of imperial Rome finally withdrew from Britain about 411 the inhabitants of the southern portion of our island were largely Christianised, and from them Christianity had filtered over into Ireland. For, when St Patrick began his mission in Ireland about 432, the field was already being cultivated there by men like Declan, Ciaran, etc.† As the Roman Empire declined to its fall the Roman Church grew up from out the ruin, and developed her claim to the spiritual sovereignty of the world; but meantime there was little intercourse between Rome and the British Isles, and meanwhile the Celtic churches of Britain, Ireland, and Alban took root and grew up after a fashion of their own. Consequently upon the arrival of the Roman Austin at Canterbury about 597, the year in which Columba died, it was found that the cultus of the Roman Church differed in some

* The chapel of Teer, near Ackergill, shows a connection with the monastery of Deer in Buchan, as its name tells. Teer is a Caithness form of Deer, even as Trostan is of Drostan. Besides, the abbot of Deer had lands and tenants in Caithness ("P. C. Reg., III., 540, First Series) in the 16th century, but these lands may have been gifts from the Keiths of Ackergill, whose original home was near Deer.

† Zimmer's "Celtic Church," p. 17.

respects from that of the Celtic. Much stress was laid by Rome upon the fact that the Celts did not keep Easter at the Roman date, and that her clergy did not crop their hair as the Roman priests did.

But underneath these apparent trifles there lay this, that the law must go forth from Rome, and that all other churches must take their cue from her. Now this was what the Celtic churches refused to do, and this it was that raised a controversy which raged for many a long day. As Rome grew in influence, she sent emissaries in increasing numbers to Wales, Ireland, Alba, in order to bring the Christian people of these quarters within the Italian fold. The strength of Rome lay in her magnificent hierarchical organisation, the weakness of the Celtic Church lay in her lack of organisation, or rather in her lack of unity, for every tribal group was practically independent as far as internal government was concerned. But notwithstanding all this the native Celtic Church gallantly fought to keep her own place in Alba, and it took centuries to scotch her.

The religious conflict must have been raging within the Church in Cat ere the 7th century came to a close, but the situation was much embittered by the perversion to Rome of Necton, king of the Picts, and by his subsequent edicts of 714 and 717 expelling from his dominions all the Columban clergy who would not conform to Rome.* The persecution must have been exceedingly severe, and the overwhelming majority of Columbans must have stood to their guns, for this is what is recorded in the *Annals of Tighernach*, under date 717, "*Expulsio familie Ic trans dorsum Britannie a Nectono rege*"—(Expulsion of the brethren of Iona across Drum-Uachdar by King Necton).

In the wake of this tyrannical royal edict Fergus, a Piet and an eminent ecclesiastic, crossed over from Buchan to Caithness, where he is commemorated at Wick and Halkirk. That he was a Romanist, though a Celt, does not admit of a

* Bede's Eccles. Hist., bk. v., cap. 21; "Chron. of Picts and Scots," p. 74.

doubt, for it is on record that he took part in a Council at Rome in 721.* It looks, too, as if his work in Caithness partook of the nature of proselytism, for the knoll at Halkirk upon which St Fergus' church stands was known 100 years ago as Tore Harlogan,† indicating an earlier foundation by a Pictish St Talorc or Tarloc. Here we have an interesting and curious specimen of an early suppression, but the probability is that this suppression did not take effect until the 12th century, when the diocesan episcopate was formed. And it is worth noting how the people of Halkirk preserved the name of the missionary who first preached Christ to them.

The persecuting edicts of King Necton did but work his own ruin, for they drove him from the throne and eventually extinguished the Pictish dynasty, as Principal Sir J. Rhys inclines to believe.‡ Like the Stewarts, this royal line was filling its own cup, by forcing a religion upon the people which they did not want, until at last they leapt up and swept it aside, to give place to the line of Kenneth MacAlpine, who restored the Columban clergy.

Like the parent Church of Ireland, the Columban church stood for learning and culture.§ Columba, a laborious scribe himself, urged his disciples to wield the pen and to cultivate learning. The fruit of this discipline is seen in Adamnan, who afterwards filled Columba's seat and who compiled his *Life*, for in that *Life* he gives evidence of much classical erudition. Doubtless not a few of the worthy men who came north to preach the Gospel in Cat,** both Pictish and Irish, were learned too, although their literary remains are now lost

* Haddan's "Councils," vol. II., pt. I., p. 7.

† "First Stat. Account," Halkirk, xix., 3.

‡ "Celtic Britain," 2nd ed., p. 175.

§ The German Zimmer says of the Irish clergy of the 8th century, "They spread the repute of Irish learning so far that nowadays it is almost a truism to say: Whoever knew Greek on the Continent in the days of Charles the Bald was an Irishman, or was taught by an Irishman."—"Celtic Church," p. 92.

** Necton's edict was ordered to be "sent throughout all the provinces of the Picts to be transcribed, learned and observed" (Bede's "Ecc. Hist.," bk. v., c. 21). This shows that the Picts of that time had a knowledge of letters.

to us, chiefly owing to the pestilent incendiarism of the pagan Norsemen. We have still with us, however, a few of the ancient sculptured monuments of that period, bespeaking in some cases intense religious feeling, a cultured love of the beautiful, and exquisite technique. The men who made some of these monuments must have made books also, for in many cases the adornment is exactly like that found in the earliest Irish MSS.

In *The Early Christian Monuments of Scotland** the ancient sculptured stones are arranged in the following three classes :—

Class I.—Monuments with incised symbols only.

Class II.—Monuments with symbols and Celtic ornaments carved in relief.

Class III.—Monuments with Celtic ornament in relief, but without the symbols of the other two classes.

Class I. is well represented in Cat, for quite a number have been found in Caithness and Sutherland bearing the peculiar Pictish symbols, to which no key is as yet obtainable. We do not think, however, that these Pictish symbols were all necessarily Christian originally, for just as the early Celtic Church probably took over the frontal tonsure from the paganism which she overthrew,† it is not unlikely that she also adopted the old symbols, whatever they may mean. But be that as it may, the Province can show not a few fine specimens of these curiously incised stones.

Of Class II. there are three fine specimens in the Province, the Skinnet Stone, the Ulbster Stone, and the Kilmalie Stone. The Skinnet Stone stood originally at St Thomas's chapel, near Halkirk, but was removed to Thurso Museum in the 70's

* The joint work of Mr. Joseph Anderson, LL.D., Keeper of the Scottish Museum of Antiquities, and Mr. J. Romilly Allen, Hon. F.S.A. Scot., published in 1903.

† Into Celtic proper names of pagan times the vocable "mael," tonsured, frequently enters, showing that there was a pagan tonsure, probably the frontal.

ALL : HHALLORR : EDD : MAQQ : NUUVVH : RRIANN.

Stone : of Tallor : Edd : Son : of Nuuvvh : Made (it).

Here follows a brief analysis of the words :—

ALL an old form of Gaelic *ail*, stone, whence *ail-ech*, stone-building. The word is also found in Al-Clyde, Rock of Clyde, now Dumbarton.

HHALLORR the aspirated genitive of the Pictish proper name Talorc, which shows the loss of initial T on account of aspiration. The name was borne by St Talorgan or Tarlogan, who had dedications on Tore Harlogan,* Halkirk, and at Kil-Tarlogan (Kiltarlity), Inverness.

EDD an older form of the proper name Aed, common among Irish and Picts, and seen in the last limb of Mack-ay.

MAQQ an older form of Gaelic “mac,” son.

NUUVVH an old Gaelic proper name. Mac-Nave was the maternal grandfather of Columba. (See *Life of Columba*, p. 3).

RRIANN the past tense of the irregular verb “dean,” make. The initial double R may indicate the aspirated form of the Gaelic verb.

If we are correct in our reading, this inscription means that the stone was erected to the memory of Talorc, and that it was sculptured by Aed mac Nave.

Of Class III. there are in Caithness, a rude rune-inscribed stone of the Norse period with an incised cross at Thurso, and a slab in Reay churchyard bearing a raised Celtic cross with the usual interlaced work. Of the same class there are now three fragments in Dunrobin Museum, all from the parish of Loth, and there is a magnificent specimen in Farr churchyard, by far the finest in all the Province. The Farr Stone is a cross-slab of blue schistose slate, $7\frac{1}{2}$ feet high, by 2 broad, by 9 inches thick, sculptured in relief on one face. Its panels are

[* The name is sometimes given as Talorgan, sometimes as Tarlogan. In the First Statistical Account, XIX., 3, it appears in “Tore Harlogan” and “Teampul Harlogan” as Tarlogan. Harlogan being the aspirated genitive “Tharlogain.”]

filled with interlaced and key-pattern work, as in the finest examples of early illuminated Irish MSS. Dr. Joseph Anderson, in a personal note, says :—

The patterns of fret work on the Farr Stone are similar to those on stones of Class II. at other places, and the execution is fine, so that it may belong to the best period of workmanship, and may be justly reckoned early. I should, therefore, be inclined to put it some considerable time before the Norse invasion.

This old Stone, standing on the shore opposite Eilean nan Naomh, links us back to the Columban establishment on that island, and very likely owes its existence to the influence of that place. Whom it commemorates we cannot say, although it is called Clach Fhearchar,* Stone of Ferchar, but it conclusively proves that the culture of these early times was broad and that their piety was intense. The man who designed and executed this monument, and the men who could take pleasure in it, were neither rude nor unlearned, for on every line and feature of its beautiful grey face are carved refinement, culture, learning.†

No monuments of Class I. or II. have been found in the country to the south of the Forth and Clyde, which came under the influence of the Romans, or in that to the west of Drumalban, but north of the Clyde, where the Scoto-Irish were settled.‡ The art culture of these monuments, which has its focus in Aberdeen-Buchan, is found only in the Pictish portion of ancient Alban, extending from Fife to Strathnaver, and including the Orkney and Shetland Isles. To say that the Dalriad Scots of Argyll were more cultured and civilised than

* A Celtic St Ferchar is commemorated in Glenshiel, Ross.—Watson's "Place-Names of Ross and Cromarty," pp., lxx., 175.

† The monument erected by Queen Victoria to her son-in-law, Prince Henry of Battenberg, is modelled on the design of the Farr Stone, and where it departs from that design it is decidedly inferior. An illustration of the Battenberg Stone is given in "Aberdeen To-day" (1907), p. 104. A photograph and diagram of the Farr Stone may be consulted in "Early Christian Monuments," III., p. 53.

‡ Early Christian Mons., p. ciii.

the Picts cannot be admitted for a moment. A sound test of the civilisation of a Christian people is their care for the resting places of the dead. No one can consult *The Early Christian Monuments of Scotland* without being forced to acknowledge, whatever one's prepossessions may have been, that in this respect the Picts stand head and shoulders above the Dalriads. The early Christian monuments of Dalriada are few in number and their art is of a debased character, while those in Pictland are very numerous and their art in many cases of the highest order. When the lessons of this lately issued monumental book have been learned by the historian, writers will harp less than they have been accustomed to do upon the low culture of the Picts.

In view of the above the question arises, How then did it happen that the name Pict was superseded by the name Scot? To a large extent this was due to the early chroniclers. In the *Irish Annals* Kenneth MacAlpin and his successors are for some generations described as kings of the Picts; by the beginning of the 10th century it became the fashion to call them kings of Alban;* and ere that century closed the old chroniclers begin to make use of the expression kings of Scots. That is to say, the national name Pict was displaced in favour of the territorial name Alban, for Alban was the name of a tract of country, and the name again gave way to Scot. The change from Pict to Alban found favour with the people, for a Gaelic speaker designates himself *Albanach* to this day, but never a Scot. Indeed the word Scot does not find a place in his vocabulary at all. Thus a Highlander covertly claims the inheritance of the Picts when he proclaims himself an *Albanach*, though he may have altogether forgotten that the blood of the Picts courses strongly in his veins.

What remains to be told of the secular history of Cat during the so-called Pictish period may be disposed of in a few sentences, for very little is known until the Norse Sagas begin to shed their light. When St Columba visited Inverness in the

* Chron. of Picts and Scots, p. 169.

last quarter of the 6th century, hostages from Orkney lay in the hands of King Brude Mac Maelcon. This shows that the power of Brude reached to and beyond the Pentland Firth.

About a century after this there was trouble in the north, for in 680 King Brude Mac Bile besieged the stronghold of Dunbeath, and in 682 laid waste the Orkneys. The siege of Dunbeath must have been a stiff affair to merit this notice in the *Annals of Ulster*, "Obsessio Duinbaitte," and it is not recorded that it was taken or destroyed, as is done in other similar cases. Dunbeath Castle, now occupied by the Sinclairs of Freswick, and situated upon a narrow neck of land running out to sea, probably occupies the old site.

Soon after the accession of King Necton, who seems to have ruled from Cat to Fife, the Irish Annals record a battle against the Orkney folks, in which the son of Artablari fell, "*Bellum for Orcaibh in quo filius jacuit.*" This was in the year 709, but we have no knowledge who Artablari was, though his name is compounded of the Gaelic words *Art*, noble, and *blar*, white-forehead.

CHAPTER IV.

ADVENT AND SETTLEMENT OF THE NORSEMEN.

THE coming of the Norsemen to our shores was intimately connected with political movements abroad. During the last two decades of the 8th century Charlemagne strove with the sword to convert the pagan Saxons and Germans to Christ, and so ferociously was this war conducted that the Frankish king slew in one day 4500 helpless prisoners under the shadow of the Cross. Hosts of Saxons fled their country, some going to Denmark, others to Norway and Sweden, crowding and fermenting the already teeming populations of the north. Synchronising with these movements on the continent, if not actually due to them, the pirate ships of Danes and Norsemen began to put in an appearance upon the British coasts. The religious establishment on the island of Lindisfarne was the first to feel the brunt in 793, as Symeon of Durham records :—

They overran the country in all directions like fierce wolves, plundering, tearing, and killing. . . . Some of the brethren they killed, some they carried off in chains, many they cast out naked and loaded with insults, some they drowned in the sea.*

The Irish Annals have a similar tale to tell. In 794 Iona was plundered, and all the islands round that coast laid waste; in 807 the brethren of Iona were put to the sword; and again in 825 Iona was stained with blood at the hands of the Gentiles. Thus the miserable tale is repeated from time to time.

During the first half of the 9th century the Norsemen were

* Symeon's "Hist. Regum," II. 55.

simply raiders, making the islands round the coast their base of operations, whence they "lifted on the nesses and slaughtered beasts on the strand." But when Harold Hairfair beat down Norway under his feudal sceptre, a feat which he accomplished in 872, crowds of Norsemen swarmed abroad in search of freedom, some going to Iceland, others to the North Isles (Orkney and Shetland), the South Isles (Hebrides), Man, etc.* Soon after this King Harold Hairfair visited the west, annexed Orkney and Shetland to the Norse crown, erected them into an earldom, and bestowed it upon the Norse Sigurd, who joined hands with Thorstein the Red, son of the Danish king of Man, and began a campaign upon the mainland. The *Landnamabok* says that the allies, Sigurd and Thorstein, "conquered Katenes and Sudrland, Ross and Moray, and more than the half of Scotland."† The *Laxdæla Saga* says that Thorstein "became reconciled with the king of the Scots, and obtained possession of the half of Scotland, over which he became king."‡ These are extravagant statements. The truth is that they overran Pictland for a whole year, as the Pictish *Chronicle* records, and that Thorstein got some sort of a grip of Cat. Indeed this is all another Norse writer claims for them: "They harried in Scotland, and won to them Caithness and Sutherland all down to the Oikel-bank."§

As the allies were returning from their expedition, Sigurd treacherously slew Maelbride, a Celtic chieftain, at a conference to the south of Dornoch Firth. With the dead chieftain's head hanging from his saddle-bow Sigurd rode away, but his triumph was short-lived, for a prominent tooth in that head so chafed the Norseman's leg that he got his death thereby.** Sigurd lies buried at Sidera, now Cyderhall, near Skibo. Then the Cat folk rose up, taking advantage of the fall of

* Besides these, kingdoms were founded by the restless Scandinavians in Dublin, Northumberland, Normandy, and even in the Balearic Isles.

† "Col. de rebns Alb.," p. 66.

‡ Ibid., p. 69.

§ "Heimskringla" in Saga Library, 116.

** Dasent's "Ork. Saga," p. 6.

Sigurd, and craftily (*per dolum*) slew Thorstein in Caithness. As his widowed mother eventually retired to Iceland, accompanied by many of his followers, it seems that the empire of Thorstein in the north of Scotland was effectually broken.* And as he fell in Caithness in 875, according to the *Annals of Ulster*, he cannot have survived Sigurd more than a few months.

A native Pictish chief, Earl Duncan, whose name is still preserved in the place-name Duncansby, for he resided there, did something to patch up the situation by marrying Groa, daughter of the deceased Thorstein,† at the hands of her grandmother, who had fled to Orkney. Very likely this native chief managed to recover and retain the province, for a daughter of this union subsequently married an Earl of Orkney, and there is nothing to indicate that Duncan lost his seat in the saddle.

For a few years after the death of Sigurd the earldom of Orkney was practically without a ruler, inasmuch as one earl died ere he had time to properly grip the reins, and his successor threw them up in despair in less than a year thereafter. These were times of great lawlessness, even for stormy Vikings: They "went about the isles (Western Isles) and over in Caithness; they slew and robbed men."‡ Eventually Harold Hairfair bestowed the earldom of Orkney upon Torf Einar, the base born son of Rognvald, Earl of Moeren, a district in Norway.

Some years later Halfdan, son of King Harold Hairfair, having murdered the Earl of Moeren, sailed away west and took possession of Orkney and Shetland. Torf Einar escaped to Caithness, gathered men, and in the autumn surprised and slew Halfdan in North Ronaldshay. According to Torfæus, this happened about the year 893. When this news reached Norway, King Harold himself set out for Orkney; but Torf Einar again fled into Caithness, sending messengers to treat with the king for a reconciliation, which was at length effected. These two

* "Col. de rebus Alb.," pp. 66n, 69; "Annals of Ulster," I. 389.

† "Col. de rebus Alb.," pp. 66n, 69; Anderson's "Ork. Saga," p. 2.

‡ Dasent's "Ork. Saga," p. 6.

flights of Torf Einar to Caithness in a time of stress serve to show a growing friendliness between the Picts and Norsemen. They also show that the Norse in increasing numbers were settling in Cat.

Torf Einar was succeeded in the earldom of Orkney by his son, Thorfinn Skull-Splitter, who married Greland, daughter of the Pictish Earl Duncan in Duncansby, Caithness. As this marriage probably took place during the long life of Earl Einar, it also points to friendly relations between the rulers of Cat and the Orkneys at this period. Arnfin, one of the sons of Thorfinn, resided at Murkle, near Thurso; Liot, another son, became earl of Orkney; but Skuli, a third son, "fared away up into Scotland, and there the title of earl was given him by the Scot-king. After that he came down on Caithness, and gathered folk to him there."* That is to say, he was made Earl of Caithness by the Scots King as descended maternally from Earl Duncan in Duncansby, his grandfather, which was in accordance with the Pictish custom of succession.

This gift of the Scots King, however, led to strife between the brothers, and a fierce battle in the Dales of Caithness ensued, in which Skuli was slain, though supported by Magbiodr, † a Scots Earl. Liot then claimed Caithness, but Earl Magbiodr returned to the conflict and slew Liot in the battle of Skidamyre, which seems to be Skitten Moor, near Watten. These battles took place during the 6th or 7th decade of the 10th century, and show that the northern Picts were stoutly holding their own up to the Pentland Firth.

Hlodver succeeded his brother Liot in the earldom of Orkney, married a Gaelic-speaking lady, a daughter of Kiarval, an Irish kinglet, and was buried at Huna, close by the seat of his Pictish grandfather, Earl Duncan. By this Irish wife Hlodver had a son and successor, Sigurd the Stout.

Sigurd the Stout coveted the northern mainland, and it is claimed for him in the Earl's Saga that "he held by main force Caithness against the Scots." But if he did he had to fight for

* Dasent's "Ork. Saga," p. 13.

† Magbiodr is the Norse form of the Gaelic MacBeth, or Son of Boet.

it. Earl Finnleik, whom Dr. Skene identifies as Finlay Mac Ruadhri, maormor of Moray, challenged him to a battle by a certain day on Skitten Moor. Naturally apprehensive of the result, Earl Sigurd consulted his Irish mother as to whether he should accept the challenge, and got the reply, "I had reared thee long in a wool bag had I known thou wouldst like to live for ever." Stung by such reproaches, and otherwise encouraged by his mother, he took the field under a banner blazoned with a raven which she put into his hands, and after a furious struggle, in which no less than three of those who bore this banner fell, is said to have gained the day. But the victory is claimed so moderately in the Earl's Saga that the result is doubtful.

In the Njal Saga* we read of an Earl Moldan dwelling at Duncansby, a relative of Malcolm, the Scots King, and a contemporary of Sigurd. If this is correct then the Scots are still holding their ground and their banner is waving at Duncansby. In the same Saga we read that two Scots Earls, Hundi and Mælsnati, had slain a relative of Sigurd at Freswick, that Sigurd gave them battle at Duncansby, but on hearing of the approach of Earl Melkolf he concluded "it would be best to return [to Orkney] and not to fight against so great a mainland army."† By "Earl Melkolf" Malcolm, the Scots King, is probably intended. These events may be dated in the first decade of the 11th century.

Earl Sigurd, who was more than half a Celt, for his maternal grandfather was the Irish Kiarval, and his father's maternal grandfather was the Pictish Duncan, married, as his second wife, a daughter of Malcolm II., King of Scots, and with her probably got the earldom of Sutherland and Caithness in royal gift. Along with a host of men from Cat and Orkney,

* The learned Vigfusson in his Introduction to the text of the "Ork. Saga," p. xv., says that the Njal Saga "is of no historic worth whatever, and is merely an example of the kind of stuff with which later compilers filled out the later Sagas with which they dealt. There may be here and there real names and incidents brought in, but the whole piece is untrustworthy."

† "Col. de rebus Alb.," pp. 336-338.

Sigurd passed over to Ireland to assist the Danes there, and gave battle to Brian Boru, a famous Irish king, at Clontarf, in 1014. This was one of the great battles of history; it was the battle which decided who was to rule in Ireland, Celt or Scandinavian. Here the Danes suffered a great defeat, and here Earl Sigurd fell.

By his first wife Sigurd had three sons, Brusi, Sumerled, and Einar, who each got a third of the Norwegian earldom of Orkney upon their father's death. Thorfinn, his only son by the second marriage, Sigurd left in charge of the Scots King, the child's grandfather, when he set out for Ireland; and after the Earl's death the said King gave to Thorfinn "Caithness and Sutherland and the title of earl, and set up men to rule the land with him,"* for the boy was only five years of age. Thorfinn was thus a Scots earl, as he afterwards declared himself before the King of Norway,† and sat down at Duncansby,‡ the ancient seat of the rulers of Cat.

During the early years of Earl Thorfinn's rule the situation in Orkney altered considerably; Sumerled died, and his third was grasped by Einar, who became so exacting that many of the free-holders in the isles sought an asylum in Cat,§ largely increasing the Norse element there. This process was doubtless encouraged by Thorfinn, who saw in it a means of increasing his own influence in the North Isles. Eventually Einar was murdered, leaving no issue, and then Thorfinn obtained a third part of the earldom of Orkney from the King of Norway; but upon mutual agreement with his half-brother Brusi, a little later, his portion was increased to two-thirds. All this occurred during the lifetime of his grandfather, the Scots King, who died in 1034, and who gave to him much assistance.**

* Dasent's "Ork. Saga," p. 17.

† "Ibid.," p. 25.

‡ "Ibid.," p. 31. The hill above Duncansby is known to this day as Ward Hill, for upon it the body guards of the ancient rulers were wont to keep watch for the approach of foes by sea or land.

§ "Ibid.," p. 19.

** "Ibid.," p. 31

When Duncan, son of Bethoc, daughter of King Malcolm II., by her husband, Crianan, Abbot of Dunkeld, succeeded to the throne of Alban in 1034, he demanded tribute from his cousin the Earl of Caithness. And when Thorfinn refused to pay the customary dues, King Duncan* bestowed the earldom of Caithness upon Modan, a Celtic relative of his own, and endeavoured to expel Thorfinn out of the realm. To this end Modan advanced into Sutherland, but finding that Thorfinn was coming against him with a superior force, withdrew to the King at Berwick, near Elgin.† Here concerted action was taken for a combined attack upon Thorfinn by sea and land.

Modan betimes marched away north again, and reached the northern coast of Caithness. At the same time King Duncan sailed for Duncansby with eleven galleys, but the slim Thorfinn was not to be caught in a cleft stick; he slipped across the Pentland Firth, rounded Deerness, with the King at his heels, and there gave battle at the break of day. After a fierce and prolonged encounter, the King was compelled to withdraw and return to Broadfirth with his crippled craft.

Thorfinn now turned the tables. He speedily collected the war galleys of the North Isles, and landing Thorkel Fosterer on the east coast of Cat, to deal with Modan, proceeded himself in search of the King. Thorkel marched northward stealthily; "besides all the land-folk was true and trusty to him in Caithness; no news of him went before him until he came into Thurso at the dead of night,"‡ and there slew Modan, taken unawares. The silence with which Thorkel carried out this operation shows that Earl Thorfinn was popular among the Picto-Norse folks of Cat. With Modan disposed of, Thorkel, having raised the men of Caithness and Sutherland, rejoined the Earl on the southern shore of Broadfirth, and at Turfness the combined forces mightily overthrew the King. Turfness is

* By way of contempt he is called Karl Hundi (the Hound's son) in the Earls' Saga.

† There was a Berwick in this neighbourhood.—"Reg. Epis. Morav.," No. 103.

‡ Dasent's "Ork. Saga," p. 34.

to be identified with Tarbetness, for this is what Arnor, a contemporary poet, says :—

Turfness hight the battlefield.

Then to battle there were singing
Blades so thin near Oikel south.*

As for the King, the Saga dismisses him with this remark, "Some say that he has fallen." He did not perish in this battle; he was slain a little later (1040) by Macbeth, Pictish maormor of Moray, who succeeded him in the throne, and who may have played into the hands of Thorfinn, for we know from other sources that he and Thorfinn were afterwards fast friends. Anyway, the fall of King Duncan greatly enhanced the position and increased the possessions of Earl Thorfinn. The Saga writer says, "He owned nine earldoms in Scotland, and all the Southern Isles, and he had a great realm in Ireland." * This is tall talk and needs discounting, yet it is true that Thorfinn, grandson of one Scots King and cousin of another, did acquire extensive possessions in the realm during these troublous times. At his death, however, which took place not later than 1064, these possessions were lost to his heirs, as the Saga writer acknowledges, for they passed "to those chiefs who were there home-born to rule in those realms," that is, to native chieftains.

The earldom of Orkney was the only portion of Thorfinn's great possessions that his two sons Paul and Erland managed to retain, and this they ruled as joint-earls. In the Sagas they are again and again designated Earls of Orkney and said to rule

* Dasent's "Ork. Saga," p. 35. If the Norse Broadfirth indicates the Dornoch Firth, then Tarbetness lies to the south of it and the Oyckell range rises up to the north. Dornoch Firth, with its Portmore or Meikle Ferry, is a Broadfirth as compared with the Kyle of Fleet, with its Portbeg or Little Ferry. At a later date we read that Sweyn "sailed south to Broadfirth, and took the north-west wind to Dufeyra. That is a market town in Scotland. But thence he sailed into the land along the shore of Murray and to Ekkjalsbakka." (Ibid., p. 139.) This seems to mean that he struck the southern shore of Dornoch Firth, sailed up opposite the town of Duthac, now Tain, and thence proceeded up the kyle which separates Oyckell from Ross, for this part of Ross then pertained to Moray.

† Ibid., p. 59.

these isles, but they are never associated with Cat. This is a remarkable and noteworthy fact. In 1066 King Harold of Norway called at the Orkneys, was there joined by the two Earls and their island levies, and thence proceeded to England, where he was defeated and slain at Stamford Bridge that same year. Of the vast fleet that sailed south but a miserable remnant returned, but among those who escaped were the Earls of Orkney.* The crushing loss at Stamford Bridge, coming so soon after their father's death, must have so weakened Paul and Erland that King Malcolm Canmore did not find it difficult to recover the province of Cat.

Earls Paul and Erland, who died about the close of the century, were succeeded in the earldom of Orkney by their two respective sons, Hacon and Magnus. It is also noteworthy that the two latter joint-earls, like their fathers, are not said in the Sagas to have ruled in Cat. But these same Sagas tell us that when "Earl Hacon had rule in the Orkneys," Modan lived at the Dale of Caithness, "a man of rank and very wealthy,"† whose daughter Hacon married. This Modan, the "man of rank," had a son Earl Ottar in Thurso, and other members of his family were highly connected. Modan is a Celtic name, and one of his sons bore the very Celtic name of Angus,‡ so that here we evidently stumble across one, if not the chief, native ruler of Cat, who flourished during part at least of the lifetime of the sons of Thorfinn and of Canmore. The Saga writer does not give us a hint as to the ancestry of Modan, a sure sign that he was a Scot and a Celt.

It will be remembered that King Duncan of Scots bestowed Cat with the title of an earl upon his relative Modan, and that the said Modan fell at Thurso about 1039. When Malcolm Canmore, son of King Duncan, recovered the throne in 1057, and found his opportunity to deal with Cat in 1066, if not earlier, it may be supposed that he would not forget the family upon which his father bestowed the northern mainland. This

* Anglo-Saxon Chronicle, II., 166.

† Dasent's "Ork. Saga," p. 84.

‡ Ibid., p. 88.

being so, we venture to suggest that the second Modan was the son or heir of the first of that name; and this view is further confirmed by the fact that Earl Ottar, son of the second Modan, is associated in the Sagas with Thurso, the town in which the first Modan fell.

Modan in the Dales had two sons and three daughters, viz., Ottar the Earl in Thurso, Angus, Helga, Frakok, and Thorleif. Some of these contracted marriages with the Norse folk and consequently are noticed by the Saga writer. Indeed the free way in which they married and took sides shows that the two races were getting thoroughly amalgamated. Helga married Hacon, at one time joint, but latterly sole, Earl of Caithness, and by him had the following children:—Harold Smooth-tongue, afterwards Earl of Caithness and joint-Earl of Orkney; Ingibjorg, wife of Olave Bitling, regulus of the Hebrides; and Margaret, who married Madad, Earl of Atholl. Frakok married Liot, a Sutherland man, and by him had two daughters, who also were highly married.

Earl Hacon, who latterly ruled Orkney as sole Earl, and who died about 1123, was succeeded in that earldom by his two sons Harold and Paul, half-brothers. But Harold, son of Helga, daughter of Modan, "held Caithness from the Scot-king, and he was almost always there; but sometimes he was up in Scotland, for he had there many kinsmen and friends."* Since the death of Earl Thorfinn before 1064 this is the first time an Earl of Orkney is said to have held Caithness, and he does so now not because he is a Norseman, but because he is entitled to succeed his Celtic maternal grandfather according to Pietish custom. Nay, more, from the above quotation it may be gathered that the sympathies of Harold Smooth-tongue were rather Celtic than Norse.

The relations between the half-brothers Harold and Paul were far from friendly. Eventually Harold, Earl of Caithness, passed over into Orkney to look after his half there, accompanied by his mother Helga, his aunt Frakok, and a

* Dasent's "Ork. Saga," p. 85.

number of other relatives; but at the Yule-feast following he got his death by putting on a poisoned shirt, which his mother and aunt intended for his half-brother Paul. Then the relatives of Harold "fared away with all their kith and kin, first to Caithness, and thence up into Sutherland, to those homesteads which Frakok owned there."* Elsewhere we learn that Frakok's seat was in Kildonan. This happened about 1127.

For ten years after this (1127-37) Earl Paul held sole rule over the Orkney realm, but the Saga writer does not claim for him any jurisdiction in Cat. On the contrary, in a charter (1129) by King David I. to the monastery of Dunfermline, MacWilliam, a Celt, as his name proclaims, is designated Earl of Caithness. The Norse annalist never mentions MacWilliam, but we gather from him that during this period Earl Ottar dwelt at Thurso, managing affairs,"† and that his sister Frakok, or Frakaig (the Gaelic form), sat up in Sutherland surrounded by powerful and ambitious relatives. So far were these folks from being subject to Paul that the Saga writer, who is not partial towards Celts, says, "These were all of a great family and great for their own sakes, and they all thought they had a great claim in the Orkneys to those realms which their kinsman Earl Harold (Smooth-tongue) owned."‡ They were constantly intriguing against the Earl of Orkney, and at last got him kidnapped to Atholl in 1137, whence he never returned.

No sooner was Paul removed than the Norse Rognwald stepped into the empty place, for he had already obtained half of Orkney with the title of an earl from the King of Norway. Then this follows: in consequence of a secret paction with Madad, Earl of Atholl, Rognwald took as his partner in that earldom Harold, the five year old son of Atholl by his wife Margaret, granddaughter of Modan. Harold's claim to Orkney rested on the fact that his mother was a daughter of the late Earl Hacon. Otherwise, however, he was very much of a Celt,

* Dasent's "Ork. Saga," p. 87.

† Ibid., p. 130.

‡ Ibid., pp. 87-88.

for his father Madad was the son of Melmari, brother of King Malcolm Canmore.* Into this curious partnership Harold brought with him the earldom of Caithness, although history does not record how he got the right.† Undoubtedly it must have been obtained from the Scots King, for Caithness was not in the gift of the Norse King. This took place about 1140.

It seems that some members of the Modan family in Cat were not cordial towards the Atholl man, who climbed into power over their heads, although Thorbiorn the Clerk,‡ a grandson of Frakok, was appointed his tutor. Sweyn, who had kidnapped Earl Paul, again visited Atholl and obtained men from Earl Madad to guide him through the hills of Sutherland to Kildonan, where he surprised Frakok and burnt her to death. It is said that he did this to wreak a personal revenge, but it must be remembered that the Earl of Atholl assisted him to slay the grand-aunt of his wife Margaret. If Frakok was plotting against Harold, we have a feasible explanation of Atholl's share in this affair. Thereafter Sweyn passed over to the Hebrides, and took a prolonged holiday cruise furth of Cat, while Thorbiorn Clerk, who had married a sister of Sweyn, killed some of those who took part in the burning. A peace was afterwards patched up between the two, but it did not last, and eventually Thorbiorn discarded Sweyn's sister.

In the spring of 1153 Earl Rognwald set out for the Holy Land, leaving the joint-realm to the care of his partner Harold Madadson. That same year Earl Madad of Atholl died, and so did King David of Scots, who was succeeded on the throne by his grandson Malcolm the Maiden. During that summer King Eystein of Norway paid a raiding visit to Scotland,

* Dasent's "Ork. Saga," p. 110.

† King David I. addressed a missive to "Rognwald, Earl of Orkney, and to the Earl of Caithness (Harold Madadson); and to all good men in Caithness and Orkney" ("Reg. of Dunfermline," p. 14) which shows that, in the eyes of the Scots King, Rognwald was technically Earl of Orkney, but not of Caithness.

‡ Thorbiorn Clerk, as his name implies, was a scholar and may have been in holy orders, but he loved the plundering life of a Viking, and made expeditions in search of prey as far as Land's End. His father was a powerful freeman, dwelling to the south of the Dornoch Firth.

surprised Harold in Thurso, and made him swear fealty for his lands in Orkney, ere he let him go. But worse was in store for Harold. Erland, son of Harold Smooth-tongue, son of Helga, daughter of Modan, approached Malcolm the Maiden, and, because he "had there many noble kinsfolk who backed his cause, it came about that the Scot-king gave Erland the title of earl, and granted him half Caithness with his kinsman Harold."* This means that Harold lost favour at the court of the new Scots King. Very soon after Erland also obtained Harold's half of the earldom of Orkney, and was accepted by the freemen of the North Isles, who practically disowned Harold, so that he had to flee to Caithness.

Erland, however, did not live to wear his honours long, for Earl Rognwald returned from Palestine in 1155, joined forces with Earl Harold, and after a brief but stirring campaign overthrew and slew the usurper in a sea-fight. Thereafter Harold and Rognwald held the earldoms of Orkney and Caithness jointly. It was probably about this time that Harold married Afreka, daughter of the Earl of Fife, for he was now about twenty-one years of age, and such a marriage would greatly strengthen his cause, seeing that Duncan, Earl of Fife, was tutor to the young Scots King.†

In 1158, however, Rognwald outlawed Thorbiorn Clerk for misdemeanour in the Orkneys, and the consequences were fatal to himself, for Thorbiorn fell upon and slew the Earl at Calder in Caithness, while the latter was upon a hunting expedition there. That same evening Thorbiorn himself was slain by the friends of Rognwald at "some empty sheilings, which are called Asgrim's erg."‡ Then Harold at the age of twenty-four took over the sole rule of Shetland, Orkney and Cat, becoming very powerful in consequence.

The accession of Malcolm the Maiden to the throne was far from acceptable to the native chieftains, who were justly apprehensive that he would follow his grandfather's policy of

* Dasent's "Ork. Saga," p. 185.

† Fordun's "Chronicle," II., 225.

‡ Dasent's "Ork. Saga," p. 219.

planting foreigners in the land, a policy which afterwards cost Scotland the long and bitter War of Independence. Six Scots' earls rose in rebellion against the King in 1160, incensed at his subservience to the English, but the rising came to naught.* Munch suggests that Earl Harold was one of the rebels, and we think that Malcolm MacEth, titular Earl of Ross but rightful heir to the earldom of Moray, was also in the conspiracy, for the very next item in Fordun's *Chronicle* records the deportation of the Moraymen at the King's hands.

The Pictish rulers of Moray were in violent opposition to the reigning family of Alban long before MacBeth managed to climb into the throne, and the struggle continued after his fall. When Angus MacEth, maormor of Moray, was cut off in 1130, his son Malcolm MacEth, who married a sister of Somerled, regulus of Argyll, took up the quarrel. Malcolm was at length captured and imprisoned in Marchmont Castle, where he was afterwards joined by his son in 1156.† The year following, however, Malcolm made peace with the King‡ and obtained the earldom of Ross, a portion of the earldom of Moray, for after that date he appears in the Cartulary of Dunfermline as Malcolm MacEth, Earl of Ross. In 1162 the King granted the earldom of Ross to the Count of Holland,§ and though there is nothing to indicate that Holland ever possessed himself of that territory, it is clear that MacEth was deprived of his titular right to it for some offence. But MacEth never seems to have relinquished his claim to Moray, for at a later date than 1162 the Saga writer designates him Earl of Moray.**

Soon after the rising of the Earls the Scots King dealt severely with the revolted Moraymen. He "removed them all from the land of their birth, as of old Nebuchadnezzar, King of

* Fordun's "Chronicle," II., 251.

† Chron. S. Crucis.

‡ Fordun's "Chronicle," II., 250.

§ Palgrave's "Documents," p. 30.

** Dasent's "Ork. Saga," p. 224. Dr. Alexander MacBain in his edition of Skene's "Highlanders of Scotland," p. 414, justly says, "Much nonsense has been written about Malcolm MacEth, whose life history is complicated by the fact that an impostor, Wymund, Bishop of Man, tried to act his part."

Babylon, had dealt with the Jews, and scattered them throughout the other districts of Scotland, both beyond the hills and this side thereof, so that not even one native of that land abode there; and he installed therein his own peaceful people.”* That is to say, many of the fugitive Moraymen crossed the hills of northern Ross into Sutherland, and found a new home there, for the MacKays of Strathnaver claim to be descended from the dispossessed Malcolm.† This swarm of Picts flocking over into Cat greatly augmented the Pictish element there already. It also resulted in drawing Harold and the MacEths into close amity.

William the Lion succeeded his brother King Malcolm in 1166. About that time‡ Earl Harold discarded Fife's daughter and took to wife Gormlath, daughter of Malcolm MacEth, a wife that is said to have goaded him into rebellion against the king, although it is more probable that he did not need much spurring. From 1179 to 1186 we read that the hands of the king were full of trouble in Ross, Inverness, and Moray, for the MacWilliams and the MacEths were flying at the throats of the Lion's friends. Very likely Harold was in the thick of these broils, for in 1196 we find him occupying Moray in defiance of King William, who came north that year with a great army to dislodge him, and at Inverness overthrew two of Harold's sons—they were sons by the second wife. The only claim that Harold could possibly lay to Moray must have been through his wife, MacEth's daughter. Be that as it may, the King pressed northward from Inverness, and “crossing the River Oikel . . . bowed to his will both provinces of the Caithnessmen.”§ During these operations, Harold's castle at Castlegreen, Thurso, was destroyed.

* Fordun's "Chronicle," II., 252.

† Book of Mackay, p. 24.

‡ It could not be much later, for thirty years after this two sons of the second marriage were in the field fighting against the king.

§ Fordun's "Chronicle," II., 270. By Caithness the Norse and British chroniclers of this period often mean Sutherland and Caithness, hence the ancient earls are generally designated "of Caithness" only.

To save his country from threatened devastation Harold surrendered to the King, was carried captive to Roxburgh Castle, whence he soon obtained his liberty upon giving his son Thorfinn in hostage, and agreeing to share the province of Cat with Harold the Young, a Sutherland man and a great-grandson of Frakok. The latter engagement Earl Harold did not keep long, for shortly after his return to the north he took the field against Harold the Young, and slew him in battle near Thurso.

The King retaliated by blinding and otherwise barbarously mutilating Harold's son, the hostage in his hands.* He also commissioned Reginald, the ruler of the Hebrides, to subdue Cat and to expel Harold therefrom. To this end Reginald "drew together a host over all the realm of the Southern Isles and from Cantire; and he had, too, a great force from Ireland."† Harold prudently refused to face this huge army, retired to Orkney and suffered Reginald to set up three stewards to rule the province for the king, but no sooner did Reginald retire to the Hebrides than Harold returned to the mainland and drove the stewards away, killing one of them.

During these operations (1201) Harold stormed Scrabster Castle, the residence of Bishop John, and in the melee which followed the bishop's tongue was cut out by Lambert, one of the Earl's officers, instigated by the infuriated soldiery.‡ The Saga writer alleges that Harold was the instigator of this crime, but the Papal Registers prove the contrary. Between the Earl and the Bishop there was, however, a bitter feeling, for the Earl was under the impression, and perhaps correctly so, that the bishop "was an informer, and the instigator of the misunderstanding between him and the lord king."§ When we remember

* According to Fordun's "Chronicle," II., 270-71, the mutilation of Harold's son took place before that of Bishop John of Caithness. The Saga writer simply says, "In that strife was blinded Thorfinn, son of Earl Harold; he had been taken as a hostage by the Scot-king" (Dasent's "Ork. Saga," p. 230). But as the strife was a prolonged one this leaves the sequence indefinite.

† Dasent's "Ork. Saga," p. 228.

‡ Cal. of Papal Registers—Papal Letters I., 12.

§ Fordun's "Chronicle," II., 271. The cantankerous bishop also hindered the collection of money granted by Harold to the see of Rome, and was in consequence censured by the Vatican (Calendar of Papal Registers—Papal Letters, I., 1).

that Harold's son had lately been subjected to inhuman barbarity in Roxburgh Castle, the mad act at Scrabster takes another colour. We think that King William deserves more censure than Earl Harold, for the king set the evil and provoking example.

Early next spring King William came north with a vast army, assembled from all quarters, and encamped "in Eystein's dale, there Caithness and Sutherland meet."* The plucky, old earl made every preparation to stand up to the king, and it says much for his influence and popularity that he was able to collect 6000 men for such a desperate encounter. The matter was settled, however, without fighting a pitched battle, upon the payment of a heavy fine, laid upon all the landowners in the province who sided with the earl. It is said that the mulct amounted to 2000 marks of silver.† Harold, who was now nearing the close of his eventful career, passed away in 1206 at the age of seventy-three. For twenty years he was joint-earl of Cat with Rognwald, and for forty-eight years thereafter was sole earl of that realm.

As from this time forth Norse influence continued to wane in Cat—even Harold himself was an Atholl Scot, and his children were by Scots wives—it behoves us now to endeavour to estimate what that influence, permanent or otherwise, may have been. We saw that Cat, unlike Orkney and Shetland, always continued a part of Alban, and never became a fief of the Norse crown. Owing to remoteness, it may have sometimes been held by a Norseman in defiance of the Scots King, but this was the exception and not the rule. The Norsemen conquered and held Orkney, Shetland, the Hebrides, but Cat they held, when they did hold it, by the grace of the Scots monarch, or in consequence of alliances with native-born chieftains of the province. In other words, they were colonists rather than conquerors in Cat, a place where they often found refuge from

* Dasent's "Ork. Saga," p. 230.

† For our account of the later years of Earl Harold we have drawn upon the following sources:—Dasent's "Ork. Saga"; Roger de Hoveden's "Chron."; Fordun's "Chron."; and "Chron. de Mailros."

trouble and tyranny abroad. That they seized land and acted in a high-handed fashion, in times of national or local stress, goes without saying, but that they swept the native Picts aside, or trampled them down for any length of time into a position of inferiority, is not maintained even in their own Sagas.

In these circumstances we should naturally expect the Celtic language to hold its own, and so it did. In Layamon's Brut, a Welsh compilation of about 1200 A.D., it is stated that the ancient Picts of Cat used "Ireland's speech; and ever since the usages dwell [they do] in the land,"* which means that in the then hoary past, even as in the then present, the native people of the province spoke Gaelic. The Saga writer says that on the evening before Earl Rognwald was slain in 1158, Harold and Rognwald fared for the night "where there was erg, but we call setr"; and he afterwards tells that Thorbiorn, the slayer of the earl, was himself slain that afternoon at "some empty sheilings, which are called Asgrim's erg."† *Setr* is the Norse word for sheiling, and *erg* is the Norse attempt to write the Old Gaelic word *airge*, Modern Gaelic *airigh*, meaning "a sheiling." The phrase "we call setr" implies that there were Celtic folk in that locality (parish of Halkirk) who then spoke the other language. And that is true to this day.

The Norseman had a genius for giving names to places wherever he went, and in this respect made a deep impression upon Cat. In that part of the country lying to the north of an imaginary line drawn between Wick and Thurso (by way of Wick river, Loch Watten, Loch Stemster, and Thurso) the place-names are overwhelmingly Norse. This part, known to the Saga writers as Ness, was much dominated of the Scandinavians, yet even here Celtic names are found. Mey, like Moy in Inverness-shire, shows Gaelic *mag*, a plain; Canisby and Duncansby show the Celtic Conan and Duncan with the Norse *by* or *baer*; Barrock is Celtic, and so is Dunnet, which may be compared with Dinnet in Aberdeen and Dunadd in Argyll. To the south of the above

* Chron. of Picts and Scots, p. 160.

† Dasent's "Ork. Saga," pp. 214-219.

line the Celtic names rapidly increase in number, until in some parts of Latheron and Halkirk they outnumber the Norse. With Latheron itself (the Gaelic is *Latharan*) compare Lorne in Argyll and Larne in Ireland, and with Reay, which is *Mioragh* in Gaelic, compare Moyra in Ireland, a compound of *Mag* and *ra*. The popular view is that the place-names of the county of Caithness are almost wholly Norse,* and this is to some extent due to the abundance of terminations in *ster*, such as Achalibster, Badalibster, etc., although in both examples the initial radical is Gaelic. Let it be remembered that three of the four provinces of Ireland, viz., Ulster, Leinster, and Munster, end in *ster* as they appear in English, and yet the original Gaelic forms are Ulad, Laiginn, and Muman. Even so, for example, the very Norse-looking Ulbster in Caithness may be a transformed Ulad-ster, while Gaelic speakers call Clyth "*Clin*," a pure Gaelic form.

As for Sutherland, along the north and west coast-line, round by Cape Wrath and down by Assynt, the place-names are about half Norse and half Gaelic, but the further one goes from the shore the Norse element diminishes. On the east coast of Sutherland, from the Ord to Oykell, the Norse element prevails to a less extent than it does on the north, yet it is by no means inconsiderable. Here, again, away from the shore the Norse names gradually diminish.

To sum up the evidence of place-names, the Ness district, facing the Pentland Firth, is extremely Norse, the rest of the coast-line of the two counties is considerably Norse, and the interior of the province is predominantly Celtic.

The pronounced dialect of English spoken in the Ness district shows Norse influence, but it owes not a little to Broad Scots, a language afterwards brought into the county by the Sinclairs, Oliphants, Mowats, etc., and which developed peculiarities in consequence of local isolation from other Scots-

* In the lately issued "County of Caithness," p. 31, one of the writers permits himself to say, "While Norse names designate practically every place of importance, Gaelic names are chiefly confined to bogs and mosses." Truth to tell, however, the above "obiter dictum" is worthless, as it is not a real statement of the facts of the case.

speaking people. The Gaelic of the Province, like that of many other places beyond it, also bears marks of close contact with Norse, for it has borrowed directly from it many words referring to the sea, to fishing, to the tackling of ships, etc. But the borrowing was mutual, for Norse took over not a few Gaelic words into its vocabulary.*

The folklore of the province, especially of the northern part, a folklore which is now rapidly dying out owing to the spread of literary education, gave prominent place to Norsemen. *Muileartach*, the storm-fiend that lashed the sea into white foam, was the foster-mother of Magnus, King of Lochlinn; and the wild race of *Fomhairs* (giants) were the men of the sea, with whom the Celtic Fians contended. In one place is pointed out a cave where a maiden of Lochlinn landed, escaping from an angry father, to find a husband in a Celtic warrior; in another place is shown the dark reef whereon a prince of the same race perished with his whole crew; and yonder is the plain of *Torrisdale* where the invincible Fionn himself had to yield three paces in a titanic conflict with a son of Thor. Yea, more, were not the woods of Cat destroyed by fire at the hands of the men of Lochlinn?

Contact with the Norsemen must have enlarged the horizon of the native people of Cat, and may have developed trade with the outside world, for the former was a pushing chapman. According to the Iceland and Norway Sagas, the Norse folks exported their surplus cured fish, wool, and the produce of their handlooms. With these they sailed away to the market towns of Britain, Holland, etc., and having disposed of them, they indulged in some piracy ere returning home. Such as settled in Cat very probably continued this practice, for its seas abounded with fish and its valleys with sheep. In the distracted state of the country prevailing, however, it was not possible for any industry to make much progress.

[* The Gaelic dialect of the Province has not yet received the attention it deserves. The most thorough treatment up to date is Rev. Adam Gunn's paper in "*Sutherland and the Reay Country*," p. 173. See also his papers in "*Trans. of the Gaelic Soc. of Inverness*," vol. XV., and "*Celtic Monthly*," vol. VI.]

CHAPTER V.

FEUDALISM IN CHURCH AND STATE.

WHEN Harold Madadson made his peace with King William in 1202, he "was to have all Caithness as he had it before that Earl Harold the Young took it from the Scot-king,"* which means that the King confirmed the whole province to Madadson anew. It is important to note this, for some modern writers have assumed that the earldom of Sutherland was carved out of the old earldom of Caithness at that time. Earl Harold was succeeded by his two sons, David (who died in 1214), and John, but whether as joint-earls or in succession we have no means of knowing.

The Saga writer also says that Harold's "son Henry has Ross,"† but by what right or title it is not stated. It may have been through his maternal grandfather, Malcolm MacEth. Anyway, there was trouble in Ross soon after, for "Gothred, son of MacWilliam, had come (1211) . . . by the advice, it was said, of the thanes of Ross, out of Ireland into those parts, trampling under foot everything he came across, and infesting the greater part of the kingdom of Scotland."‡ This insurrection, which lasted for two years, was due to a futile attempt upon the part of the Celtic people to place MacWilliam, a descendant of Malcolm Canmore, upon the throne of Scotland; for an old chronicler records that "the modern kings [of Scotland] affected more the Normans, as in race, so in customs,

* Dasent's "Ork. Saga," p. 230.

† Ibid., p. 231.

‡ Fordun's "Chronicle," II., 274.

language, and culture,"* to the chagrin of the native Scots. It may be that some of the people of Cat were involved in this outbreak, for in the autumn of 1214, King William had come north to Moray, "made a treaty of peace with the Earl of Caithness, and taken his daughter as a hostage."† It is possible, however, that the king took these precautions to bind the Earl of Caithness more firmly to himself when the latter succeeded to the earldom—the brother Earl David had died earlier in the year.

King William, who died in the closing days of 1214, was succeeded by his son, Alexander II. The following year the MacWilliams and the MacEth's rose again, and burst into Moray, but were defeated by a powerful Applecross chieftain, Ferchar MacIntagart, upon whom the king bestowed the earldom of Ross in reward.

Bishop Adam of Caithness, who succeeded the maimed Bishop John in 1214, got into serious trouble with his flock over the paying of tithe. "It was an old custom," says the Saga writer, "that the bishop should have a span of butter for every thirty kine . . . But Bishop Adam wished to raise the tax and have a span for every fifteen kine; and when he got that he claimed to have it for every twelve kine; and when that was given up he wished to have it for every ten kine. But that all thought something unheard of."‡ An angry public meeting was held on a hill near the bishop's dwelling at Hakirkju (High-kirk, now Halkirk) upon a Sunday. Earl John, who then resided in the neighbourhood at Brawl Castle, was asked to protect them from the prelate's exactions; and when the earl refused to interfere, the crowd rushed down and slew the bishop within his own house, firing it over his dead body. This must have happened in 1221, for on the 13th Jan., 1223, a papal mandate was issued to the Bishops of St Andrews, Glasgow, Dunkeld, and Dunblane, to pronounce sentences of excom-

* Chron. de Lanercost, p. 371.

† Fordun's "Chronicle," II., 274.

‡ Dasent's "Ork. Saga," p. 232.

munication and interdict "against the persons and lands of those who stripped, beat, stoned, mortally wounded with a fork, and burned the Bishop of Caithness."*

The dead Bishop was laid to rest before the holy altar in the church of Skinnet, but in 1239 his remains were brought to the cathedral at Dornoch for reburial. An ecclesiastical chronicler solemnly records that when the remains of the Bishop were being exhumed miracles not a few took place (*facta sunt miracula non pauca*).†

As one bishop of Caithness was maimed and another slain within the space of twenty years, the latter crime naturally roused much feeling. Wyntoun tells that the prelates of Scotland were so insistent upon the necessity of taking a signal revenge that King Alexander came north in person to deal with the matter. The *Icelandic Sagas* relate that the King caused eighty men to be hewn to pieces, and the Flatey Book tells that men long remembered the miseries entailed by the royal visit, in consequence of the "maiming of men and manslaying, and loss of goods and banishment of men out of the land."‡ That the Bishop was exorbitantly greedy is clear; that he was also a voluptuary is most probable, for the Flatey Book says that he was "drinking in a loft," when the crowd burst upon his house, and Wyntoun says that a child lay in his chamber, presumably his own. If our surmises are correct, the diocese was well rid of such a character, but at what a price! §

Ere the King departed for the south he caused Gilbert, Archdeacon of Moray, to be appointed to the see of Caithness in succession to Bishop Adam. This was a master stroke, as the sequel will show, for it enabled the King and the Roman Church to get a firmer hold of these northern parts. It is also very probable that the fines inflicted at this time supplied

* Theiner's "Vetera Monumenta," p. 21

† Chron. de Mailros, sub ann. 1239.

‡ Icelandic Sagas, III., 233.

§ Among the documents found in the King's Treasury at Edinburgh in 1282—and subsequently lost—was one entitled, "A quit-claiming of the lands of the bondi of Caithness for the slaughter of the Bishop." (Anderson's "Ork. Saga," p. 201n.)

Bishop Gilbert with the funds necessary to rear a cathedral at Dornoch and to build an episcopal palace at Burnside, near Thurso.

Though Earl John proved by the witness of good men that he had no art or part in the slaying of the Bishop, yet, because he took no steps to protect the Bishop or to punish the culprits, his lands were escheated. He bought them back, however, the following year from the King at Forfar, and spent the Christmas in great cheer with his Majesty there. Wyntoun says :—

Thare borwyd that Erle than his land,
That lay into the Kyngys hand.
Fra that Byschape off Catenes,
As yhe before herd, peryst wes.*

Fordun also refers to the matter in such a way as to leave no doubt that the King and the Earl were thoroughly reconciled. But the hapless Earl did not live long to enjoy the King's favour, for in 1231 he was murdered at Thurso by the members of a Norse faction, who had a dispute with him over certain lands.†

Earl John had no male issue that we know of; he had one daughter—more than one, perhaps—who was given to the King in 1214, as a hostage for her father's good behaviour. Sir William Fraser says, without giving his authority, that her name was Matilda, that she probably married into the family of Angus, and that through her the title of Caithness passed to Magnus, Earl of Angus.‡ Certain it is that the title of Caithness passed to the house of Angus about 1232, and continued in that family for some generations, but only part of the landed estate followed the title. The old earldom, which comprised the whole province of Cat, was about this time divided into the two earldoms of Caithness and Sutherland. The new earldom of Sutherland, as we learn from later

[* Orygynale Cronykil of Scotland, II., 241.]

† Torfæus' "Orcades."

‡ Sutherland Book, I., 11-12.

documents, comprised the southern portion of the present county of Sutherland, while the northern portion, embracing the present parishes of Farr, Tongue, Durness, and Eddrachillis, came to be known as Strathnaver, and did not form a part of Sutherland until 1601.*

Strathnaver eventually became a distinct geographical unit, and was governed by the MacKays, afterwards lords of Reay, but it remained a part of Caithness for more than a century after 1232. Of the lands of Caithness, as reconstituted in 1232, excluding Sutherland but including Strathnaver, the earls of the Angus line did not have more than the half; the other half was held by the family of Lady Johana of Strathnaver. Dr. Skene concludes that Lady Johana was a daughter of John, Earl of Caithness, and if this is correct it was but natural that she should receive one half of the reconstituted earldom, especially seeing that the policy of the king was to break up the power of the troublesome northern folk.

Lady Johana, who bestowed lands in Strathnaver upon the church of Moray, and who was dead before 1269, married Freskin of Duffus, a descendant of Freskin of Strathbrock and Moray, and had by him two daughters who inherited their parents' landed estate, viz., Mary married to Reginald Chein the younger, and Christina married to William de Federeth.† Mary's eldest son, Reginald Chein, third of that name, eventually purchased Federeth's fourth of Caithness, and left one half of Caithness, Duffus, and Strathbrock, to his two heiress daughters, Margery and Mariot.‡ Thus Reginald Chein, the third, apparently gathered unto himself all the lands in Caithness which pertained unto his grandmother, Lady Johana, and died about 1350. These lands were scattered over the various parishes of Caithness, as the interested reader may see by reference to the *Origines Parochiales Scotiæ*.

The newly erected earldom of Sutherland was bestowed upon William of Sutherland, son of Hugo, son of Freskin of

* Book of Mackay, pp. 27, 33.

† Reg. Morav., Nos. 126, 263.

‡ Robertson's Index.

Strathbrock and Moravia. Freskin held Strathbrock in Linlithgow and lands in Moray during the reign of King David I.,* and appears to have been a newcomer into Moray from the south. Freskin's son William became the founder of the Duffus family in Moray, while Freskin's son Hugo became the progenitor of the Sutherland family, for the said Hugo Freskin is found holding certain lands in Sutherland, which he conveyed to his relative Gilbert of Moray (Archdeacon of Moray, and afterwards Bishop of Caithness), sometime between the dates 1203-14.† William, son of Hugo Freskin, as *dominus* (lord or laird) of Sutherland confirmed his father's gift to Gilbert before 1214, is found in charters of 1226 and 1229 styled "of Moravia" *miles* (knight); and ere he died c.1248 appears as Earl of Sutherland. Cosmo Innes says, "Many of the transactions of the period prove that the family of Sutherland was generally resident in Moray for two or three generations following Hugo,"‡ as the distracted state of the country may have made the King's gift somewhat ineffectual.

To sum up, one half of the reduced earldom of Caithness, with the title of earl, passed to the house of Angus; the other half came into the possession of Freskin of Duffus, through his wife Lady Johana; and the earldom of Sutherland fell to William of Moray. As the Earl of Sutherland, Freskin of Duffus, and Bishop Gilbert of Caithness were cousins, it is more than probable that they pulled together to establish the interests of the De Moravia family on both sides of the Ord. And when we remember that a swarm of Moraymen, along with the MacEths, poured over into Cat about seventy years earlier,

* Reg. Morav., p. xxxiv. King David I. (1124-53), who was Earl of Northamptonshire before he became King of Scots, and who continued to retain that earldom unto his dying day, was more a Norman than a Scot in taste and sympathy. He encouraged Normans, English, etc., to settle in Scotland, promoted them to high office, and through them sought to promote feudalism in Church and State, a policy which was continued by his successors for more than a century. In charters to Dunfermline, e.g., King David addresses himself "to all good men of the whole land, Norman, English, and Scot." It is not without significance that the Normans and English come before the Scots, for the King preferred them.

† Reg. Morav., p. xxxiii.

‡ Ibid., p. xxxiii.

it is safe to conclude that the influence of the southern province upon the northern was not inconsiderable. It remains to be told that the MacWilliams, with whom the MacEth^{*} were associated, were in rebellion against the king in 1223, and that the Royal troops pursued them into Strathnaver.[†]

As we have come to a ridge in the history of the province, seeing that about this time the Church of Rome became an organised institution within the land, and divided it into parishes, it behoves us now to take stock of the ecclesiastical situation. We saw in Chapter III. that Christian labourers began work in the Province at an early date, and made a deep impression before the Norsemen came. How it fared with the Church thus formed during the so-called Norse period we have little means of knowing, for the Norse Sagas scarcely notice it, but that it continued to exist is undoubted. In the catalogue of religious houses in Henry of Silgrave's Chronicle, which describes the state of matters in Scotland not later than the reign of William the Lion (1166-1214), the episcopates of Caithness, Ross, Argyll, the Isles, Dunblane, and Brechin are wholly Culdee; while St Andrews and Dunkeld are partly Culdee.[‡] That is to say, much of the land formerly covered by the Picto-Irish Church is now found in the possession of the Culdees, whose designation is a compound of the Gaelic *Ceile*, companion, and *De*, God, meaning "Friends of God." It is also interesting to note that the Culdees continued to hold the fort in Cat, about the middle of the 12th century, after all that had happened.

Much has been written of late to show that the Culdees differed little from their Roman brethren in faith or practice. The writer on the Culdees in Chambers's Encyclopædia, after quoting largely from Skene's *Celtic Scotland*, concludes

* MacEth is a form of Old Gaelic "Mac Ed," modern Gaelic "Mac Aoidh," now MacKay.—Book of MacKay, pp. 5-6.

† Balfour's "Annals," vol. I.; Fordun's "Chronicle," II., 286.

‡ Skene's "Celtic Scotland," II., 377, 510. The Culdees do not occupy Celtic Moray at this time, and the reason may be that when the Celts were deported the Celtic Church passed away there.

thus :—" There is no reason to suppose that the Culdees differed in any material point of faith, discipline, or ritual from the other clergy of the British Islands and Western Christendom." To this conclusion we demur.* Unlike the Roman Church, the priest was not an all-essential in the Columban, for Columba himself was never a priest, though he was head of the Church of Iona; and in course of time the abbacy or headship of various groups of churches sprung from Iona passed into lay hands, becoming eventually hereditary. In like manner the Culdees were not priestly, they were an eremite clergy. In the Church of Rome, however, the priest is the Atlas upon whose broad shoulders the whole structure rests, consequently the mass is a cardinal practice of this system, for a sacrificing priest involves the sacrifice of the mass. But we know that in the later Celtic Church in Alba the mass was neglected, and when Queen Margaret reproved the clergy for this they justified themselves as follows :—" The apostle, when speaking of persons who eat and drink unworthily, says that they eat and drink judgment to themselves. Now since we admit that we are sinners, we fear to approach that mystery, lest we should eat and drink judgment to ourselves."† Surely this is far removed from the sacramentarian position of sacerdotal Rome.

Again, the Church of Rome was a Latin Church, her ritual was in that language, and in that language her clergy ministered on the banks of the Tay as on the shores of the Tiber. In Alba the Roman clergy found Lives of the Saints written in so barbarous a language (*barbara lingua*) that they piously set to and compiled new ones in Latin, as they tell us. Scholars of the present day would feel indebted had they preserved these Gaelic MSS. But let the language be what it may, the Culdees proclaimed themselves to the world by a Gaelic name, and very probably ministered to the people in that language too. We believe that Bishop Turgot's complaint, that they celebrated the eucharist "according to some sort of barbarous rite," is to

[* For an able discussion of the differences between the two churches see Warren's "Liturgy and Ritual of the Celtic Church," pp. 63-82.]

† Turgot's "Life of Queen Margaret," translated by Forbes-Leith.

be understood as meaning that they did it in the vernacular language.* And if we are correct, it indicates a considerable difference in the ministrations of the two churches; for to a Caledonian Celt Latin was simply gibberish, fitted to keep him superstitious, but not to enlighten his understanding.

And then, in the last place, if the Culdees did not differ from the Roman clergy, we cannot understand why they were persecuted by the Romanists for some generations, until they were gradually extinguished. Even Roman writers praise their good works, their piety, their unworldliness, yet bull after bull was sent against them from the City of the Seven Hills, and their property was taken piece by piece to enrich the treasury of the Roman Church in Alba.

The coming of Queen Margaret marked a new ecclesiastical era in the land. An enthusiastic Romanist, she strove to bring her husband's subjects into the Roman obedience, and was in this respect followed by her sons and grandsons, Kings of Scotland, but with them the motive was more political than pious. They were wedded to feudalism, it was the means by which they hoped to settle their line firmly on the throne, and feudalism is a secular hierarchy which finds a spiritual complement in the hierarchy of Rome. As the descendants of Queen Margaret stoutly and successfully resisted the Ultramontane claims of Rome, this Church suited their policy well. It was in these circumstances that Rome was thrust upon the people of the north.

When King David I. ascended the throne he found but three bishoprics in Scotland; ere he died he set up six other new ones,

* We observe with regret the contemptuous reference to the Celtic Church in Dr. Patrick's Introduction to the "Statutes of the Scottish Church," where he harps on her "barbarous rites," and charges her people with "unmitigated savagery." In proof of Celtic "barbarity" he points us to the accounts of the Battle of the Standard by Aildred of Rievaulx and Richard of Hexham, two partisans. But does not that sword cut both ways? In the English Chronicle this is what we read concerning the Normans c. 1147: "They hanged up men by their feet and smoked them with foul smoke. Some were hanged up by their thumbs, others by the head, and burning things were hung on to their feet. . . . They put men into prison where adders and snakes and toads were crawling, etc." These Normans were sons of the Holy Catholic Church, and yet look at their works! Celtic savagery would not hold the candle to that!

one of which embraced the province of Cat. Andrew, first Bishop of Caithness, appears on record as early as 1146, and he turns up so frequently witnessing documents in the neighbourhood of the royal court, that his connection with the north seems to have been more honorary than actual. Andrew, who died in 1185, and who was thus about 40 years Bishop of Caithness, appears to have lived on good terms with Earl Harold Madadson; he was a witness before 1181 of the Earl's grant of one penny from every inhabited house in Caithness to the see of Rome, and saw it collected annually.*

The Abbey of Scone was from an early time connected with Cat. Earl Harold Madadson granted a silver mark yearly from himself and his heirs to the canons of Scone, for the weal of the souls of himself and his wife, and for the souls of his predecessors; King Alexander II., by precept to the sheriffs and bailies of Moray and Caithness, claimed protection to the convent ship of Scone, while voyaging within their jurisdictions; Bishop Gilbert constituted the Abbot of Scone a canon in the Cathedral of Dornoch, giving him the church of Kildonan for prebend; in 1226 the Pope confirmed the church of Kildonan to the canons of Scone; and in 1332 the abbey of Scone appears as proprietor of the church of Kildonan, with the lands of Borrobol.† The connection of Scone with the northern province was no doubt due originally to the influence of Earl Harold, who was himself a native of the neighbourhood of Scone, and whose father, the Earl of Atholl, had also given benefactions to that Abbey.‡

Of the bishops John and Adam, the immediate successors of Andrew, nothing more need be said here save that their seat was in the northern half of the province, where Earl Harold and his sons also had their mainland homes, for these earls were friendly towards the Church though the two Bishops got severely handled by the people. There is no reason to infer

* Epist. Innoc. III., 1, No. 218; Calendar of Papal Registers—Papal Letters, I., 1.

† Liber de Scon, pp. 37, 45, 67, 120; Orig. Par. Scot. II., 736.

‡ Orig. Par. Scot. II., 735.

GILBERT ESTABLISHES ROMAN CHURCH IN CAT. 81

from this, however, that the people of Cat were extremely barbarous, or that Christianity was only now beginning to shed its light upon them, for the Bishops brought the trouble on themselves. But it may be that the sympathy of many of the people leaned toward the Culdees rather than to Rome.

To Bishop Gilbert, who ruled 1223-45, belongs the credit of firmly establishing the Church of Rome throughout Cat, of dividing the province into parishes, and of building a cathedral at Dornoch. To do this he was well equipped, he had landed estate in Sutherland, as had his cousin of Moray; and he was strongly supported by the angry King, who had it in his power to richly dower him with fines, etc. Besides all this, his appointment practically coincided with the establishment of the Church of Rome in Scotland by the papal bull of 1225, so that every thing was in his favour. What steps he took to crush out the Culdees we have no means of knowing, but that he tried is almost certain, for he had so little sympathy with the Celts that he took the Anglican order of Lincoln as a model for his chapter at Dornoch.*

King Alexander II., who made more than one futile attempt to purchase the Hebrides from the King of Norway, set out to subdue them by force, but died in the Island of Kerrera in 1248, ere the campaign had well begun, and was succeeded by his son Alexander III., a boy in his eighth year. Upon the representation that the Earl of Ross was ravaging Skye, in the interest of the Scots King, in the summer of 1262, King Hacon of Norway sailed into the west the following year to assert his right to the Western Isles, at the head of a great fleet, and was accompanied from Bergen by Magnus, Earl of Caithness, who was also Earl of Orkney.† While this fleet lay at Orkney, men crossed over to Caithness and exacted tribute from the "Ness-dwellers," as the Saga writer tells. But there must have been something suspicious in the conduct of certain Caithness men, for in the accounts of the sheriff of Inverness

* Cosmo Innes' "Sketches of Early Scotch Hist.," p. 80.

† Hacon's Saga, pp. 340, 345.

(1263) there is an item of expenses incurred on behalf of twenty-one hostages from Caithness during twenty-five weeks.* When Hacon resumed his expedition to the west of Scotland, Earl Magnus remained behind in Orkney to organise the native levies, and there is nothing to show that he followed up his Norwegian chief.†

An advance squadron of Hacon's fleet, passing Sule Skerry (Sulnaskerry), touched at Durness, destroyed a castle and "burnt more than twenty homesteads" there.‡ Unlike the more Norse Ness-dwellers, the Strathnaver men were evidently hostile, hence there was fighting and burning. In course of time Hacon, defeated at Largs, swept away north with his broken fleet, called at Asherbay in Eddrachillis, and rounding Cape Wrath, came to anchor becalmed in Loch Eriboll. Here a party went ashore to beat up cattle, another to get water, but they got neither, for "the Scots had come down on them," and slew nine of the Norsemen.§ As the land about Loch Eriboll was the pasture ground of the Bishop of Caithness, and as Iye MacEfh, the progenitor of the MacKays of Strathnaver, was at that time chamberlain to Bishop Walter, it is likely that MacEfh had a hand in the attack upon the Norsemen.** As for Hacon, suffice it to say that he sailed away to Kirkwall, and died there soon after.

How Earl Magnus extricated himself out of his cruel dilemma we cannot say. As Earl of Caithness he was bound to give service to the Scots King, and as Earl of Orkney he was the fensual vassal of the King of Norway. It is proverbially difficult to serve two masters in ordinary circumstances, but when these same masters are lunging at each other's hearts, and loudly crying for assistance to every follower they can command, the situation is infinitely worse. It is on record,

* Compota Camer. Scot., I., 31.

† Hacon's Saga, p. 347.

‡ Ibid., p. 344. Sule Skerry lies off Strathy Point. A lighthouse was lately erected upon it.

§ Ibid., p. 364.

** Book of Mackay, pp. 37-39.

however, that the title to Caithness remained in the family of Magnus until the male line died out, which points to a reconciliation of Magnus to King Alexander.

We shall now give a few extracts from the *Calendar of Papal Registers—Papal Letters*, vol. I., having some reference to affairs in the diocese of Caithness :—

June, 1262. Mandate [to the bishops of Dunkeld, Brechin, and Ross] to examine the birth and attainments of Master Walter de Baltrocin, canon of Caithness, elected by the dean and chapter to that see; and on finding him worthy, to examine and ratify his papal dispensation to hold two benefices, and to appoint him bishop. (p. 379.)

June, 1273. Faculty to the dean and chapter of Caithness to elect a fit person to be bishop, their election of Nicholas, Abbot of Scone, in the diocese of St. Andrews, having, on its being presented to the Pope by Master Henry de Nottingham, been cancelled on account of the Abbot's intolerable lack of learning (p. 446).

November, 1274. Mandate [to the bishops of Moray, Aberdeen, and Argyle] to examine the merits of Archibald, archdeacon of Moray, in deacon's orders bishop-elect of Caithness . . . and if they find him to be fit, to confirm the election, and first ordaining him priest, to consecrate him, receiving his oath of fealty to the Pope. (p. 448).

April, 1282. Appointment of Alan, bishop of Caithness, formerly chaplain of Hugh, cardinal of St Laurence's in Lucina. The see being void by the death of Archibald, the chapter elected, by way of compromise, Dean Richard, and on the election being presented to Pope Nicholas, he ordered the bishops of St Andrews and Aberdeen, and the minister provincial of the Friars Minors in Scotland, to persuade Richard to renounce whatever right he had, which he did, on which the chapter elected by scrutiny Hervey de Donodei, canon of St. Andrews, who came to the apostolic see and died there. The Pope therefore appoints Alan. (p. 465).

In the above extracts note that Bishop Walter was a

pluralist, he held two benefices by dispensation. At a later period this was a common practice throughout the diocese. The relation of Scone to the northern diocese is indicated by the attempt of the chapter of Caithness to make the Abbot of Scone their bishop. As for Bishop Alan, we shall afterwards see that he strongly supported King Edward's claim to dominion over Scotland, and that he held an important office of state under that King in Scotland. We shall now proceed with our extracts :—

1291. Mandate to the bishops of Winchester and Lincoln, to warn and induce all persons not exempt to pay to the king [Edward I. of England] the tenth ordered to be collected for the Holy Land during six years, using such compulsion as may be necessary. . . . The like to the bishops of Carlisle and Caithness for Scotland. (p. 552).

1291. Exhortation to all the faithful to take the cross and share in the benefits to be obtained by those who fight for the Holy Land . . . and as an inducement indulgences are granted to those who personally or by contributions assist the crusade. (p. 553.)

April, 1291. Instructions to the bishops of Winchester and Lincoln as to the collection of the Holy Land tenth . . . Marriage and burial fees, fees for sealing, fines paid by excommunicate persons are to be tithed, as are also legacies left to churches and offices. . . . The tenth of fruit and vegetables which are sold is to be paid, as is also that of flocks and herds; what is eaten or used by the owners is exempt. . . . The like to the bishops of Carlisle and Caithness. (pp. 553,4.)

Collections were also made in the various churches of the diocese towards the same end, on more than one occasion. In the light of these facts we may conclude that recruits as well as money went from the province to the assistance of the Crusaders. For to the turbulent, to the broken-men, to the rascaldom of the land, a trip to Palestine, coupled with an ample indulgence, would be a most acceptable form of relief

from criminal proceedings at home and the vision of a gallows at the end of it.

In the struggle for liberty which was about to be thrust upon Scotland the Province bore a part. Bishop Alan of Caithness, the Earls of Sutherland and Caithness, the Reginalds Chein, father and son, attended the Parliament at Brigham (14th March, 1290),* when the treaty of Salisbury was confirmed, whereby Margaret, Maid of Norway, grand-daughter and heiress of Alexander III., was to be given in marriage to the boy Prince of Wales. In this way Edward I. of England craftily managed to get his hand close to Scotland's throat. Ere the year closed "Alan of St Edmunds," Bishop of Caithness, a strong partisan of Edward's, was manipulated into the Chancellorship of Scotland, and entrusted with the seal of the realm. Though Alan died the following year, he lived long enough to materially assist Edward's cause at a critical period.

On 13th May, 1291, John, Earl of Caithness, had letters of safe conduct to King Edward, with his family (*cum familia*), and at the same time similar letters were granted to William of Grumbeg (de Grumbaig), the Earl's squire, to attend with horses and his accoutrement (*cum equis et harnesio quo*).† From this same source we learn that King Edward granted unto Earl John letters of protection on 28th August, 1296, to last for one year. Such as passed from Scotland into England or through it required similar passports at that time. Earl John was dead before 28th October, 1312, when his successor, Magnus, witnessed at Inverness the treaty between Bruce and the King of Norway.‡

In 1296 William, Earl of Sutherland, Reginald Chein, etc., did homage to Edward at Berwick-on-Tweed, and the Earl of Caithness followed suit the same year at Murkle.§ On

* Stevenson's "Historical Docs. of Scot.," I., 129, 130.

† Ibid., I., 229. Grumbeg is a township on the northern shore of Loch Naver.

‡ Acts of the Parl. of Scot., I., 463-4. An impression of the seal of Earl John, a galley with a crowned mast, may be seen in a collection of Caithness seals at Thurso. It is also shown in Bain's "Calendar of Docs. Scot.," II., plate I., No. 16.

§ Bain's "Calendar of Docs. Scot.," II., 196.

24th May, 1297, a writ was issued summoning the Scots nobles to the standard of King Edward for his projected expedition to Flanders, and among those summoned were Earl William of Sutherland and Reginald le Chein.* On 4th April, 1304, King Edward, writing from St Andrews to the Earl of Sutherland, says he knows his goodwill, thanks him much for the good faith he has ever had, and signifies his own desire to do what he can for him in an agreeable manner.†

This latter sounds very cordial, and looks as if Sutherland were a consistent supporter of the King of England, but it may be nothing more than a politic effusion on the part of a king fishing for help. For in October (?), 1292, Sutherland passed letters patent attesting that he has made oath to Sir Robert de Brus, Lord of Annandale, to assist him with all advice and power to prosecute his claim to the throne of Scotland.‡ We must also remember that when a daughter of Bruce afterwards married a grandson of this Earl of Sutherland, the parties were found to be so closely related that they had to be dispensed by the Pope. It is highly probable, therefore, that the Earl of Sutherland was a near relative of King Robert Bruce, and that he sought to advance Bruce's cause as he found opportunity. It is even more probable that this Earl, who died before 1307, leaving his heir in minority, gave no help to Wallace.

During 1307-8 the Earl of Ross and his son Hugh send a humble petition to King Edward II., because Robert the Bruce with 3000 men has invaded and plundered Ross, even to the parts of Sutherland and Caithness adjacent; and they pray the king to confirm to John, youngest son of said Earl, the wardship of Sutherland which Aymar de Valence bestowed upon him.§ So active was the Earl of Ross in the service of Edward that in 1306 he captured Bruce's Queen, seeking sanctuary at Tain,

* Bain's "Calendar of Docs. Scot.," II., 232.

† Ibid., II., 388.

‡ Ibid., II., 149.

§ Bain's "Calendar of Docs. Scot.," IV., 399, 400. It was Sir Aymar de Valence who bargained with Menteith for the capture of Wallace, and it was to him that the patriot was delivered a-south the Solway.

and handed her over to the English, as Fordun relates. According to the same authority, King Robert Bruce, after a long spell of ill-luck, during which he had to flee the country, appeared in the north in 1307, slew the English garrison at Inverness, possessed himself of the parts of the north, and thenceforward found the tide of battle turn in his favour.

If we are correct in our reading, after Bruce overran Ross he pushed on into Sutherland, along the Machair to the Ord, not to subdue a hostile people, but to establish his young friend the Earl of Sutherland in his own, for the Earl was a minor in the ward of the family of Ross. Bruce's brother-in-law,* the Earl of Caithness, was also friendly, so the King did not invade his lands, he only came to the borders of Caithness; in other words, he came as far as the hostile influence of the Earl of Ross reached. Bruce did better than overawe Ross, he won him to his side, for in May, 1308, he appears as lieutenant of the warden of Scotland, and on the 31st October submitted to Bruce at Auldearn, when his estate was restored with the addition of Fernacoscrech in Sutherland,† and his son Hew obtained the hand of the King's sister in marriage. Then leaving his Highland rear secure, and doubtless drawing many from these parts to his standard, Bruce steadily fought his way south with growing success.‡

Sir Robert Gordon says that the Earl of Sutherland assisted Bruce at Bannockburn, and it is claimed for the MacKays of Strathnaver that they did so too.§ Although neither of these

* In "The Buik of the Cronicles of Scotland," III., 241, it is said that Isobel, first wife of King Robert Bruce, was sister "to the gude erle of Catnes in tha dais," where sister must mean sister-in-law. The name of the Earl of Caithness is not given, but it must have been Magnus, for his predecessor John was a married man with a family as early as 1291. In that case Queen Isobel of Scotland and the Countess Catherine of Caithness and Orkney were sisters, daughters of the Earl of Mar.

† Acts of the Parl. of Scot., I., 477. Prof. Murison's "King Robert the Bruce," p. 71. The lands of Fernacoscrech comprised Crechmor, Spanegidill, Davacharry, Plodd, and Pulrossy, as a later charter shows:—Reg. Mag. Sig., 21st August, 1464, No. 806.

‡ [For an interesting account of Bruce's relations with the Far North see an article by Evan M. Barron on "Robert the Bruce in Orkney, Caithness, and Sutherland"—Miscellany of Viking Club, II., 90.]

§ Earld. of Suther., p. 39; Book of MacKay, p. 42.

claims is authenticated by ancient written testimony yet they may be true, for by that time the King had practically the whole of the North at his back, the people as well as the magnates. As for the people, it needs but little imagination to conceive how readily they would spring to arms at the call of a Scots king stoutly fighting against Anglican influence. For some generations it was the other way, the Scots kings were forcing English manners in Church and State upon their Celtic and Norwegian subjects at the point of the sword. But in Bruce the northern folks found a king after their own heart, one to lead them in battle against the hated Sassenach. And for this reason Bruce would get a warmer welcome in the north than in the more Saxon south, where the magnates and the people were closely related to the English in speech and sympathies.

A chronicler relates that Bruce had the ghostly help of the Norse St Magnus at Bannockburn, that on the evening after the battle an apparition of the saint was heard singing in triumph, as he rode in warlike panoply across the Pentland Firth, and that this was taken to mean that Scotland had won the day. He says :—

Quhilk sene was efter singand with greit mirth,
 Vpoun the se rydand our Panetland firth
 Ontill Orkna, agane hame till his awin;
 The commoun voce said it was Sanct Mawin.
 Quhairfoir King Robert out of Abirdene
 Fyve pund stirling, as my author did mene,
 Onto the tempill of Sanct Mawnis gaif.*

This legend probably indicates that the manhood of Caithness and Orkney was in the tented field, presided over by their patron saint, and that the loved ones at home were anxiously looking for tidings of the impending battle. But the King's thank-offering to St Magnus' Cathedral, Kirkwall, is otherwise interesting: it lends confirmation to the view that Bruce, like his staunch supporter the Bishop of Moray, found

* Buik of the Cronicles of Scotland, III., 239.

an asylum in the Orkney Islands during the dark winter of 1306.* Some Scots chroniclers say that he retired for refuge at that time to the Island of Rachrin (Rathlin), off the coast of Antrim, but certain English writers report that he fled to Norwegian dominions. The latter report is more likely to be true, for Rachrin could be no safe place from the English war-ships scouring the seas, while in Orkney Bruce was in the territory of the King of Norway, his brother-in-law, and within the earldom of another brother-in-law, the Earl of Caithness and Orkney. If Bruce lurked about Kirkwall during the winter 1306-7, in the company of the Bishop of Moray, the legend of St Magnus is explained, and so is the thank-offering for Bannockburn to the Cathedral at Kirkwall.

Pope John, who supported King Edward, and who was well paid for so doing, excommunicated Bruce, sought to force an unfavourable truce with the English upon the Scots, and refused to acknowledge Bruce as king. It was in this connection that the Pope sent a letter, dated September, 1319, to some of the leading Scottish nobles, among whom were William, Earl of Ross, Magnus, Earl of Caithness and Orkney, and William, Earl of Sutherland, vainly urging them to foster unity and peace.† The very next year the Scottish nobles and community, assembled at Arbroath, sent their famous reply to the Pope, declaring that while a hundred of them survived they would never yield to England. They further said :—

If, however, your Holiness, yielding too credulous an ear to the reports of our English enemies, do not give sincere credit to what we now say, or do not cease from showing them favour to our confusion, it is on you, we believe, that in the sight of the Most High, must be charged the loss of lives, the perdition of souls, and all the other miseries that they will inflict on us and we on them.

So much for the Pope's infallibility! Among the names

* Bain's "Edwards in Scotland," p. 55.

† Calendar of Papal Registers—Papal Letters, II., 428.

adhibited to this sturdy document are those of the three Earls mentioned above and that of Reginald le Chein.

In 1322 the Earl of Sutherland accompanied Bruce on his expedition into England, and took part in the battle of Biland, where the light armed Highlanders and Islanders scrambled up the rocky flanks so speedily that the day was won ere Edward realised that the battle had begun. Again, in 1333, Reginald Chein, Kenneth, Earl of Sutherland, and Hēw, Earl of Ross, led the northern men at the disastrous battle of Halidon Hill, where the Earls of Ross and Sutherland fell. It was during these stormy, stirring years that the family of Freskin of Moray gained a firm footing in the earldom of Sutherland.

Earl Magnus of Caithness and Orkney, who was dead by 1329, when Catherine his widow purchased certain lands,* left no issue. He was succeeded in the title of Caithness and Orkney by Malise, Earl of Strathearn, whose degree of relation to Magnus is uncertain. Though one half of the lands of Caithness pertained to Magnus only one fourth passed to Malise, with the rents of which he is charged in the Exchequer Rolls of 1331;† the other fourth, or part of it, probably fell to Margaret, spouse of Simon Fraser, and "one of the heirs of the Earl of Caithness," as is stated in her complaint raised before Parliament, 4th December, 1330.‡

Soon thereafter Malise forfeited the earldom of Strathearn, and had in consequence such a precarious tenure of his fourth of Caithness that he endeavoured to strengthen his position in the north by marriage alliances. Matilda, his eldest daughter by his first wife, he married to Wyland de Ard, who was probably a son of Simon Fraser. Malise took as his own second wife Marjory, daughter of Hew, Earl of Ross, and gifted the marriage of Isabella, his eldest daughter by the second wife, to William, Earl of Ross, her uncle, declaring at the same time

* Diplom. Norvegicum, II., 146.

† Exch. Rolls, I., 404.

‡ Acts of the Parl. of Scot., I., 511.

(1334) that he constituted said Isabella his heiress of Caithness.* We shall afterwards see that a great grandson of Isabella became the first Sinclair Earl of Caithness. As for Malise himself, he died without male issue before 1350, the title of Caithness then falling into practical abeyance, until it was bestowed anew by King Robert II. upon his own son David Stewart about 1375, Alexander de Ard disposing all his rights to the King's son.†

Undoubtedly the most powerful man of his time in Caithness was Reginald Chein, third of that name, who possessed one half of Caithness together with lands in Strathnaver, Duffus, etc. Gordonstoun describes him as "a Catteynes man, who dureing his tyme, wes a great commander in that cuntree; of whom many fables are reported amongst the vulgar . . . chieffie concerning his hunting, wherein he much delighted."‡ So persistent is tradition that his name is still preserved in the folklore of the people. The pool is shown below Dirlot tower where he wished to destroy his two infant daughters because they were daughters and not sons; and sites are shown near the exit of the river Thurso from Loch More and of the river Naver from Loch Naver where he built cruives for catching salmon, so constructed that a bell rang when a fish got entangled. These and similar tales, after a lapse of six hundred years, testify to his great power.

When Chein died about 1350 his lands were divided between his two daughters. Margery, who married Nicolas Sutherland of Thorboll, son of Kenneth, Earl of Sutherland, inherited one fourth of Caithness, Duffus, etc., and became progenitrix of the Duffus family of Sutherlands; while Mariot, who married as her second husband, with issue, John Keith of Inverugie, brought the other fourth into that family. It was by these two marriages that the Sutherlands of Duffus and Keiths of Inverugie obtained their footing in Caithness.

* Lib. Insul. Missarum, p. xliii.; Balfour Paul's "Scots Peerage," II., 320.

† Robertson's Index., pp. 120, 129. David Stewart's mother was Euphemia, sister of Earl William of Ross.

‡ Earld. of Suther., p. 54.

William, Earl of Sutherland, married by papal dispensation (dated December, 1342), Princess Margaret Bruce, and in consequence obtained the earldom of Sutherland in regality upon a charter to himself and to his spouse Margaret, the King's sister, and to the children begotten of them, dated 10th October, 1345. Margaret, who died in childbed on her only son John,* must have died ere the close of this last year, for by the middle of 1347 the Earl appears married a second time, with issue, to Joan, widow of Maurice, Earl of Strathearn.† Thus the second marriage was consummated before the Earl started on the expedition which ended in the battle of Durham, October, 1346, where Sutherland was taken prisoner. And so hastily was it contracted that it had afterwards to be dispensed by the Pope. The hasty marriage may have been due to a hope thus to unite the earldom of Caithness to that of Sutherland, a substantial hope but for what happened soon after, for Malise, deposed Earl of Strathearn, had only a shadowy hold upon Caithness, if indeed he had not died ere now.

In 1346 King David convened an army at Perth for an expedition into England, but ere he got under way William, Earl of Ross, caused Reginald of the Isles, with whom he was at feud, to be murdered in bed at the dead of night. Next morning the Earl of Ross withdrew from the muster and set out for home,‡ so also did the Islanders, and so did many of the Highland clans, for this incident threatened to set the heather ablaze in the north. With a greatly diminished army the feckless King proceeded into England, was disastrously defeated and taken prisoner near Durham, where also the Earl of Sutherland and many other magnates were captured. David's capture meant a ten years' stay in England, for not until 1357 was the King released on the promise of a sum of money in ransom, for which hostages had to be given, one of whom was John, Master of Sutherland, the King's nephew.

* Buik of the Cronicles of Scotland, III., 242.

† Calendar of Papal Registers—Papal Letters, III., 264.

‡ Bower's "Scotichronicon," II., 340.

Although King Robert Bruce had settled by an Act of 1318 that, should David his son die without male issue, the succession would devolve upon David's nephew, Robert Stewart, yet the childless King David purposed to make the Sutherland nephew his heir.* To secure this end David bestowed many lands all over Scotland upon the Earl of Sutherland, who in turn gifted them away to other magnates in order to purchase their support against the coming day.† It was not to be, however, for John, only son of the Earl of Sutherland by Princess Margaret, died of the plague in London (1361), and with him also died the hope of retaining the earldom of Sutherland in regality, for by the charter of 1345 that power was restricted to children of the body of the Princess.‡

During this unhappy period in the history of Scotland the north was very turbulent. We saw what took place in 1346, a singular evidence of the distracted state of the country when such a murder was possible before the very eyes of the King. We have further evidence to the same effect in the Earl of Sutherland's complaint to the Pope (1342), that "murders, burnings, depredations, forays, and other evils have frequently happened and cease not to happen continually, and many churches of these parts have suffered no small damages."§ Unfortunately things were not one whit better in the south of Scotland, especially in Annandale.

* Buchanan's "History," Aikman's ed., II. 37.

† Earld. of Suther., p. 53-4.

‡ Lands were generally held in barony and but seldom in regality. Lands held in barony were subject to the jurisdiction of the royal sheriffs and lieutenants, while those held in regality were practically autonomous; that is to say, the holder had almost absolute power over the people on his lands.

§ Theiner's "Vet. Mon.," p. 278.

CHAPTER VI.

CONFLICTS OF THE CLANS.

SOON after the death of King David, or about 1372, a prolonged feud between Nicolas Sutherland of Duffus and Caithness and the Earl of Sutherland, on the one part, and Iye MacKay of Strathnaver, on the other, came to a bloody head within Dingwall Castle, where the parties were entertained while the matters in dispute between them were being submitted to a court of arbitration. At the dead of night Nicolas Sutherland rose and slew in their beds the aged Iye MacKay and his eldest son, and then fled from the scene of the murder pursued.* Although this was a barbarous infraction of an elementary law of civilised life, it may well be that the dislocated arm of civil government found itself unable to punish him, and what further bloodshed it caused between the parties in the immediate future is not recorded.

King Robert II., who succeeded his uncle David II. in 1371, and who died in 1390, was closely connected with the north. His second wife was Euphemia, daughter of the Earl of Ross, who bore him David Stewart, created Earl of Caithness about 1375. Another son, by the first wife, Alexander Stewart, Lord of Badenoch, and afterwards Earl of Buchan, better known as the Wolf of Badenoch, was made lieutenant of all the territory between the confines of Moray and the Pentland Firth in 1372, † i.e., of Ross, Sutherland, Strathnaver, and Caithness. It was probably owing to Badenoch's interference that the attempt was made to settle the dispute between the Sutherlands and the MacKays already referred to. The King, who suffered from

* Earld. of Suther., p. 58; Book of MacKay, pp. 44-7.

† Robertson's "Index."

chronic inflammation of the eyes according to Froissart, was medically ministered to for many years by Farquhar, a son of the Iye MacKay who was murdered at Dingwall.* To the said Farquhar the King confirmed by charter in 1379 Badenoch's gift of Melness and Hope, and in 1386 bestowed upon him from himself the Little Islands of Strathnaver, designating Farquhar his beloved medico in the first charter, and his beloved and faithful leech in the other.†

It is conjectured that the handfasted wife of the Wolf of Badenoch, Mariota, the daughter of Athyn, as she is called in the Register of Moray, was a daughter of Iye of Strathnaver, and consequently a sister of Farquhar the leech. Gordonstoun says that the strain between the Sutherlands and MacKays eased off in the time of Earl Robert of Sutherland,‡ who came into power during the seventies of that century; but be it remembered that the said Earl was married to a daughter of the Wolf probably borne by Mariota. Such a marriage might help to smooth matters, and the Stewart link of connection between the two families might tell strongly. Anyhow, the Stewart influence for good and evil was very considerable in the north at this time; and when the young Earl of Caithness died without male issue before 1389, he was succeeded by his brother Walter Stewart, also Earl of Atholl.

The MacLeods of Lewis held lands on the western mainland of the province from an early date, for it is upon record that (c.1343) King David II. granted in heritage to Torquil MacLeod the four davach lands of Assynt with the fortalice in the isle thereof, on condition that the grantee did military service to the extent of one ship with twenty oars when required.§ A daughter of MacLeod, who married Angus MacKay of Strathnaver, found herself a widow not long after; and

* Book of MacKay, pp. 19, 48, 363.

† Ibid., p. 371. [For further information about this Farquhar, who is erroneously surnamed Beaton, see papers by Rev. A. MacKay in "Miscellany of Viking Club," III., 177, and by Captain Morrison in the "Celtic Review," II., 246. Dr. Henderson in his "Norse Influence on Celtic Scotland" also devotes attention to him.]

‡ Earld. of Suther., p. 59.

§ Robertson's "Index." This document was bound up with others of the fifteenth year of the King's reign, which gives the date c.1343.

quarrelled with the guardians of her young children. Her son Malcolm MacLeod, invaded and plundered some of the MacKay lands in Braechnat by way of revenge, but, as he was making his way back to Assynt laden with spoil, a force of MacKays overtook and overthrew him in Strathoykell. So great was the slaughter in Strathoykell that hardly any of the MacLeods escaped with their lives, and the battle was ever afterwards known as *La Tuiteam Tarbhach*, the Day of the abundant Fall.* This happened about 1404.

Soon after this another wave from the Western Isles, urged on by Donald of the Isles, burst furiously upon the north of Scotland. The occasion of it was as follows:—Alexander, Earl of Ross, died leaving an only daughter, the deformed Eupham, who had taken the veil. The nun, however, did what she was not legally entitled to do; she conveyed the earldom of Ross to her maternal cousin John Stewart, Earl of Buchan, a son of Robert Stewart, Duke of Albany and Regent of Scotland. MacDonald, whose wife was a sister of the late Earl of Ross, refusing to be bound by this underhand arrangement, drew the sword and took steps to vindicate his wife's right. With a large army he advanced through Ross to Dingwall, where he was confronted by Angus Du MacKay of Strathnaver in 1411, at the head of a considerable body of men. The upshot was a battle in which MacKay was defeated and captured, while his brother Rorie Gald was slain.†

It is a question of some importance why and how MacKay came to oppose MacDonald at Dingwall, a question which has never been threshed out so far as we are aware. Be it remembered that MacDonald's quarrel was with the Stewarts, a family that had grasped much land in Scotland within a couple of generations. The earldoms of Fife, Atholl, Strathearn, Buchan, Mar, Caithness, etc., passed to members of this family,

* Earld. of Suther., pp. 61-2. The above name has ever since stuck to the field where the battle was fought, and, what is very curious after the lapse of over five hundred years, a Strathnaver man may still be heard saying, when he has been very successful in anything, "Tha so mar La Tuiteam Tarbhach," this is like the Day of the abundant Fall. The echoes of such memories linger longer among the sequestered valleys of the north than they do on southern plains.

† Earld. of Suther., p. 63.

and now they strove to get Ross. The champion of the Stewarts was the Earl of Mar, an exceedingly experienced soldier,* whose uncle was Earl of Caithness, and whose sister was Countess of Sutherland. If his mother Mariota was a daughter of Iye of Strathnaver, as we suspect, then Angus Du MacKay was Mar's cousin, and might thus be induced to support the Stewarts. As the rising family of Stewart was very clannish, the combined influence of the Countess of Sutherland and of the Earl of Caithness would result in putting practically the united forces of the northern province at the back of Angus Du. Otherwise we do not see how MacKay could venture to stand up at Dingwall against MacDonald's huge army.

Scottish historians have distorted MacDonald's campaign into a rising of Celt against Saxon, of north against south, and so sane a writer as Professor Hume Brown has accepted this view. On the contrary, it was a scramble for land between two powerful families, and in the first pitched battle the men of Caithness, Strathnaver, and Sutherland, fought against their western brethren. Indeed it is probable that MacDonald prudently fell back from Harlaw, not because he got the worst of it there, but to guard against the enemies gathering in his northern rear, for this is what the men of the north would very likely do after they recovered from their defeat at Dingwall.

As for the captured Angus of Strathnaver, Donald of the Isles entered into some paction with him, gave him the hand of his sister in marriage, and upon the two bestowed (1415) the lands of Strath Halladale and some lands in Creich.† This does not mean that MacKay deserted the Stewarts for the Lord of the Isles, for MacDonald had also patched up some agreement with Albany.

In friendship with the Stewarts and with the Lord of the

* A chronicler gives an elaborate account of Mar's prowess at tournaments in England and France, and of his skill at some battles in the latter country. He mentions that "Johne of Suthirland, his newew," accompanied him on his knightly tour (Wyntoun's "Cronykil," III., p. 112). It may well be that his cousin of Strathnaver did so too, and in this way acquired an experience fitting him to lead the men of the north against MacDonald.

† Book of MacKay, App. No. 5, p. 375.

Isles, the Chieftain of Strathnaver was become very powerful. We next hear of him invading Moray and carrying thence great spoil. This is what a certain chronicler says :—

Ane berne that tyme baith bellicois and bald (bold),
 Hecht (named) Angus Duff, as my author me tald,
 Fra Strethnaverne with greit power and mycht
 Of bernis bald that hardie war and wicht,
 In Murra land he come vpoun ane da,
 And greit heirschip (pillage) had maid as I hard sa.*

And in the same breath we are told by another writer that he also plundered Caithness about this time. That is to say, to avenge the murder of the two MacKay chieftains at Dingwall about 1372, Angus Du first spoiled the lands of Duffus in Moray and then turned his attention to Duffus' lands in Caithness. The invasion of Caithness resulted in a battle at Harpsdale Hill, about a mile to the south of Halkirk village, where MacKay did considerable execution upon the followers and friends of the Sutherlands of Duffus.†

After a prolonged captivity in England, James I. returned to Scotland in 1424 and was crowned king. By way of maintaining order he began a policy of severe repression, confiscating the estates of such as incurred his displeasure, and selfishly adding them to the Crown demesne. In the spring of 1427 he came north to Inverness and called a meeting of Parliament, to which the northern chieftains trooped without suspicion, but forty of them were immediately apprehended and cast into prison. This was a policy of thorough with a vengeance, based upon the fatal Stewart principle of the divine right of kings, a policy which eventually cost James his life. Among the apprehended were Alexander of the Isles, Angus of Strathnaver, Makmathan (Matheson), Kenneth Mor (Mackenzie), and Angus Moray of Cubin.‡ All these were

* Buik of the Cronicles of Scotland, III., 534.

† Earld. of Suther., p. 63.

‡ Hearne's "Johannis de Fordun Scotichronicon."

afterwards released upon giving hostages, but others were executed.

So indignant were the MacDonalds at this treatment that Alexander of the Isles returned in 1429 and burned Inverness, and though he was soon after made to sue the King's peace, yet his cousin Donald Balloch in 1431 defiantly raised the standard of revolt in Lochaber. To quell this tumult the king dispatched two Stewart Earls, Alexander of Mar and Alan of Caithness. The latter became Earl of Caithness in 1430 upon the resignation of his uncle Walter, with the proviso that should Alan die childless the earldom returned to Walter or his heirs.* The two Earls encountered Donald Balloch at Inverlochy, and were mightily overthrown; Mar escaped from the field with his life, but Caithness fell. We do not know how many of the men of Caithness accompanied Earl Alan to Inverlochy, but few or many the most of them left their bones in Lochaber.† And by the death of Alan, the earldom of Caithness reverted to his uncle Walter of Atholl.

Not long after the Parliament at Inverness, Thomas Neilson MacKay of Creich, first cousin of MacKay of Strathnaver, attacked Mowat of Freswick in the neighbourhood of Tain, and driving him for sanctuary into the church there, set it on fire, burning Mowat and his party to death. As the Mowats held lands in Caithness‡ and to the south of the Moray Firth, it is probable that they had become involved in the feud between the MacKays and Duffus, and that this accounts for the Tain affair. The sacrilegious burning of the shrine of St Duthus at Tain gave great offence to the King; Thomas of

* Reg. Mag. Sig., 15th May, 1430, No. 152.

† Bower says that the Earl of Caithness fell "*cum sexdecim armigeris de domestica familia ejus, cum multis aliis*":—Bower's "*Scotichron.*," II., 491.

‡ Though the principal possessions of the Mowats lay in Buchan, they were closely connected with Caithness from an early date. In 1272 Lord William Mowat witnessed an important agreement between the Earl of Sutherland and the Bishop of Caithness regarding the church lands of the diocese. In 1410 William Mowat of Loscragy gave Freswick and Auckengill in wadset to his son John (Robertson's "*Index*"). And on 31st December, 1549, Alexander Mowat of Bucholie disposed some lands in his barony of Freswick, Caithness (Reg. Mag. Sig. 31st December, 1549, No. 402). Bucholie is in Aberdeenshire, but the ruined stronghold between Keiss and Freswick in Caithness is called Bucholie Castle to this day.

Creich was outlawed, and his lands offered to such as should apprehend him. This task was accomplished by a Morayman, Angus Moray of Cubin, who with the assistance of his two sons-in-law, Morgan Neilson and Neil Neilson, both brothers of Thomas, captured the culprit and brought him to Inverness, where he was executed. Thereafter the King bestowed upon the captors the escheated lands of Thomas, viz., Strath Halladale, Creich, Ferineroskey, Gairloch, etc., by charters dated 20th and 23rd March, 1429-30.*

Encouraged and strengthened by his success, Angus Moray soon after determined to attack Angus Du of Strathnaver, and to avenge the latter's raid into Moray. That this was the prime motive the *Metrical Chronicle* declares. At the head of between 1200 and 1500 men, and accompanied by his sons-in-law, he daringly crossed the Crask, swept round Ben Loyal, and penetrated to within two miles of MacKay's seat at Dun Varich, ere the Strathnaver men gave him battle at Drum nan Coup. The ensuing battle was so fiercely fought on either side that Bower, a contemporary historian, moralising upon the abnormal display of valour, ascribes it to the influence of the northern climate upon character.† Throwing away the encumbering kilt and plaid, the combatants set to in their shirts, hewing at one another with two handed swords and murderous battle axes, each determined to win or die. This is how the *Metrical Chronicle* describes the affair :—

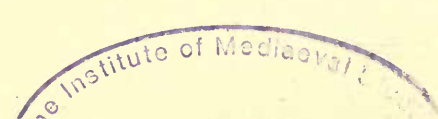
In that battell so baldlie all did byde,
 Nakit and bair that mycht tha ilkane (each one) feill
 (knowledge),
 With swordis scharpe and stiff axis of steill;
 Ilkone on vther so dourlie tha dang
 Into that stour that stalwart wes and strang.

Was neurir sene in na dais beforne (before)
 So cruell counter sen that God [His Son] was borne.‡

* Reg. Mag. Sig., 20, 23 March, 1429-30; Nos. 147-149.

† Bower's "Scotichron.," II., 491.

‡ Bulk of the Cronicles of Scotland, III., 534.



Bower records, and others copy from him, that but nine men, all of them wounded, escaped the bloody field. Angus Moray and his sons-in-law fell that day, so did Angus Du, but the spot is still shown at Ath Charrie, some miles from the field, where the last batch of Moray's men were slain in flight. That only nine of Moray's men made their way south is quite probable: overthrown and leaderless, in the heart of a wild and hostile region, where the very boys and women would attack the fugitives without mercy, their punishment must have been dreadful as they sped back. But that the Strathnaver men were practically exterminated too is not according to fact, for four years after this (in 1437) they were strong enough to invade Caithness and to overthrow their opponents at Sandside.* The foes at Sandside consisted presumably of the Duffus party and their allies in Caithness.

Early in 1437 Walter Stewart, Earl of Atholl and Caithness, was executed with barbarous cruelty, for art and part in the murder of King James I., and there is every reason to believe that any lands in Caithness pertaining to the Earl fell to the Crown. Thereafter the title of Caithness seems to have remained in abeyance until 1452, when it was conferred by King James II. upon Sir George Creichton, Admiral of Scotland, who died without issue in 1454. The lands in Caithness which passed to Creichton were Brawl, Dunbeath, Latheronwheel, and Watten, the chief messuage being Brawl Castle,† the seat of the ancient Earls. It is likely that the landed estate of the Earls of Caithness dwindled away since the time of Malise, and that the succeeding Earls did not wield much power in the land until the title passed to the Sinclairs.

The next Earl was William Sinclair, Earl of Orkney, created Earl of Caithness in 1455, and in whose family the title remains to this day. There are substantial grounds for concluding that Sinclair was a great-grandson of Isabella, daughter and heiress of Earl Malise of Caithness; but it is said that the earldom of Caithness was conferred upon him in compensation

* Earld. of Suther., p. 68.

† Reg. Mag. Sig., 26 April and 8 July, 1452, Nos. 549, 587.

for the lordship of Niddesdale, to which he was entitled by the marriage contract of his grandmother, a daughter of King Robert II.* As Sinclair got into trouble with his Orcadian subjects, and consequently with the King of Norway, who then owned Orkney,† it is but natural to suppose that he would welcome a Scottish title, especially seeing that he was Chancellor of Scotland. Sinclair married, as his second wife, a daughter of Alexander Sutherland of Dunbeath, a scion of the house of Duffus, whose wife was a daughter of Donald, Lord of the Isles and Earl of Ross. By this marriage the Earl obtained some lands in Caithness, and by this marriage he had a son and successor in the title.

The Sinclairs or St Clairs, who reached Scotland as early as the reign of David I., passed over from the Continent to England during the Norman period, and are consequently supposed to be of Norman extraction. It may be, however, that they are of Celtic extraction, natives of Armorica in France, and that their name is of ecclesiastical origin. From a very early period Clair was one of the tutelar saints of Armorica, whose principal seat was at Nantes,‡ whence the St Clairs probably sprung.

On 17th September, 1470, the King confirmed by charter to William, Earl of Caithness, all the donations, etc., granted by himself or his predecessors to the said Earl, as well as the offices of justiciar and sheriff within the earldom of Caithness.§ Upon the resignation of Earl William, 7th December, 1476, the King conveyed in heritage to William Sinclair, the Earl's son and successor, the lands of the earldom of Caithness, the

* Additional Sutherland Case.

† Orkney and Shetland were not annexed to the Crown of Scotland until 1472. About the same time Sinclair resigned the title of Orkney, which may have become necessary in order to reconcile the Orcadians to Scottish rule.

‡ Celtic Review, VI., 34. [M. Josse in his article, "An Outline of Breton History," to which attention is directed in this reference, says:—"The older Armoricans and the Bretons had quite different religious organisations. The former obeyed a secular clergy. Their great saints were bishops—Clair and Similien at Nantes, Patern at Vannes, Melaine at Rennes."]

§ Reg. Mag. Sig., 17 September, 1470, Nos. 996-1002.

patronage of the Hospital of St Magnus, Spittal, together with the offices of justiciar, chamberlain and sheriff throughout the bounds of the bishopric of Caithness, extending from the Pentland to the Dornoch Firth, and from the east sea even to the west.* Possessed of these great offices, which brought power and riches from emoluments and fines, the house of Sinclair must have speedily gained a leading place in the Province.

Before the Sinclairs rose to power in Caithness the chieftain of Clan Gunn was Crowner in these parts, "a great commander in Catteynes . . . and one of the greatest men in that country."† Gordonstoun relates that there was a feud between the Clan Gunn and the Keiths, that it was mutually arranged to settle the matters in dispute at the chapel of Teer, near Wick, to which Crowner Gunn and Keith were to repair by a certain day, with twelve mounted men apiece. Gunn kept the appointment as arranged; but Keith came with twelve horses, each carrying two men, and fell upon the Gunns, slaying the Crowner and most of his companions. The exact date of this affair is not known, but it must have been subsequent to 1461.‡

In the prosecution of this bloody feud, Keith obtained the assistance of Angus MacKay of Strathnaver and of MacLeod of Assynt, and with their help overthrew the Gunns in a pitched battle at Tannach Moor, to the south of Wick. Thereupon a section of the Clan Gunn, afterwards known as the Robson

* Reg. Mag. Sig., 7th December, 1476, No. 1267. The father made resignation in order to strengthen the hold of his heir, a common custom.

† Earld. of Suther., p. 93. The Crowner is traditionally known as "Am Braisdeach Mor," "The great Brooch-wearer," from his official badge. It was the duty of a crowner to supervise the collection of the royal revenue, to arrest escheated lands or goods in the king's name, to apprehend criminals, and to see to it that barons punished lawbreakers within their bounds. A defaulting baron, harbouring bad characters, was subject to a fine of ten pounds at the next justice aire, should a crowner report the matter.—Scots Acts., 1st October, 1487, vol. I., 132.

‡ When the MacDonalds raided Orkney in the summer of 1461 (Anderson's "Ork. Saga," p. lxx.) the Crowner was alive (Col. de rebus Alb., p. 306). The perpetrator of this deed was Sir Gilbert Keith of Inverugie and Ackergill, who appears as collector of customs of the province in 1481 (Orig. Par. Scot., II., 846). In 1488 Sir Gilbert was appointed along with two others for the "stanching of theft, and reff, and other innormitey" in the North (Act Parl. Scot., vol. II., 208). A strange appointment for such a man, but characteristic of the times.

Gunns, removed to the heights of Braemore, and there settled. At the same time a son of the Crouner passed over to the heights of Strathullie, where the MacHamish Gunns took root.

Although the Gunns were badly bruised, they took fearful and summary vengeance upon the Keiths within little more than half a century after, as Gordonstoun tells.* The following is the traditional account. As the Keith of that day was passing through Sutherland, on his way from Inverugie to Ackergill, accompanied by a small retinue, William MacHamish, grandson of the Crouner, ambushed him. Concealed behind some brushwood, a superior force of Gunns poured a shower of arrows upon the Keiths at close quarters, shouting as they did so, "*Tomachagair nan Guinneach gu Ke*" (the Gunns' compliments to Keith). Then, leaping at the devoted band, they cut them down to a man. With Keith there fell that day his only son and heir.†

Angus MacKay of Strathnaver, whose mother was of the Balnagown family, had a dispute with Alexander Ross of Balnagown, which resulted in much bloodshed during the closing years of the 15th century. After a good deal of mutual raiding, MacKay at length invaded Ross and reached Tarbet, where he was overpowered, driven into the church, and there burnt to death. To avenge the fall of the Chief, the MacKays returned not long after, accompanied by the MacLeods of Assynt, and gave battle to Ross and his allies at Aldy Charrish, in Strathcarron, on the 11th July, 1487. Gordonstoun, who bases his account upon the Fern Abbey MS., says "The inhabitants of Rosse, being unable to indure the enemies' force, were utterly disbanded and put to flight." He proceeds,

* Earld. of Suther., p. 92.

† In support of the latter part of the tradition, it is on record that Elizabeth Keith, niece and one of the heirs of the late Sir William Keith of Inverugie, resigned all the lands of the deceased, in Caithness and elsewhere, into the hands of Keith, Earl Marischal, and his spouse Margaret, her own sister; and that the King confirmed this grant hereditarily (Reg. Mag. Sig., 30th June, 1538, No. 1798). Evidently the Keiths of Inverugie had become extinct in the male line before 1530. If this was due to the action of the Gunns, the slaughter at the chapel of Teer had a terrible sequel.

"Alexander Ross, laird of Balnagowne, wes ther slain, with seaventen other landed gentlemen of the province of Rosse, besyds a great number of commoun souldiers."*

Five years later the MacKays again returned to Strathcarron and spoiled it grievously. Then the civil authorities took up the matter, but that arm was too feeble to quench a fire which sputtered away until after the middle of the following century.†

We shall now give a few items from the *Acta Dominorum Concilii*, 1478-95. The Lords of Council decree (19th June, 1494, p. 329) that William and Andrew Keith wrongfully hold and occupy the lands and stronghold of Dunbeath, order them to deliver up the same to Alexander Dunbar for the time specified in his tack, and to pay £20 to Dunbar in name of damage. Sir Gilbert Keith raised an action before the Lords of Council (30th June, 1494, p. 345) against the Earl of Sutherland, anent the forty pound lands belonging to Keith hereditarily in Strathullie. What the upshot was is not told. On 1st July, 1494 (p. 348), the Lords decree that John, Earl of Sutherland, and his accomplices, did wrong in taking and holding the castle of Skelbo, and in withholding the two bairns of John Murray; order that the Castle be delivered up to its owner, Thomas Kinnaird, that the children be set free, and that the Earl pay 100 marks to Kinnaird‡ for damage done. On 20th October, 1495 (p. 395), Margaret, Countess-Dowager of Sutherland, complained that Sir James Dunbar (her brother-in-law) and John Reoch MacKay, in Strathnaver, hindered her from peaceably possessing her terce lands of Cracock, Culgower,

* Earld. of Suther., p. 78. In the Calendar of Fern, preserved in the library of Dunrobin Castle, it is said that Ross' wife, a daughter of Alexander Sutherland of Duffus, "had the wyt of the field of Aldyharves" (Scot. Antiquary, IV., 9-10). Did a daughter of Duffus drag Ross into the MacKay-Duffus feud? It looks like it.

† Book of MacKay, pp. 68-74, 92.

‡ The lands of Cubin, in Moray, and the barony of Skelbo, in Sutherland, passed into the hereditary possession of Thomas Kinnaird upon his marriage of Egidia, daughter and heiress of Walter Moray of Cubin and Skelbo, about 1440 (Loch's "Dates and Documents," p. 46). The Kinnairds afterwards sold Skelbo to the Sutherlands of Duffus c.1528 (Scots Peerage, III., 197).

etc., and from collecting the rents of her tenants there. The Lords order MacKay and Dunbar to desist.

Not long after this, Alexander Sutherland of Dirlot attacked and slew Alexander Dunbar, husband of the Countess-Dowager of Sutherland, and was outlawed for doing so. He was apprehended by Iye MacKay of Strathnaver, brought to the King at Inverness, and there executed along with ten of his accomplices. The King there and then, 4th November, 1499, bestowed upon MacKay in heritage Sutherland's lands in Caithness, Sutherland, Strathnaver, and Orkney.* It should be noted that MacKay was one of a number of Highland chieftains whose services King James IV. retained to maintain order, rewarding them as in this case.† It was not a wise policy, for it stirred up as many broils as it quelled.

The fall of Sutherland of Dirlot and the extinction of the great territorial influence of his house must have weakened the hands of the other families of the name of Sutherland on both sides of the Ord. Nor was this all their loss. A few years earlier Alexander Sutherland of Duffus died, leaving his estate, as he and others thought, to his daughter Christina, whose marriage was purchased from the King by William Oliphant, second son of the first Lord Oliphant. Christina's succession, however, was disputed on the ground of illegitimacy by her cousin William Sutherland of Querrelwood (near Elgin). The case was in litigation for several years in the spiritual courts at home and in Rome, but eventually a compromise was effected (about 1507) by which Christina obtained the lands pertaining to her father in Caithness and Strathbrock, while the lands in Duffus and the barony of Torboll, in Sutherland, went to Sutherland of Querrelwood, whose descendants were afterwards known as the Sutherlands of Duffus.‡ In this way the Oliphants came into great possessions in Caithness, but for many years thereafter the newcomers found their possessions more nominal than real.

* Reg. Mag. Sig., 4 November, 1499, No. 2506.

† Book of MacKay, p. 74.

‡ Orig. Par. Scot., 765; Scots. Peerage, III., 196.

The closing years of the 15th and the opening years of the 16th century saw the Western Isles seething with rebellion, for a scion of the house of MacDonald had put on his war-paint, and was claiming the lordship of the Isles. Among those who got into trouble at this time was Torquil MacLeod of the Lews, who also held the lands of Assynt and Coigeach on the mainland. In the Parliament of 1505 Torquil, who refused to put in an appearance, was declared guilty of prolonged treason and put to the horn. The following year Huntly, assisted by MacKay of Strathnaver and other mainland chiefs, crossed over to the Lews and after some fighting took Torquil prisoner.* Thereafter the rents of the lands of Assynt and Coigeach were temporarily given to MacKay of Strathnaver, but on 29th June, 1511, the King restored these and other lands to Malcolm, "son and heir of the late Rory MacLeod of the Lews."† Malcolm was probably a brother of Torquil.

In this MacLeod affair Andrew, Bishop of Caithness, took an active part as an agent of the King, rendering assistance in organising the expedition, and afterwards in managing the MacLeod lands and raising the rents during the years 1508-13.‡ The same Prelate was somewhat similarly engaged in managing the landed estate of the Earl of Sutherland, which also lay in the King's hands about this time.

At a meeting of Parliament on 15th March, 1503, it was reported that there was "a great lack and fault of justice in the north parts," especially in the dioceses of Ross and Caithness, in consequence of the huge extent of the sheriffdom of Inverness, which included the dioceses of Inverness, Ross, and Caithness. It was enacted that the sheriff be empowered to appoint a subordinate sheriff for each of the three dioceses, the courts in the northern diocese to be held at Wick and at Dornoch, and that appeal cases go to the justice aire at Inverness. This arrangement looks well on paper but the reality was far other-

* Acts Parl. Scot., II., 264; Treasurer Accounts, III., lxxxi.

† Reg. Mag. Sig., 29 June, 1511, No. 3578.

‡ Pitcairn's "Criminal Trials," I., 124.

wise, for the sheriffs of that day were always powerful barons with a long purse, who purchased their office for a sum of money, and might be utterly ignorant of law. King James IV. drew a revenue of 30,000 ducats annually from the farming of justice, as Don Pedro de Ayala reports to his master, the King of Spain.* The administration of civil law in these circumstances must have been of necessity a byword and a reproach.

Towards the close of 1508, the King bestowed the office of sheriff of Inverness hereditarily upon Alexander, 3rd Earl of Huntly,† who was also lord lieutenant of the north, and consequently very powerful. That same year, John, Earl of Sutherland, who was of unsound mind and under guardians since 1494, died, leaving a son John and a daughter Elizabeth by his first wife, whom he had divorced, and a son Alexander by a second marriage. Adam Gordon, a brother of Huntly, had married Elizabeth, and the Gordons determined to capture through her the title and estate of Sutherland. At a court held at Inverness (24th July, 1509), under the presidency of Huntly, John Sutherland, a feeble-minded, facile man, who was much under the influence of Elizabeth and her husband, was served heir to his father in the title. On the same day, the appointed curators of his half brother, Alexander, who was under age, renounced their ward's "jus hereditarium" (right of inheritance) to the estate and title of Sutherland, for a stipulated annual rent of forty merks out of the estate, which the court agreed to.‡ The interests of Alexander were scandalously betrayed by the curators, a not uncommon feature

* Hume Brown's "Early Travellers in Scotland," p. 42. From the same quarter we gather that other fruitful sources of revenue were the selling of wards; the disposing of marriages; and succession dues; which came to about two years' rent. For presentation to bishoprics and abbeys the King enjoyed one year's revenue, and all the revenues during the vacancy of a see. At this time (1498) the King possessed nine earldoms as his personal property, which all came by forfeiture, and one of them was Sutherland.

† Reg. Mag. Sig., 16th January, 1508-9, No. 3286. The office of sheriff of Inverness was a hereditary possession of the Earls of Ross, afterwards Lords of the Isles, but John of the Isles had to make resignation in 1476, when the office was "inalienably annexed to the Crown" (Tytler's "Hist. of Scot.," II., 211, ed. 1864).

‡ Earld. of Suther., p. 84; also Additional Sutherland Case.

of the times, and the presiding sheriff was more concerned in the advancement of his own family than in the administration of justice.

Gordonstoun tries to palliate the affair by insisting that Alexander Sutherland was a bastard. But that cannot be. For if Alexander was a bastard he had no *jus hereditarium*, canon law cut him off completely, and he had no standing at all. The whole transaction proves his legitimacy absolutely—the appointment of curators, the annual rent of forty merks, and the steps taken afterwards to suppress him.

Five years after this (in 1513) the King made an expedition into England which ended disastrously at Flodden, where fell with the King the Earl of Caithness, the Bishop of Caithness, John Riavach MacKay, etc., all from the Far North. Seeing that Huntly, who commanded one of the divisions of the army in the battle, was lieutenant of the north, that the Bishop was King's Chamberlain for the earldom of Sutherland, and that MacKay of Strathnaver was thirled to the King by various grants, we may safely conclude that a large body of men from the northern province fought and fell on Flodden Field, when "The Flowers of the Forest were a' wede away." So great was the loss all over Scotland that the administration of law suffered through lack of suitable men to fill the offices, and the new King was but an infant.

It was in these circumstances that Earl John of Sutherland was brought to Perth on 13th June, 1514, where he was declared an idiot and put under the charge of his sister, whom he said he wished to be his heir.* Two months after this Earl John conveniently died—how and where we cannot say—and a few days thereafter his sister took steps to get herself served heir to the estate and title. When the service of Elizabeth was about to proceed at Inverness (3rd October, 1514), the procurator of Alexander Sutherland was admitted to object to the brieve, and complained that his client himself could not get safe access to the court on account of the hostility of the

* Sutherland Book I., 73.

sheriff.* That is to say, the sheriff prevented the rightful heir from putting in appearance at all, while the packed bench was busily engaged on the process which handed over the earldom of Sutherland to his own sister-in-law.

It was vain for Alexander Sutherland to appeal from this court to the King, for King James V. was only a child and Huntly was one of his chief guardians. Sutherland appealed to the sword, but his kith and kin had been much weakened lately, a fact of which the Gordons were well aware, and on which they presumed. The great family of Sutherland of Dirlot was wiped out in 1499, and the vast territorial influence in Caithness of Sutherland of Duffus had just passed to the Oliphants, with whom Duffus was waging a bloody feud. But Sutherland held Dunrobin Castle and gathered not a few around him, while Adam Gordon and his wife dwelt at Newark on the Spey, whence they directed operations.†

The policy of the Gordons was to separate from Sutherland as many of the powerful families in the diocese as possible, and to attach them to their own interests by gifts of land and otherwise. In 1516 Adam Gordon, who now began to style himself Earl of Sutherland, made a bond of friendship with the Earl of Caithness, in which he engaged Caithness to recover Dunrobin Castle from Sutherland, to support himself and his wife in their possession of the earldom, and to collect its rents for their behoof.‡ In return he bestowed upon Caithness twenty pounds worth of land in Strathullie, viz., the lands of Helmsdale, Balnavaleich, Suisgill, Doypull (Duble), Kildonan, Kinbrace, Knockfin, and Free. Gordon made a similar bond with Iye MacKay of Strathnaver in 1517, and the following year, upon the decease of MacKay, the bond was renewed with his son John of Strathnaver, when it appears that seven davachs of land in Strathfleet were bestowed upon the MacKays.§ While John Moray of Aberscross, another

* Sutherland Additional Case.

† Sutherland Book, I., 75.

‡ Ibid., I., 77.

§ Book of MacKay, p. 384-6.

powerful man, had conferred upon him the feudal ward and marriage of the two heiress daughters of William Clyne of Clyne.*

Alexander Sutherland, however, managed to keep the field in the earldom and his flag flying on Dunrobin Castle for some years. This so exasperated the Gordons that in 1519 Huntly put Caithness to the horn and had him declared an outlaw for not fulfilling his promise to take and hold Dunrobin Castle for Adam Gordon.† If Gordonstoun tells the truth, Alexander Sutherland was also outlawed by the same influence, and was at length surprised and slain near Brora, by forces sent north to effect this under the command of Leslie of Kinninvy. Sutherland's severed head was thereafter fixed upon the chimney tops of Dunrobin, and there left to bleach in the pitiless sun.‡ Thus perished the male heir of the Sutherland line, and thus the Gordons possessed.

There is evidence in the bond of friendship (1518) which Adam Gordon made with Iye MacKay of Strathnaver that there was bad blood between the latter and John Moray of Aberscross, for the memories of Drum-nan-Coup were still vivid. But the lands in Strathfleet, viz., Lairg, Shinness, Moy, Ryne, and Cragy, which were bestowed upon MacKay by this bond, brought him into the immediate neighbourhood of Moray, and gave rise to bickering. Gordonstoun says that MacKay made two raids into Strathfleet—he ignores the lands MacKay had there—during one of which he burnt the village of Pitfure.

About this time, MacKay, along with the Mathesons and Polsons, attacked the Morays and their confederates at Torran Du, Rogart, where, after a stiff fight, the Gunns unexpectedly came upon the scene, and put the invaders to flight, as an old Gaelic poem of that period says.§ A few months later the Aberach MacKays returned to the conflict, and at Loch Salchie

* Earld. of Suther., p. 94.

† Sutherland Book, I., 83.

‡ Earld. of Suther., p. 96.

§ Book of MacKay, p. 83.

gave battle to John Moray, who was there slain. The Aberach Chieftain and his brother fell also on that stubbornly fought field.

During the years of strife for mastery between the Gordons and the Sutherlands, and especially towards the close of them, Gordonstoun would have us believe that Alexander Gordon, Master of Sutherland—master was the old Scottish title of an earl's or a baron's eldest son—was engaged in a prolonged conflict with the MacKays. For this there is no evidence at all, but much to the contrary, as is shown in the *Book of MacKay*.^{*} That there was strife and confusion in the diocese is undoubted. The MacKays were at feud with the Morays and Rosses; the Gunns bore a deadly hatred to the Keiths, and did not like the MacKays for the Day of Tannach; the Sutherlands of Torboll saw everything pertaining to the name of Oliphant red; and other families had their own particular grievances. But the Gordon policy was peace, for they were newcomers seeking to take root in the northern soil and buying friendship with gifts.

During these same miserable years, the aftermath of Flodden, Charles Oliphant, son and heir of William Oliphant and Christina Sutherland, was slain by the Sutherlands. He was succeeded in the estate by his brother Andrew, who entered into a covenant with the Earl of Caithness in 1518 to marry within two years any one of the Earl's three sisters whom the Earl should choose.[†] This he did to fortify his position in Caithness, where he had great possessions but few trusty followers, for many of his tenants preferred the banners of their own clan chieftains. By 1526 his position in Caithness became so untenable that he disposed his estate to his cousin Lawrence, 3rd Lord Oliphant, stipulating at the same time that a suitable provision be made for his two daughters.[‡] In this way the Oliphant barons became possessors of a large estate in

^{*} Book of MacKay, pp. 81-4.

[†] Scots. Peerage, VI., 542.

[‡] Orig. Par. Scot., II., 765.

Caithness, but they do not seem to have ever become a serious power in the land. Perhaps the clan system militated against their influence.

Seeing that about the same time Earl Keith entered into possession of the Caithness lands of Keith of Ackergill, who was slain by the Gunns as has already been shown, it follows that the old Chein lands in Caithness were now held by the Lords Keith and Oliphant. Of the two Keith was by far the more powerful. The principal seat of Keith was Ackergill Tower, two miles to the north of Wick; that of Oliphant was Auldwick castle, a mile to the south of Wick on the sea rocks, but Berriedale castle also belonged to him.

In the early summer of 1529 John, Earl of Caithness, 3rd of the Sinclair line, made a hostile expedition into Orkney at the head of 500 men, accompanied by his relative Lord Sinclair, who had been expelled by the Orcadians the previous year. The object of the expedition was to subdue the Orkneys and to reinstate Lord Sinclair, for the Earl and his ally had set both eye and heart upon winning these isles.* The leader of the Orcadians was a Sir James Sinclair, and in the respite which the islanders afterwards got for their slaughter of the Caithness men the names of eight other leading Orkney Sinclairs appear,† proving that this was an intestine quarrel. The men of Caithness attacked the islanders at Summerdale, about ten miles to the west of Kirkwall, on the 18th May, and there was great slaughter on either side, as Leslie says. Eventually, however, the Caithness men were overborne and practically annihilated, for those who took refuge in the rocks and sea caves were afterwards sought out and slaughtered.‡ This victory, says Leslie, the Orkney folks ascribed to St Magnus, who "that day fought for the liberty of their country (whose patron he was), which many saw and wondered." Tradition says that all that came back to Caithness of the Earl was his

* Leslie's "Hist. of Scot.," II., 218; Scot. Text Soc. ed.

† Old Lore Miscellany of Viking Club, II., 95.

‡ Earld. of Suther., p. 102.

salted head in a sack, an incident which gave rise to the Gaelic malediction,

Siubhal Mhorair Gall do dh'Areu duit;
Gun thighinn dachaidh ach an ceann.

May you have the Earl of Caithness' journey to Orkney;
Let naught of you return but the head.

The interests of the family of Duffus had much improved during the time of William Sutherland, who purchased the barony of Skelbo from Kinnaird c.1528, and who obtained the nonentry of the lands of the lately deceased John MacKay of Strathnaver from the King on 31st March, 1530.* Soon after this Duffus visited Caithness and reached Thurso. The object of his visit had probably some connection with the lands which he got in nonentry. Gordonstoun says that the Bishop of Caithness, "vpon some conceaved displeasure which he had received," moved certain parties to murder the Laird of Duffus in the town of Thurso, that this caused a great commotion throughout the diocese, and that the Bishop had to fly for safety to his relatives in Atholl.† On 3rd September, a number of the clergy of Caithness had to find caution (John, Earl of Atholl) to underlie the law and to appear at Inverness at a justice aire, for art and part in the slaughter of the Laird of Duffus, and for the slaughter of others at the same time.‡ The fall of others along with Duffus points to a bloody struggle on a considerable scale.

What was the result of the criminal trial, if it ever took place, is not recorded, but we cannot think that it came to anything, and Gordonstoun points that way too. Bishop Andrew Stewart was a son of the Earl of Atholl, his sister was married to the 3rd Earl of Huntly, and consequently he was himself a grand-uncle of the hereditary sheriff of Inverness,

* Scots Peerage, III., 198.

† Earld. of Suther., p. 102.

‡ Pitcairn's "Criminal Trials," I., 149.

before whom the case had to be tried. In the circumstances the decision was a foregone conclusion in favour of the reverend prelate and the spiritual shepherds of Caithness.

As we are within thirty years of the Reformation, when the Romish Church, long established in the realm, fell from her proud position, it is meet that we should now show how it was faring with her during the period under review in this chapter. She was undoubtedly richly provided with material resources. In every parish throughout the diocese she exacted year by year a tenth part or teind of all the corn, hay, flax, etc., raised by the tenants of lands other than church lands. Nor were these tenants permitted to garner their crops until the Church secured her tithe, a frequent source of irritation. Similarly the Church took a tenth part of the natural yearly increase of sheep, goats, horses, cattle, pigs, etc., according to a certain fixed scale. For a milking cow the teind was a fortnight's produce of cheese and butter during good, grassy weather, and for every hen two eggs were paid. If animals grazed within the parish for only a portion of the year, a quota of teind proportionate to the grazing time had to be given to the parish priest.*

There were various other items, such as marriage fees, baptism dues, ecclesiastical fines, mortuaries, etc., which all went to swell the revenues of the Church. We here quote from the Statutes of the Church as to the payment of death duties :—

If the dead's part exceeds . . . let a cow be given to the church of the parish. If it is said that the defunct has nothing, let it be believed on the oath of two neighbours, and let the biggest and best coverlet be given. . . And if any one dies without bequeathable property, let the heirs who have [such goods and gear] be compelled to pay the debt to the church on his behalf. . . And for infants whose mothers die, let them pay to the church not less than the parents would do. . . .

If the defunct choose a special place of sepulture, let him in the first place be carried to the church of his parish, and, the dues being paid there, let him then be conveyed to the

* Statutes of the Scottish Church, pp. 21, et seq.

place he has chosen. Note that if a man live in two parishes and die in one of them, he will give to each church a corpse present and the upper coverlet, unless he were a freeholder.*

When a person of some influence died, the clergy were not content with the cow or coverlet which the smaller fry paid. They insisted that the executors of such a one produce an inventory of the goods left, within nine days after the demise, in order that the Church may get a sufficient portion—how much is not said. Failure to do this within the specified time rendered the executors subject to excommunication if they were laymen.†

The Church of Caithness held a vast amount of real estate all over the diocese, in the form of lands, tenements, fishings (salt water and fresh), ferries, etc., the gifts of pious donors, which the churchmen let to tenants and tacksmen for a yearly rent. So great was the church's landed estate at this period that her annual rental must have been considerably larger than that of the holders of the earldoms of either Sutherland or Caithness. Indeed it is nearer the mark to say that it might equal the rental of the two earls added together, strange as this may seem to some readers. But a careful study of the charters in the Register of the Great Seal, defining and specifying the church property, dilapidated by the Bishop of Caithness after the Reformation to various laymen, will amply confirm our estimate.

The protection of all this property, the collection of teinds and dues from a turbulent people in an unsettled age, and the collection of rents needed something more than the exercise of the spiritual arm, strong though that was. Besides the palace at Dornoch, which was the Bishop's residence, the Church maintained and held with a garrison of armed men two fortified

* Statutes of the Scottish Church, p. 47. The corpse present of a cow to the Church became known in the Gaelic speaking Highlands as "bo-orsainn," and this cruel tax continued to be exacted in Caithness and Sutherland by the heritors from their tenants until after the middle of the 18th century. It is a tradition in the Strathnaver country that Donald, 4th Lord Reay, ceased to lift the "bo-orsainn" death-tax under the influence of Rob Donn the poet.

† Ibid., p. 281.

Castles, one at Skibo and the other at Burnside, Scrabster, to overawe "thieves and lynaris." On 9th November, 1478, the King confirmed the charter of Bishop William of Caithness, conferring upon Gilbert Mudy, the Bishop's brother, the constabulary of the Castles of Scrabster and Skibo, for the defence of Church property; and at the same time giving to the said Gilbert ten merks of land for his service.* This shows the protective purpose of these castles, and there are various similar charters of a later date.

According to the feudal custom of the times, the Church of Caithness, like the greater barons, had a distinct martial coat of arms, and the blazon was—Azure a crown of thorns or, between three saltires argent.† When the churchmen assembled their tenants in hosting, and sent them forth to the wars, this device was borne upon the banners of the armed host. And sometimes the churchmen took the field along with their tenants, as witness Flodden and the Bishop of Caithness.

The wealth of the Church of Caithness, like that of the Roman Church all over Scotland, was an element of weakness and not of strength. Her benefices were sought, for the sake of the emoluments, by the younger sons of nobles, and were not seldom conferred upon the illegitimate offspring of the royal house, with little regard to the moral and spiritual fitness of the recipients. Andrew Stewart, the Bishop of Caithness, who fell at Flodden, was an illegitimate relative of the King, and a great pluralist. He was Abbot of Kelso, Abbot of Fearn, and Bishop of Caithness; but he devoted his strength to secular affairs, and died with a sword in his hand and a shirt of mail upon his back. His successor in the bishopric, another Andrew Stewart, was a son of the Earl of Atholl, bastard brother of King James II. This was the Bishop who was involved in the murder of Sutherland of Duffus, an unbishop-like business, and his successor was his own nephew, Robert Stewart, an out-and-out vicar of Bray, as we shall see, son of the Earl of Lennox.

* Reg. Mag. Sig., 9 November, 1478; No. 1404.

† Keith's "Scottish Bishops," p. iii.

So rampant was simony in the Church during the latter half of the 15th century, that the Parliament of 1471 endeavoured to legislate against those who purchased benefices at the Court of Rome, and who then settled down to exact exorbitant taxes and tithes from their helpless flocks.* But legislation failed to cure the evil, for the Church was too strong for the State.

As might be expected, the morals of such a clergy as this system produced were scandalously loose; priests' concubines, and the bastard children of priests, abounded. The gross immorality of the clergy is painfully depicted in the Statutes of the Church, and that the state of matters in the northern diocese was as bad as elsewhere is proved by various entries in the Public Records, where *Mac-an-t-Sagairt*, son of the priest, and *Mac-an-Easbuig*, son of the bishop, are too frequently found in lists of names.† The ranks of the clergy were often recruited from the bastard children of priests,‡ and even a priest's son might succeed his celibate father as incumbent of a parish.

It was a dark and miserable period in the religious history of the people, but there must have been some good men among the clergy, otherwise it is difficult to understand how the Reformation came, although it must be owned that it came very tardily in the north, and was rather forced upon the people than sought by them. If the people, however, were slow to

* Scots Acts, I. 109.

[† In addition to these surnames may be added MacNab, Gaelic "Mac-an-Aba," the son of the abbot; MacPherson, G. "Mac Phearsain," son of the parson; MacVicar, G. "Mac-a-Bhiocair," son of the vicar. The Galwegian surname MacChlery is derived from "Mac-a-Chleirich," son of the cleric; the Gaelic for Buchanan is "Mac-a-Chananaich," son of the canon, and in this connection it is interesting to observe that the Skye sept of the MacPhersons are designated "Cananaich," the canon's family. These surnames tell their own tale; and in them, the sins of the bishop, canon, abbot, parson, cleric, vicar, priest, are all perpetuated. For the law of the pre-Reformation Church in Scotland on the subject of celibacy see Dowden's "Medieval Church in Scotland," pp. 308-319., and for evidence of the astounding immorality of the Scottish clergy see Hay Fleming's "The Reformation in Scotland," pp. 40-81; and Patrick's "Statutes of the Scottish Church," pp. lxxxvii-xciv. In 1381 Bishop Alexander of Caithness petitioned Pope Clement VII. (Anti-Pope) for license to dispense fifty persons of illegitimate birth so that they may be ordained and hold a benefice. The petition was granted for twenty-five.—Cal. of Entries in the Papal Registers—Petitions to the Pope, I., 565.]

‡ MacGill's "Old Ross-Shire," I., 5.

entertain the Reformation, this is not surprising, for the clergy utterly neglected to teach them the knowledge of letters, and consequently unfitted them to receive the new truths. So much was this the case that Adam Gordon, Earl of Sutherland, and his wife Elizabeth, signed a document in 1525 "wt. my hand at the pen, led by . . . a notar public," while another document of about the same period was signed by the Earl of Caithness "wt. my hand on pen."* That is to say, they needed help to sign their names.

When such a state of matters was possible so late as 1525, there was not a little cause for the fierce and bitter lampoons passed upon the clergy at this time. Duncan Laideus (an assumed name), the Glenlyon satirist, writing after 1512, and as one about to die, makes the following bequests to the vicar and parson, in which he gives a too true picture of many such clergymen at that time. Here are the poet's words:—

To the vicar I leave diligence and cure (care)

To take the upmost cloth and the kirk cow
More than to put the corpse in sepulture.

Have poor widow six grice (piglings) and a sow,
He will have one to fill his belly fou (full).

Oppression the parson I leave untill (unto),

Poor men's corn to hold upon the rig
Till he get the teynd all whole at his will,

Suppose the bairns their bread should go thig (beg).†

* Sutherland Book, III., Nos. 73, 63.

† Cosmo Innes' "Sketches of Early Scotch History," pp. 362-3.

CHAPTER VII.

THE BARONS AND THE FALLING ROMISH CHURCH.

THE changes in the ranks of the leading holders of land in the diocese during the years 1529-30 were so marked as to call for some notice. The slain John, Earl of Caithness, was succeeded by his second son, George; the dead Master of Sutherland was succeeded by his infant son, John Gordon, who became Earl of Sutherland upon the death of his grandmother, the Countess Elizabeth, in 1535; the murdered William Sutherland of Duffus was succeeded by his son William; and to the deceased John MacKay of Strathnaver his brother Donald MacKay succeeded. Besides this, Earl Marischal, William Keith, obtained the Caithness lands of Keith of Inverugie, and two or three years earlier Lawrence, 3rd Lord Oliphant, obtained a large estate in Caithness, as already recorded. Thus before the close of 1530, at a time when new ideas and influences were thrusting themselves upon the attention of thoughtful Scotsmen, the leading positions in these northern parts were almost all held by new men, some of whom lived long enough to take an active share in the weltering future.

About this time Donald MacKay, afterwards of Strathnaver, along with Sir John Campbell of Cawdor, assisted the Master of Forbes in the prosecution of an Aberdeenshire feud, during which Alexander Seaton of Meldrum was slain. Pitcairn gives the following item :—

“At Dundee, 10th October, 1530, John, Master of Forbes, found caution (John, Lord Forbes) for his appearance along with Ninian Forbes, John Caldore, and Donald Makky, at the

Justice-aire of Aberdeen, to underly the law for art and part of the cruel slaughter of Alexander Setonne of Meldrum.*

What made the MacKays go so far afield in search of a quarrel, when there were broils enough at home, it is difficult to say. The MacKays looked upon themselves as sprung from the same stock as Forbes,† and are afterwards found at different times assisting one another, but this is not a sufficient explanation.

On the 26th July, 1536, Donald MacKay obtained for himself and for the inhabitants of Strathnaver, Durness, and Eddrachillis, a respite for all past actions, crimes, etc., treason against the King's person excepted.‡ We presume that this respite had some connection with the earlier slaying of Seaton, and find confirmation for this view in the fact that the Master of Forbes was not long after brought to trial upon a charge of plotting against the King's life, found guilty at an assize, and executed on 10th July, 1537. Calderwood says that this sentence was an unjust one, and chiefly due to the malign influence of Huntly, who corrupted the judges and seduced the witnesses.§ It should be remembered that Huntly himself was a relative of Seaton of Meldrum, for the first Earl of Huntly was a Seaton, who took the name and arms of Gordon upon marrying a Gordon heiress.

King James V. was extremely hostile to the Earl of Angus and to all the house of Douglas, as readers of Scottish history know. Angus himself was driven for asylum into England, and many of those related to him were held suspect of the King, such as the Master of Forbes and Lady Glamis, both of whom were executed on strange charges of treason. Lady Glamis was a sister of Angus, and was married to a Campbell, while the Master of Forbes was married to her sister. It seems that the Campbells and MacKays were at this time supporters of the powerful Earl of Angus, and that the slaughtered Seaton was

* Pitcairn's "Criminal Trials," I., 149.

† Book of MacKay, p. 6, et seq.

‡ Pitcairn's "Criminal Trials," I., 248.

§ Historie of the Kirk of Scotland, I., 112.

of an opposite faction. Of the banished Angus we shall hear more later, for other Scottish refugees, some of them interested in a reformation of religion, gathered round him in England, and in this way the coming Reformation in Scotland was promoted.

The Seaton affair, and association with the friends of the hated Earl of Angus, put MacKay in such an unfavourable position that he could not get legal entry from the King to his ancestral lands in Strathnaver and Caithness. It was in these circumstances that the King gifted the nonentry of these lands to Duffus in 1530, until the rightful heir should be duly returned.

The succeeding Duffus was not long in getting into trouble. Far from satisfied with the amends made by the clergy of Caithness for his father's slaughter, he eventually took the law into his own hands, but lived to rue his rashness. The affair fell out in this fashion. During the summer of 1539, Alexander Gray, vicar of Farr, and commissary of Caithness, while on his way to transact business with the Bishop in Atholl, was seized in bed in Elgin by a band of Sutherlands, carried to the house of Alexander Sutherland, brother of the deceased Duffus, and from thence conveyed to the house of Querrelwood, where he was kept a close prisoner for a time. To hold up the commissary in this way would naturally throw the secular affairs of the diocese into confusion, and was intended to spite the Bishop. * But to seize a shaveling priest in bed was monstrous; to murder a laird was quite another matter. The law could be blind to the latter crime; the former was too enormous to overlook. Duffus was smartly summoned up before the authorities in Edinburgh, clapt into prison for daring to lay a finger upon Gray without a commission, and kept in durance until he gave a free discharge and quitclaim to the Bishop and to the clergy for the part they took in murdering his father.* Such was the power of a pampered and vicious clergy, and such was the scandalous administration of law!

* Pitcairn's "Criminal Trials," I., 222; Earld. of Suther., p. 102.

In the latter respect the Gaelic proverb is amply justified, *Is eam agus dìreach an lagh*, the law is crooked and straight.

It is worthy of note that Bishop Andrew Stewart resided in Atholl since the slaughter of Duffus, leaving the management of the affairs of the diocese on the spot to a commissary. Perhaps the prelate's skin was safer in Atholl than among his flock at Dornoch. Nor is it likely that he ever came north again, for he passed away in a couple of years after this, leaving a fat living to his young nephew of Lennox.

James V., who is popularly known as the Gaberlunzie King in consequence of his fondness for wandering among his subjects in disguise, sailed from Leith in May, 1539, with a fleet of twelve well armed ships on a cruise round the north of Scotland, through the Hebrides, and on to Dumbarton, accompanied by Cardinal Beaton and the Earls of Huntly and Arran. The object of the cruise was twofold : to chart the north and west of Scotland, and especially to get into close personal touch with his distant subjects. The King visited the shores of Caithness, explored some of the Orkney islands, rounded Cape Wrath, and passed on to the Hebrides.*

Pitcottie says that the King found much land in the north and west held without fendal charter or any regard for legal entry, that he confiscated a few of the estates, but confirmed others by charters duly given ; for which they would have to pay, let the reader rest assured. He proceeds that the King summoned some of the headmen aboard, among them being Donald MacKay of Strathnaver, Roderick MacLeod of the Lews, MacLeod's leading kinsmen, etc., that he punished the guilty and rewarded others.† MacLeod became a fast friend of the King, and MacKay no less so, both being won by his frank and kindly manner. At the end of the voyage the King granted to Donald MacKay his ancestral lands of Strathnaver, etc., in heritage, by a charter dated at Stirling.‡ In this charter

* Holinshead's "Chronicles," V., 514.

† Lindsay of Pitcottie's "History," p. 152.

‡ Reg. Mag. Sig., 16 December, 1539; No. 2048.

MacKay is styled "of Fer," sasine to be taken at the principal messuage of Farr, i.e., at Borye Castle.

There is no doubt that King James drew the chieftains of the Hebrides and northern mainland to his allegiance by this cruise. And he sorely needed their help, for many of the leading Scots barons were turning sulky at his growing subjection to clericalism and his increasing hostility to religious freedom. The situation was getting desperate, when it is frankly stated in an Act of Parliament (1540) for the reformation of religion, that the "vnhonestie and misreule of kirkmen, baith in witt knowledge and maneris, is the mater and caus that the kirk and kirkmen are lychtlyit and contemptnit." Well, after making this lamentable acknowledgment, and imploring the bishops to reform their lives, the Act proceeds to lay a heavy hand upon heretics, offers rewards to such as will assist to hunt them down, and strictly forbids anyone to dishonour the images of saints.* A pill for an earthquake, holy water for the raging Pentland Firth!

The King confirmed and gave anew to Hector Munro of Foulis, and to his heirs, half of the lands and fishings of Fernecosky in Braechnat, viz., one half of the lands of Inzeorane, Lynsetteroy, Lynsett-more, Altasbeg, Altasmore, Achiness, and of the mill of Inzeorane, together with all the lands of Creichmore and the fishing of the Kyle of Oykeell, by charter dated 20th April, 1541.† The other half of these lands was purchased about the same time by George Munro of Dalcarty from Thomas Dingwall of Kildun. In this way the Munros continued to have a stake in South Sutherland for several generations.

A dispute between MacKay and Duffus about lands and nonentry dues was submitted to James, Earl of Moray, who gave his decision in 1542. The lands round about Lochnaver, which the house of Duffus held off the Church of Moray during the past two centuries, he allocated to Donald MacKay, upon condition that the latter paid 250 merks to Duffus by way of

* Acts of the Parl. of Scot., II., 370.

† Reg. Mag. Sig., 20 April, 1541; No. 2336.

compensation, and an annual sum of 12 merks to the Church of Moray. As for the nonentry dues, Duffus was awarded a further sum of 450 merks. "Understanding the great slaughters and injuries committed on each other by the ancestors of the parties in consequence of their disputes" about the church lands, the arbiter urged "that both parties should mutually forgive past injuries, and should thenceforward live as friends."* The hope of the arbiter was happily realised, for the award removed a baneful bone of contention between the two families, and stanchd an old and bloody sore.

King James was steadily drifting under clerical influence into a war with his uncle of England, who had broken with the Vatican. When the summer of 1542 was far spent, he summoned a muster near Edinburgh of all the fighting men in the land; the Lowlanders to be armed with pikes and spears, the Northmen "with bows and habergeons, and two handed swords, which was the armour of our Highland men," as Pitseottie says. There was a goodly muster of men from all parts, but the barons refused to march into England, although stormed at by the King, and in the end this army was disbanded without drawing a sword.

The King, however, managed to scrape together a body of 10,000 men, which he dispatched under Oliver Sinclair to the miserable rout of Solway Moss, where almost all the leaders were taken prisoners and carried into England. There Lord Oliphant was captured, and there Iye Du MacKay, son of Donald of Strathnaver, fell into the hands of the English.† MacKay was at the head of a levy of Strathnaver men, but whether Lord Oliphant had any of his Caithness tenantry with him we cannot say, although it is likely that he retained those who came south to the first muster.

So deeply affected was the King by the practical rebellion of his barons, and by the fiasco at Solway Moss, that he sickened and died, leaving the Crown to his newly-born daughter

* Orig. Par. Scot., II., 711.

† Book of MacKay, p. 90.

Mary, and his country to a miserable débâcle of misrule at the hands of warring factions.

Late in 1541, or early the following year, Robert Stewart, brother of Matthew, Earl of Lennox, was a candidate for the vacant see of Caithness. Though he was never a priest, as Keith says, and barely 27 years of age, the benefice was bestowed upon him, and his election duly confirmed by Pope Paul I. in 1542.* The Bishop was practically a powerfully supported layman of the ruling class, who assumed clerical vestments that he might qualify to draw the ecclesiastical revenues of the see, and not endowed with any spiritual fitness for the sacred office that we can discover. He speedily flung himself into the political chaos which followed the death of the King, and soon brought trouble upon himself and others.

After a good deal of twisting and turning, the political situation in Scotland eventually resolved itself into two factions. At the head of the larger, which favoured a French marriage for the infant Queen, were the Queen-mother, Cardinal Beaton, the Regent Arran, Huntly, etc. The other party supported the policy of Henry VIII. of England for the marriage of Mary to the King of England's son, and its leaders were Angus, the Douglasses, Glencairn, etc., together with many of those who were taken prisoners at Solway Moss. The French party was pronouncedly Romanist, but the English party had many in its ranks who fled to England from religious persecution, and who therefore desired a reformation of religion at home. In course of time Lennox, denied the Queen-mother's hand in marriage, joined the party of the English lords. To it also belonged Lord Oliphant and MacKay's son Iye Du, both captured at Solway Moss, MacLeod of the Lews, and very probably MacKay himself.

In May, 1544, Glencairn attacked the Regent Arran at Glasgow, and was assisted by MacKay's son Iye Du, who afterwards obtained a remission from Arran for this offence, dated 10th March, 1554.† Upon the failure of this attack, Iye Du

* Pitscottie's "Chronicles," I., xciv., Scot. Text Soc. ed.

† Reg. Sec. Sig., xxvii., fol. 24.

MacKay returned to England and continued in the service of that country until his father's death towards the beginning of 1551.*

During the year 1544 the Bishop of Caithness proceeded to England, joined his brother Lennox, and with him returned to Scotland to make unsuccessful war upon the Regent. The Bishop's conduct in visiting the heretical English King, and in supporting his emissaries, gave great offence to the Arran party, and especially to the more Romanist of them. At a meeting of the Secret Council in April, 1545, the Bishop was declared escheated of the secular fruits of his benefice, but at a later meeting of the same Council, held on 6th August, the Queen, who was not yet three years of age, is said to have remitted his treason, although he has to appear at St Andrews before a spiritual tribunal appointed by the Pope to try his case.† At a meeting of Parliament in September, a charge of treason was brought against him, but upon a protest by Cardinal Beaton that a civil court had no jurisdiction over a Bishop, the case was not proceeded with, although Lennox, his brother, was forfeited.‡ The friendship of Beaton, the secret remission in name of the infant Queen, and the eventual restitution of Bishop Stewart, undoubtedly indicate that he avowed himself a faithful Roman Catholic to his brethren. That he had no sympathy with the movement for reformation is very likely; but what a haughty claim Beaton made for the clergy!

Seeing that the Bishop's delinquency had been taken in hand already, and that a spiritual court was about to be appointed to try his case, the raising of the matter in Parliament was probably due to hostile influence which sought to profit by the prelate's fall. Nor are we left in doubt about the matter, for at that very meeting of Parliament Alexander Gordon, Huntly's brother, was appointed Bishop-postulate of Caithness, which means that he was to draw the revenues for many a day. This appointment was part of Huntly's reward

* Book of MacKay, pp. 95-6.

† Orig. Par. Scot., II., 609.

‡ Acts of the Parl. of Scot., II., 458-9.

for serving the government during the late troubles, a *quid pro quo* which he never failed to exact.

Gordonstoun says that as soon as the Bishop passed into England, Caithness seized the Castle of Scrabster and MacKay occupied the Castle of Skibo; that they refused to give these up when the Bishop was restored; that Huntly and Sutherland took the Bishop's part, marched to Helmsdale with an army and compelled Caithness to acknowledge his fault; "and the more to testifie his [Caithness'] submission, he crossed the river of Helmsdell with great danger on foot, which wes then so deip and overflowen, by reasone of the floods and speats of rain, that the water came to his brest, as he passed the same. . . . Thus wes Bishop Robert Stuart repossessed in his owne bishoprick."* This is a false and biassed account of the affair. It is true that Caithness seized Scrabster and that MacKay took possession of Skibo; that they did so upon a pretended right from the Bishop may be correct, for MacKay's son was then in the field serving with the English lords, and Sinclair of Dunn, the Earl's brother, was the Bishop's bailie in Caithness,† but that the Gordons of Sutherland and Huntly hastened to the rescue of Bishop Stewart, and terrified Caithness into submission, is utterly untrue. On the contrary, the Gordons made haste to snatch at the spoil, as we saw, and when they marched to Helmsdale Water in 1544, Caithness faced them there with an army of 2500 in battle array, unfurled his banner and set them at defiance.‡ Indeed Caithness' defiance on that occasion was laid to his charge at a later date, when he was called to account for other things. Yes, the boot was on the other foot at Helmsdale with a vengeance, for Caithness' large army—wherever he got the men—so staggered Huntly that he complains of the indignity shown to himself as Queen's lieutenant.

As for MacKay, he seems for years to have romped about

* Earld. of Suther., p. 112.

† Henderson's "Caithness Family History," p. 109.

‡ Pitcairn's "Criminal Trials," I., 395.

in Sutherland with great impunity, and to have given the Gordons no end of trouble. John Gray of Kilmalie appeared before the Earl of Sutherland, and "swore on the relics of Saint Gilbert," within the chapterhouse at Dornoch, 23rd April, 1545, "that he was innocent of the coming of the servants and accomplices of Donald MacKay of Far within the bounds of the earldom of Sutherland, and of the depredation and slaughter committed by them therein."* Evidently the Strathnaver men were far from being cowed either. The truth is that the Sinclairs and MacKays, rightly or wrongly, took speedy possession of the revenues of the bishopric, and the Gordons endeavoured to go one better by getting a Gordon appointed Bishop-postulate.

For two or three years the Bishop-postulate appears to have reaped the fruits of the see to the exclusion of the bishop-elect, for this is what may be seen under date 30th March, 1548:—

Robert, Bishop-elect of Caithness, Sir John Mathesoune, Chancellor of Caithness, Hercules Barculay, rector of Cannisbay, and three others, found George, Earl of Errol, surety for underlying the law on Apr. 30 for stouthreif, taking and detaining from Mr Alexander Gordoune, postulate of Caithness, the house and place of Scrabister, and for seizing upon the fruits, teinds and other emoluments of the bishoprick of Caithness.†

The Bishop-elect, however, managed to buy out Alexander Gordon by granting him a yearly pension of 500 merks out of the revenues of the see,‡ and this he very likely did before his case came on for trial in April. By this arrangement Bishop Stewart had to carry Gordon upon his back like an old man of the sea, to the tune of 500 merks, and nothing in return, all the days of his life. And this same Alexander Gordon drew the revenues of Galloway as well. Truly some of the pre-

* Orig. Par. Scot., II., 609.

† Pitcairn's "Criminal Trials," I., 337.

‡ Orig. Par. Scot., II., 615.

Reformation clergy knew how to play the parasite, and Gordon was one of them.

Fraser writes, "The church lands of Caithness were at this time somewhat of a bone of contention among the neighbouring landowners, and probably this fact had some influence in the promotion of the marriage" of Eleanor Stewart, the Bishop's sister, to the Earl of Sutherland, a young widower.* This marriage took place in August, but as Eleanor had borne an illegitimate son to the late King, it was found that the union was not valid without the Pope's dispensation, which was duly obtained on 15th April, 1549.† We shall see betimes that Fraser's surmise regarding this marriage is amply justified, for from that time the church lands of Caithness began to pass piece by piece to the Earl of Sutherland and the issue of this union, until at last all the church lands of the bishopric, with but few exceptions, had become the property of the Sutherland family, not long after the Reformation, when the old church had gone to pieces. Let us proceed with our story, however, and not anticipate.

About this time the Earl of Sutherland entered into a bond of mutual defence with Bishop Stewart, wherein it is stated that troubles, oppressions, fire, slaughter, stowth and hairship occur daily throughout the diocese; and the Earl binds himself to support the clergy in gathering teinds, rents, etc., for which he is to be rewarded at the rate of £100 a year, one-half to be paid at Martinmas and the other at Whitsunday.‡ Like the rest of Scotland at this time, Caithness and Sutherland were in a very distracted state since the King's death; the influence of the clergy was waning and their spiritual thunder was disregarded, when the Bishop had to confess his impotence after this fashion.

Having squared the Bishop-postulate and his cousin of Sutherland, Stewart proceeded to smooth down the other

* Suther. Book, I., 108.

† Ibid., I., 107.

‡ Ibid., III., 97.

leading heritors of his diocese. On the 26th April, 1549, he brought together the Earls of Sutherland and Caithness at Scrabster Castle, and induced them to draw up a bond of mutual friendship, by which they promised to stannch old slaughters and quarrels.* Two days after this (28th April), Caithness, Sutherland, MacKay, and Bishop Robert, met in Girnigoe Castle, and "all four, on apparently quite equal terms, entered into a mutual bond of friendship and defence, swearing to be faithful to each other all the days of their lives."†

But to make assurance doubly sure as far as Caithness was concerned, the Bishop bestowed upon him heritably and in feu, by charter dated 6th August, 1549, the lands of Mey, twopenny lands in Stroma, the piper's croft and tenpenny lands in Wick, and the twopenny ecclesiastical lands of Orlig rectory, for an annual reddendo of about £96.‡ These ecclesiastical lands the Earl afterwards reconveyed to his own son William Sinclair in 1572, and in course of time they were erected into the barony of Mey. Six days after this charter was granted, the Earl bound himself and his heirs to defend the Bishop and his successors in the exercise of their functions, and to this effect solemnly gave his bond of manrent in the Cathedral of Dornoch.§ MacKay, too, had been thirled to the Bishop and to the kirk by the hereditary feu of the fifteen davochs of church lands in the parish of Durness, granted by Bishop Robert's predecessor to MacKay in 1540, for an annual reddendo of £81 6s 8d.**

After the marriage of Eleanor Stewart to the Earl of Sutherland, the Bishop became very friendly to Sutherland and Huntly, and through them got into friendly relations with the Queen-mother, who was plotting to overthrow Arran and to strengthen Roman Catholicism in the land. To this end she passed over to France in the autumn of 1550, having in her

* Suther. Book, III., 107.

† Ibid., I., 109.

‡ Reg. Mag. Sig., 7 July, 1603, No. 1467.

§ Beaton's "Eccles. Hist. of Caithness," p. 319, et seq.

** Papers penes Lord Reay.

retinue the Earls of Sutherland and Huntly, etc., and the prelates of Caithness and Galloway, all prime favourites now. Ere Mary of Lorraine and her companions returned from France the following year, Donald MacKay of Strathnaver had died, and his son Iye Du was back from England claiming his ancestral patrimony. But this proved a difficult task, for young MacKay's politics had been directly opposed to that of the Guise party for some years. Captured at Solway Moss (1542) and carried prisoner into England, Iye Du MacKay joined the party of the English lords and fought against the Regent Arran at Glasgow in 1544, whence he returned to England upon the failure of the attack and took service with the English, like many another Scotsman at that period. He was present with the English army at the taking and fortification of Haddington in 1548, and seems to have gained a great deal of military experience in the English service upon the Borders.*

Such conduct was hateful to the Franco-Romish party in Scotland, and especially to Mary of Lorraine, for Henry of England was a Protestant, and aimed at a union of England and Scotland by the marriage of young Mary, Queen of Scots, to his own son the Prince of Wales—a project which had the support of many Scots, Reformers and others.

To punish Iye Du MacKay, the Secret Council now declared that his grandfather's marriage was not legitimate, that his father Donald had lived and died an intestate bastard, and consequently bestowed the lands of Strathnaver in a provisional sort of way upon Bishop Reid of Orkney. To proceed against MacKay in this fashion was a piece of pettifogging not surpassed by anything that we know at that dismal period. The marriage of his grandfather, Iye Roy MacKay, was not in strict accord with canon law, which was true of multitudes of marriages at that time, when canon law forbade the marriage of third cousins; but Iye Roy was married, and the issue of that marriage he legitimated by royal precept on 8th August, 1511.† Nay, more, Donald MacKay, the son of Iye Roy and

* Book of MacKay, pp. 94-6.

† Reg. Sec. Sig., IV., 145; Book of MacKay, pp. 77-8.

the father of Iye Du, obtained the ancestral lands by charter from the King on 16th February, 1540, and bestowed a provision upon his wife Helen Sinclair, mother of Iye Du, upon the 22nd February, 1545.* Notwithstanding all this, however, Iye Du MacKay was disinherited, and his lands conveyed to one who had no connection with the family.

We strongly suspect that Huntly and Sutherland had much to do with meting out this punishment to MacKay, and the sequel will show whether we are justified in the surmise. The Gordons tried a similar plan with much success upon Alexander Sutherland, some thirty-six years earlier, when the earldom of Sutherland was captured by Adam Gordon.

In 1552 the Queen-mother, accompanied by Arran and Huntly, came on circuit to Inverness, where many of the leading men of the north were summoned to appear before them, such as John of Moidart, Iye Du MacKay, the Earl of Caithness, and the Chief of Clan Gunn. But none of those put in appearance, for they were afraid of Huntly the Sheriff, and not without cause, remembering how he had the Mackintosh executed upon a trumped up charge two years earlier. The charge against "MacKay, chief of the clan of Strathnavar, and the Glen-gunns," was that they had "often done great damage to Sutherland, the district nearest them," as Bishop Leslie records.† In consequence of their refusal to appear at Inverness, he says, the Queen-mother empowered the Earl of Sutherland to invade Strathnavar with a great army and to capture them. That is to say, MacKay was first disinherited, and then put to the sword, because he refused to keep the peace with those who put him in this position.

Sutherland must have made careful preparation, for he did not invade Strathnavar until the summer of 1544, when he not only led a large army of foot levies, but was supported by a fleet sent by the Queen-mother from Leith, under the command of Kennedy of Girvanmains, the Earl's uterine brother.

* Reg. Mag. Sig., 22 February, 1545, No. 3215. Book of MacKay, App. Nos. 13, 15. pp. 388, 393.

† Leslie's "Hist. of Scotland," II, 365. Scot. Text Soc. Edit.

Kennedy himself sailed aboard the privateer "Lion" in August, having with him in this ship 50 marines and 20 skilled artillerists.* MacKay, however, was too practised a soldier to sit still and await attack. He dispatched his cousin John Mor "with a company of the best and most resolute men in all Strathnaver, spoiling and wasting the east corner of the province of Sutherland," and burning the chapel of St Ninian at Navidale, as Gordonstoun says. He also says that this party was overtaken in the hills of Garvary, laden with spoil, on the homeward march, and there severely handled by a body of Sutherland's men.† He, however, post dates this affair, which took place on the 24th July, 1544,‡ and is surely not correct in saying that the Gunns fought against the MacKays at Garvary, seeing that Sutherland was in pursuit of the proscribed MacKays and Gunns.

As the invasion developed MacKay fell back upon his stronghold of Borge, on a sea rock at Farr, where the cannon taken from Leith became of use. A battery was planted on the eastern horn of Borregoe, an eminence overlooking the Castle, which continues to be known as Ru-nan-gunnach, Gun-point, whence the artillery blazed away, until the defences were knocked to pieces and the stronghold fell. But MacKay himself did not abide in the hold to the end: he slipped away, leaving it in charge of his cousin, gathered a company of resolute men, made a dash into Sutherland, cut the invading army's line of communication, and destroyed Loth, not sparing its church even, as Gordonstoun reports. The odds against MacKay were so great, however, that he at last surrendered to Kennedy of Girvanmains in order to save his country from further destruction, and was imprisoned in Dumbarton Castle, where he lay from February to October, 1555.§ Ere MacKay surrendered, Huntly had temporarily fallen from power and

* Balfour's "Annals," I., 306; Treasurer's Account.

† Earld. of Suther., p. 135.

‡ Scots Peerage, VIII., 341.

§ Treasurer's Account.

been heavily fined, otherwise MacKay would very likely follow Mackintosh to execution. As for the Clan Gunn, Leslie says that they found caution and that further proceedings against them were dropped.

The Queen-mother again came to Inverness on circuit in 1555, and rewarded the Earl of Sutherland by a pension of 1000 merks, which was to cease "when the queen was able to confer on himself wards and marriages, or on some friend such a benefice as should be equal to that amount. At the same time she conferred on him the care of the earldom of Ross, and appointed him bailie of the lands of Farr," the latter being MacKay's lands.* If MacKay was sorely punished, surely Sutherland was lavishly rewarded. Two years earlier (in 1553), Bishop Stewart granted to Sutherland, his brother-in-law, the bailiary of all the lands, bounds, "roumes," and possessions of the bishopric of Caithness hereditarily.† Thus Sutherland grew in power.

About this time Bishop Stewart brought nine charges against the Earl of Caithness, which we summarise as follows :—First, that the Earl has violently seized, and keeps in prison, David Sinclair of Dun, the Bishop's bailie and the Earl's brother. Second, that he harbours at Girnigoe, Arche Keith, who laid violent hands upon curate Mearns, within the sanctuary of Wick church, in December, 1550; and who thereafter slew the Bishop's chamberlain, the Rev. John Simson, Mearns' godfather. Third, that one of his retainers laid violent hands upon the curate of Bower, within the sanctuary of Watten, at Easter, 1552. Fourth, that he broke the sanctuary of Farr church, by laying hands upon eighteen aged persons seeking shelter there, when some folks in that part were at the horn, and that his followers took away from the kirk the chalice, chrissumstock, eucharist, and ornaments of the altar, thus hindering the administration of ordinances. Fifth, that when David Sinclair, the Bishop's bailie, seized the corn of William

* Suther. Book, I., 111.

† Orig. Par., Scot., II., 610.

Keith in Deran [Durrán] for debt to the Bishop, the Earl's officers took the corn and threshed it. Sixth, that the Earl has deprived a poor, old priest, Thomas Cormackson, of his duty "of ruid service of the kirk of Wyk [Wick]." Seventh, that the Earl forbids at his courts any to take a tack of teinds within the bounds of Caithness without his permission, whereby the Bishop suffers. Eighth, that he violently took the teinds of Wick from those to whom they were sèt. Ninth, that the tenants of the Bishop, to the north of the Ord, are daily troubled by the Earl's officers, who poind their cattle and sometimes cruelly slay the herds, one of whom was lately dragged from the girth of St Magnus [Spittal], and slain without confession, although he often cried for it.*

There is evidence here of much violence towards the clergy, but the *Privy Council Register* also shows that the clergy and churches suffered in different parts of Scotland at this fermenting period, when the Church of Rome was tumbling to pieces.

On the 18th September, 1553, the Lords of the Secret Council, being informed of the slaughters, spoils, etc., committed in the north parts, especially between the Earl of Caithness and MacKay, summoned the said Earl to appear at Inverness before Huntly and the Bishop of Ross, and to bring with him sufficient pledges for his good rule, failing which he is to be put to the horn.† When Caithness did appear, he was put in ward at Inverness, then removed to Aberdeen, and from thence brought in ward to Edinburgh, where he purchased his freedom with a great sum of money.‡

On the 18th December, 1556, George, Earl of Caithness, obtained a remission from the Queen, to endure during his life, as follows:—For art and part in the slaughter of William Auld; for taking David Sinclair of Dunn and imprisoning him at various times, for burning his house, and for destroying his ship and goods; for transgressing in whatever way the

* Proceeds. of the Soc. of Antiqs. of Scot., XI., 287 et seq.

† P.C. Reg., I., 147 (First Series).

‡ Leslie's "Hist. of Scot.." II., 376.

commission of George, Earl of Huntly, then lieutenant of the Queen in the north, in pursuing with fire and sword certain rebels of the Gunns and MacKays, while these clans were at the horn; and for other minor offences, such as the taking of kelts during close time, and the destruction of young trees.*

David Sinclair of Dunn, the Bishop's bailie, seems to have suffered severely at the Earl's hands. It should also be noted that a good deal of the slaughters, etc., between the MacKays and Sinclairs at this time, was due to Huntly's commission to Caithness to pursue the two clans at the horn for attacking Sutherland, as we saw. To set neighbours by the ears was Huntly's policy in the north: when they became exhausted fighting, he stepped in and extended his own power.

Notwithstanding the Queen's remission to Caithness of the 18th December, his enemies formulated a number of other charges against him five days thereafter, as follows:—For capturing a boat laden with victual opposite Girnigoe, during which some were slain; for art and part in the slaughter of the Rev. John Simson by Arche Keith, Wick; for art and part in the slaughter of Hugh Neilson in Strathullie, by way of hame-suken; for art and part in collecting a number of people, seizing the tower of Ackergill belonging to the Earl Marischal, and expelling Scarlet the keeper; for violent occupation, during the years 1553-6, of one fourth of the fishing of the Thurso, given in nonentry by the Queen to the Master of Oliphant; and for coming against Huntly at Helmsdale in 1544 with 2500 men in battle array.† What the result of this trial was we cannot say.

Not long after this (on 20th July, 1559) Caithness entered into a matrimonial alliance with Alexander Sutherland of Duffus, whereby Duffus stipulated that his eldest son Alexander, then five years of age, whom failing his succeeding son, should marry Elizabeth Sinclair, the Earl's daughter, or failing her any other daughter whom the Earl should appoint.‡ By this

* Reg. Mag. Sig., 18 December, 1556; No. 1128.

† Pitcairn's "Criminal Trials," I., 395.

‡ Reg. of Deeds, III., f. 264.

agreement Alexander, Master of Duffus, married Elizabeth at Lammas 1568,* but, predeceasing his father without issue, his succeeding brother had to marry Margaret, youngest daughter of the Earl.† While these documents show that Caithness was set upon strengthening himself by marriage alliances, the first agreement, in which Duffus stipulated to give his heir in marriage to any of the Earl's daughters whom the latter might choose, seems to imply that Duffus was as anxious to strike hands as Caithness. Probably the growing power of the Earl of Sutherland was as much a menace to Duffus as it was to Caithness. Hence the origin of this matrimonial alliance.

In 1557 Bishop Stewart granted to John, Earl of Sutherland, and to his wife Eleanor Stewart, the Bishop's sister, the following church lands, etc., hereditarily, viz., the lands of Wester Skibo and Mill, Sythera (Cyderhall), Vilest, Ardalles (Ardallie), Ferretoun (Ferrytown) with boat and ferry, Dawachfyn (Davoeh-fin), Drumdewane, Auchiveyauch (Achvaich) with its pendicles, Auchegormolaye (Achlormarie), and Auchenecolas, and the Palace of Dornoch with the whole lands, crofts, etc., of the city of Dornoch, all in Sutherland; the lands of Force (Forss) with mill and salmon fishing, Ballze (Baillie), Stambuster (Stemster), ten pennylands of Wick, Canzeouchquyis,‡ Bischopsquyis,‡ North Kilummister (Killimister), South Kilummister, the mill of Wyndeles (Windless), the mill of Lythe, the nine and a half pennylands of Scrabustar (Scrabster) with the Castle, and the fourth part of the salmon fishing of the Thurso, all in Caithness, for a yearly reddendo of £227 11s 4d. At the same time the Bishop also appointed the Earl and his heirs hereditary constables of the Castle of Scrabster and the Palace of Dornoch, granting them out of the church rents an annual sum of £37 12s 11d for their constabulary expense.§

* Reg. of Deeds, VI., f., 424.

† Reg. Mag. Sig., 6 December, 1579; Nos. 2931, 2932.

[‡ Canzeouchquyis appears as Kennochquyis in 1557. Bischops-quyis, Bishopis-quyis in 1557, and Bishopis Quoyis in 1601 is evidently Bishop's Quoys.]

§ Orig. Par. Scot., II., 610-11.

In 1559 Bishop Stewart granted to the Earl and Countess of Sutherland hereditarily the following lands, with the mills, tithes, and other pertinents, viz.:—Gauldwale, Kauldale (Keoldale), Crannega, Borrole, Slanys, Astlairmoir (Ashermore), Astlairbeg (Asher-beg), Sandwat (Sandwood), Carragawyfe, Carramaunycht, the Waters of Awmagarrone and Sandwat, the island of Hoa, the half of the fishing of Laxford, the fishing of Ardwirnes (Ardurness), the lands of Skaile and Regeboile (Ribigill), all in Strathnaver; the lands of Dorare (Dorrery), Wlgramemoir (Olgrin-more), Wlgramebeg (Olgrinbeg), Subambuster (Sibster), Halkryk (Halkirk) with mill, alehouse and cruiues, Westerdale, Easterdale, Thormesdaill, Meremichaelis, Deren (Durran), Alterwall, $3\frac{1}{2}$ pennylands of Stanthestell (Stanstill), all in Caithness, for a yearly reddendo of £185 4s $3\frac{1}{2}$ d.* In 1560 the same Bishop granted to the Earl and Countess of Sutherland, as before, the following lands, etc., viz., Skibo Castle with its pendicle Bramort, together with the lands of Kilmalie and Rogart, all in Sutherland; and the $13\frac{1}{2}$ pennylands of Brymmis (Brims) in Caithness, all for a yearly reddendo of £70 8s 10d.†

Thus by the time the Reformation came the Earl of Sutherland and his family were hereditarily possessed of the churchlands of the diocese of Caithness to the extent of £483 4s $8\frac{1}{2}$ d old value. The Earl had also £100 as a pension from the Church, and £100 for being hereditary bailie, making a total of £683 4s $8\frac{1}{2}$ d, which was afterwards considerably increased. But when this same Earl succeeded to the earldom of Sutherland in 1546, the valued rental of his estate was given at £666 13s 4d.‡ That is to say, the Earl's interest in the dilapidated church property of Caithness was larger than that in his earldom. Bishop Stewart may have been a generous brother-in-law, but he was a merciless spoiler of the Reformed clergy of the northern diocese, for he left them scarcely anything to live upon. Even to this day in many of the parishes of Suth-

* Orig. Par. Scot., II., 611-13.

† Ibid. II., 613.

‡ Suther. Book, I., 101.

erland the stipends of the clergy of the Established Church have to be augmented by money raised by the church in the south, in consequence of this dilapidation.

The most momentous meeting of the Scots Parliament ever held, perhaps, took place in August, 1560, when the national Roman Catholic Church was disestablished, the jurisdiction of the Pope abolished, and the celebration of the mass throughout the realm strictly forbidden. At the same time, a Protestant Confession of Faith was engrossed in the minutes of Parliament, and enactments made for the setting up of a national church in conformity thereto. This was a tremendous step, but it was not rashly taken, for the nation was drifting in that direction for many years. The national power behind the Reformation lay in the south, however, among the artisans, merchants, and scholars of the larger towns and boroughs, where thought was quickened by commercial and other contact with England and the Continent. Very little of the new wine bursting the old bottles of Christendom had yet reached the north of Scotland, where the people spoke a language of their own, and lived for the most part a pastoral life. And the barons of the north, who held their people as serfs, favoured the theocratic principles of the Roman Church rather than the democratic institutions of the Protestant. Thus the Reformation was neither sought nor welcomed to the north of the Grampians. On the contrary, it was forced by the south upon the Highlanders, and took many years to establish itself among them for lack of means wherewith to adequately support a ministry. The situation in the Hebrides and Western Highlands was altogether similar.* As we saw, the Gael of the north clung tenaciously to the Celtic Church when it was being outed by the Roman Catholic in the 13th century, and when the latter was dethroned by the Protestant in the 16th, the same people took up a similar conservative attitude, though with much less enthusiasm.

Of the barons of the northern province the only enthusiastic

* Gregory's "Hist. of the Western Highlands," p. 186, 2nd ed.

upholder of the Protestant cause was the Earl Marischal, but he was rather a landowner than a resident in these parts. Iye Du MacKay supported the party of the English lords, and afterwards the Lords of the Congregation, such as Forbes and Moray, but whether this was due to politics or to religion we cannot say. It was probably due to both. Huntly, Sutherland, and Oliphant were pronounced Catholics, so were Caithness and Duffus, but the former had a grievance against the church dignitaries for giving so much church plunder to the Earl of Sutherland. Of the feeling among the Gunns, Morays, MacLeods, etc., we know nothing, but it is not likely that they had much sympathy with Protestantism. If the Romish Church had any moral power left in her she would have weathered the storm in the Highlands, but by the flagrant and continued immorality of her clergy she had cast that power away, and so sunk into herself a putrid mass. While the authorities at Rome kept calling upon the Scottish clergy to reform their lives, Archbishop Hamilton, the highest dignitary in the land, flaunted his concubines in the public eye, and though advised medically to practise chastity for the sake of his health, scouted the suggestion.* The nunneries, too, were become hotbeds of vice, as Father Pollen has to admit in his *Papal Negotiations with Mary Queen of Scots* (pp. xxv., 526, 528). Indeed the sweeping character of the Reformation in Scotland was largely due to the fact that the Church of Rome had become more corrupt there than in any other part of Christendom.

At the Reformation the Bishop of Caithness avowed himself a Protestant, but this was probably to retain a hold of the emoluments and not from any change in his convictions. When giving a grant of church lands to Sutherland in 1560, he bound the latter, who was an ardent Catholic, to defend the clergy, etc., *in hoc periculoso tempore et in futuro* (in this perilous time and in future),† the looming change filling him and the other dignitaries with much alarm. If he had been in any worthy

* Statutes of the Scottish Church, p. xcii.; Early Travellers in Scotland, p. xiv.

† Orig. Par. Scot., II., 613.

sympathy with the Reformed Church, we do not think that he would have dilapidated the property of the Church so severely as to leave hardly anything for the ministers who had to take up the burden of preaching. The fact is he was all concern for the Romish clergy, but does not seem to have had any regard for their Protestant successors.

When the Romish Church was disestablished in 1550, two-thirds of the Church revenues were set apart for the maintenance of the clergy of the old order, and a third was allocated for the support of the ministers of the new. But of this third piece by piece was passed by the prelates to the hungry barons, and the Protestant Bishop of Caithness made himself notorious in these transactions, not only in Caithness but afterwards at St Andrews.* John Knox, referring to this shameful abuse all over the land, said, "I see two parts freebie givin to the devill, and the thrid part must be divided betwixt God and the devill. . . . Ere it be long, the devill shall have three parts of the thrids."† In the diocese of Caithness this almost happened.

In 1563 the General Assembly gave a commission to Donald Munro to plant kirks in Ross, "and to assist the Bishop of Cathnesse in preaching of the Gospell and planting of kirks." Though Munro's education was somewhat defective,‡ he had to be employed for lack, apparently, of other more suitable men. Among the clergy of Ross and Caithness there were not a few learned men at the Reformation, but none of them joined the Protestant Church. That church had to fall back upon the services of humble men, like Donald Munro, to preach the Gospel and plant kirks, while the leading clergy of the older order practically retired as pensionaries. When we remember how liberally they themselves applied fire and stake to the Reformers before 1560, it must be admitted that the disestablished clergy were very generously dealt with at the Reformation.

* Melvill's "Diary," p. 126.

† Calderwood's "Historie of the Kirk of Scot.," II., 171.

‡ Ibid. II., 224, 244.

CHAPTER VIII.

A STRUGGLE FOR SUPERIORITY.

QUEEN MARY'S husband, Francis of France, died towards the close of 1560. The following year the widowed Queen returned to Scotland, and in 1562 resolved to visit Elizabeth, Queen of England. Letters, dated May 1562, were sent to Iye Du MacKay commanding an escort to accompany the Queen on her journey south.* This command was probably due to the influence of the Earl of Moray, Mary's half brother, and a leader of the Protestant party, who lately got the earldom of Moray, forfeited by Huntly, and who was consequently at daggers drawn with the Gordons. As Moray had much to do with the arrangements, and as his own life was in some danger,† he would naturally choose one like MacKay, who had no reason to love the Gordons.

Something prevented the intended visit to England, however, and Mary set out in August on a visit to Inverness by way of Aberdeen, accompanied by the Earl of Moray, etc., while MacKay with a body of Strathnaver men formed part of her escort. The Guises had flattered Huntly with the prospect of the widowed Queen's hand for his son, but Mary refused to entertain the idea. Her mind became so inflamed against Huntly upon discoveries of his perfidy, that she refused a pressing invitation to call at his house, though she passed within three miles of it. When Mary reached Inverness she expressed a desire to lodge in the Castle, but was refused admission by Gordon the keeper, who held it for Lord Gordon, the hereditary

* The Blackcastle MSS.

† Calderwood's "Historie," II., 195.

sheriff. The neighbouring clans were gathered, the Castle taken, and the keeper hanged from the bridge over the Ness. For fear of an attack by Huntly on the way, the assembled clans escorted the Queen back to Aberdeen, where she granted to Iye MacKay a remission for his treasonable assistance of the English army at Haddington in 1548. The remission is dated 5th October, 1562.*

During the Queen's stay at Aberdeen, she demanded from Huntly the delivery of certain castles upon pain of treason, but her command was not obeyed, and Huntly made ready to fight it out. It was a daring thing to do, but his cousin, Sutherland, who was with Mary, supplied him with information which encouraged such a stand.† A battle was the result at Corrichie, on 22nd October, between the troops of Mary and Huntly, in which Huntly fell, and where his second son was captured—the son was soon afterwards executed at Aberdeen. Letters were found upon the Earl's body showing that the Earl of Sutherland was also guilty of treason along with Huntly.‡ Whereupon Sutherland fled out of the country with all speed to Flanders; but the embalmed body of Huntly was brought by sea from Aberdeen to Edinburgh, where it was arraigned at the bar of Parliament, on the 28th May of the following year—"the coffin was set upright, as if the Earl stood upon his feet"—when he was duly found guilty of treason, his lands forfeited, his dignity extinguished, his arms cancelled, and his posterity declared henceforward incapable of office, honour, or dignity within the realm.§ On the same day Parliament condemned to death the absent John, Earl of Sutherland, for "art, part, and assistance" in Huntly's treason; caused his "dignity, name, and memory to be extinct and deleted; and all his lands, offices, and goods to be confiscated."*** The sentence of death,

* Book of MacKay, p. 398.

† Calderwood's "Historie," II., 196.

‡ Suther. Book, I., 120; Calderwood's "Historie," II., 200.

§ Hay Fleming's "Mary, Queen of Scots," p. 80.

** Acts of Parl. Scot., II., 579-80. Gordonstoun has a very biased account of the part played by his two grandfathers, Sutherland and Huntly, in the Corrichie affair.

however, was never carried into execution, for, as already stated, Sutherland had fled the country, and the sentence was afterwards reduced.

The punishment meted out to the two Gordon families of Huntly and Sutherland was savagely severe; but fortunately for them it did not last long, for Mary had soon to seek their succour for herself. Meantime Bishop Stewart bestowed the church lands and ecclesiastical offices held by the Earl of Sutherland upon his son and heir, Alexander Gordon, by letter of presentation, dated at Edinburgh 6th March, 1563; and by a charter, dated at St Andrews 15th April, 1564, conveyed the said church lands to the said Alexander hereditarily, for a *reddendo* of £510 12s 10d; by the same charter constituted him hereditary constable of the Castles of Scrabster, Skibo, and Palace of Dornoch, for which he was allowed £52 16s 3d; and also appointed him hereditary bailie of all the church lands at a salary of £100 a year, for which he was to train those dwelling upon these lands for war; reserving, however, to his mother, Eleanor Stewart, her *liferent* of these lands.* In this way a provision was made for Eleanor and her children. As for the quondam Earl of Sutherland himself, he lived in Flanders upon money borrowed, "in his greit neid," from Scots residents,† and must have endured some privation.

On the 22nd September (1563), Queen Mary granted to her brother, Robert Stewart, junior, the lands and baronies of the earldom of Sutherland, lately forfeited by John Gordon. And this same Robert Stewart, as Earl of Sutherland, continued to hold the earldom and to deal with its tenants and vassals until Gordon was restored in 1566.‡

The ease with which landed estates were declared forfeited in the olden times may surprise some readers. But the land belonged to the Crown, according to feudal law, and was held simply as a gift from the Crown by the landlords. The landlord's property in land, although held hereditarily, was not

* Reg. Mag. Sig., 4 October, 1565. No. 1669.

† P.C. Reg., I., 678 (First Series).

‡ Orig. Par. Scot., II., 633-4.

absolute; the Crown had the right to recover it in certain circumstances. Hence the frequency with which landed estate escheated in the past was largely due to the rights retained by the Crown as superior and absolute proprietor.

On the 8th September (1563), Queen Mary granted anew to William Sutherland of Forse, Latheron, and to Janet Sinclair his spouse, the lands of Drumie, Backies, and Torrish, all in Sutherland, which the said William held before from John, once Earl of Sutherland, but now deprived of his title.* Thus Sutherland of Forse secured feudal independence, and there were other minor holders of land who experienced relief at the fall of John Gordon, for he lately held Sutherland, Ross, and Strathnaver in the hollow of his hand, and pressed heavily upon Caithness as bailie of the Church estates, which he mostly held himself in perpetual feu.

Alexander Sutherland of Duffus, another vassal, obtained a gift from Queen Mary of the lands which he held before from the escheated Earl, dated June, 1563. This document is chiefly interesting because it shows what lands were held by Duffus within the earldom of Sutherland. The possessions were as follows:—The lands of Skelbo with fortalice, etc.; the fishings of the water of Innerschyne (Invershin), with the lyn, and all the fishings of these lands and pertinents; the lands of the two Torbollis (Torbolls), a Dalnamane, Oversproncy (Over Proncy) in Strathfleet, Sproncyeroy (Proncy-croy), Sproncy-nane (Proncynain), Ewilix (Evelix), Rewferchar (Rearquhar), and Astaydaill (Astledale) in Braechat; the lands of Kilpeddermoir, Sybarskaig (Scibberscross) and Grodebrora in Strathbrora; the lands of Kilpedder and Cawyne in Straithulze (Strathullie); the mills of Torbollis (Torboll), Ewilix, and Kilpedder in Straithulze; and all the lands of Golspytoure.† When the Gordons recovered the earldom, however, the lands held by Duffus reverted to them as superiors, but the Sutherlands of Duffus for two generations thereafter were not on cordial terms with the Earl and his successor. On the contrary,

* Reg. Mag. Sig., 8 September, 1563. No. 1484.

† Reg. Sec. Sig., xxxii., fol. 5.

they often took up a hostile attitude and cleaved more to Caithness. Of course they were allied to Caithness by marriage, but it seems that they were also in sympathy with the Sutherland claimants to the earldom of Sutherland, for the descendants of the dispossessed Alexander Sutherland were still holding up their head.

Queen Mary married Darnley on the 29th June, 1565, and by that time thought she had found herself in a position to oppose her Protestant subjects with more firmness than she had hitherto shown. She drove the Earl of Moray from her court, and dared the other Protestant lords; but she released from prison George Gordon, son and heir of the late Huntly, and after a time restored to him the title and estates of his father. She also encouraged John Gordon, lately Earl of Sutherland, to return from the Continent, and in various ways showered favours upon the Catholic lords.

In pursuance of this same policy she constituted George, Earl of Caithness, and his heirs male, hereditary justiciars, by a special commission, of all the territory embraced within the diocese of Caithness, viz., Caithness, Strathnaver, Assynt, and Sutherland, and bestowed the same by charter, dated 17th April, 1566, in which it is said that this commission is given "because the predecessors of the said George so used this office that the inhabitants continued in the Royal obedience."* Evidently the Queen was more concerned to promote loyalty to the throne than order in the land at this particular juncture. The Earl of Caithness' father, grandfather, and great-grandfather held the offices of sheriff and justiciar over this territory, and undoubtedly the present Earl inherited these offices too. It was in the exercise of these hereditary functions that he appears so prominently in the criminal proceedings of his day, and sometimes gave so much offence to the Bishop and others. The new commission, however, gave him very much ampler powers than those enjoyed by his ancestors. Anyway Caithness took great care to establish his position, for on the 14th February, 1566-67,

* Reg. Mag. Sig., 17 April, 1566, No. 1726.

four days after the murder of Darnley, the Queen ratified the charter which she had given before, and bestowed upon him the commission anew.* It was because Caithness was so well thirled to the Queen, and thus a safe man, that he was shortly afterwards appointed chairman of the jury which tried and acquitted Bothwell for the murder of Darnley.

On the 31st January, 1565-66, William Hectorson alias Sutherland in Berriedale, Angus Sutherland in Myllarie, Alexander Sutherland in Suffister, William Sutherland in Brobster (Brubster), younger, and Alexander Murquhoson in Kilmuster (Killimster), complain to the Privy Council that they are "most extremely handled" by the Earl of Caithness—who sat as a member of Council—who intends to put them to destruction by virtue of the commission purchased by him, under colour of justice. They narrate the slaughter of Robert Sutherland, and the mutilation of William Sutherland in Lathrinfulye (Latheronwheel) of his left hand, on the 28th of last May, by servants of the Earl, who are protected by him; they desire to be delivered from the jurisdiction of Caithness, who is utterly unfit to do them justice by reason of "the deadly feud and enmity" betwixt him and them, and to be tried for any crimes at Inverness. The Council, however, dismissed the complaint.†

Ten weeks thereafter (on 13th April), the Earl of Caithness, who had, as a member, reported to the Privy Council that William Sutherland alias Hectorson, Angus Sutherland alias Heetorson, Hector Sutherland, son to Alexander Sutherland in Lathrinfulye (Latheronwheel), John his brother, etc., on the 27th of last August, slew Alexander Yson in Lapak and his two sons, Alexander Murquhoson and his son, and two others; and also burnt the house of Andrew Bain in East Clyth. He says that he put them to the horn, whereupon they seized the Castle of Berriedale, pertaining to Lord Oliphant, but that he retook it. Nevertheless William Sutherland of Evelix, Nicholas

* Reg. Mag. Sig., 14 February, 1567, No. 1767.

† P.C. Reg., I., 424 (First Series).

Sutherland, brother of Duffus, John Sutherland in Torboll, Hew Moray, William and Angus Sutherland alias Hectorsons, with their followers, urged on by Duffus, surprised and took the Castle of Berriedale on the night of the 23rd December last, killing and wounding some of the garrison, and still hold the Castle. The Council charge the accused upon pain of treason to deliver up the Castle, instruct Lord Oliphant to take possession of his stronghold, and charge Duffus to desist from the course which he is pursuing upon pain of rebellion.

The above shows that the Caithness Sutherlands were at bitter feud with the Earl at this time, that their natural leader was Duffus, and that their kinsmen of Sutherland rallied to their help.

The Earl of Caithness reports to the Priy Council (19th May, 1566) that, in the execution of his commission of justiciary, he took pledges of culprits and constituted deputies in his absence, though these powers were not in his commission; and in this he was confirmed and warranted by the Council. The Earl of Caithness, who was still at Edinburgh (24th May), reported that he had apprehended Andro Murchoson, guilty of reiving from William Caddell, in Auldwick, plates, chandellars, and inside goods, for which the Council sentenced the accused to banishment furth of the bounds of the sheriffdom of Inverness for one year, upon pain of a fine of 500 merks should he return before that.*

About this time the dispossessed Iye MacKay of Strathnaver invaded Sutherland, accompanied by Neil Angusson MacLeod of Assynt, laid waste the barony of Skibo, and burnt the town of Dornoch in June, 1566.† Gordonstoun, who post-dates the affair, says MacKay did this by the special direction and procurement of the Earl of Caithness.‡ But this is not at all likely, for Caithness was up in Edinburgh for a considerable time before and after this date, busily engaged, as a member of

* P.C. Reg., I., 461 (First Series).

† Pitcairn's "Criminal Trials," vol. I.

‡ Earld. of Suther., p. 150.

the Privy Council, maintaining order. This raid, which went unpunished, as Gordonstoun says, points to the miserably distracted state of the country at this time.

On the 10th February, 1567, the country was shocked to hear of the murder of Darnley, the Queen's husband, during the night. Suspicion fastened upon Bothwell at once, and the conviction grew that Mary herself was an accomplice. Public opinion cried aloud that Bothwell should be put upon his trial, but the packed jury, of which Caithness was foreman, completely acquitted him on the 12th April. Whereupon Mary and Bothwell made haste to get married, lading with gifts those upon whom they depended for support. At a so-called meeting of Parliament, held on the 19th April, and attended by very few on account of the scandalous conduct of the Queen, the office of justiciar within the diocese of Caithness was confirmed to the Earl of Caithness; the lands of Strathnaver, escheated before from MacKay, were conferred hereditarily upon the Earl of Huntly; and the doom of forefaulter pronounced against the Earl of Sutherland, on 28th May, 1563, was removed.* Thus Huntly, Caithness, and Sutherland were completely won to the Queen's side.

Bothwell's wife, Lady Jean Gordon, Huntly's sister, was prevailed upon, as is generally supposed, to divorce Bothwell in order to his marriage of the Queen. The divorce was obtained on the 7th May, and on the 15th May Bothwell married Queen Mary. Speedy proceedings, truly. The gift of the lands of Strathnaver hereditarily, however, reconciled the Gordons to the divorce and to the marriage; and these same lands soon after passed to Lady Jean and her second husband, the son and heir of Sutherland. This arrangement, indeed, was probably part of the secret paction when the Queen granted the lands of Strathnaver to Huntly, for she could not give them directly to Lady Jean who was then the wife of Bothwell.

Sutherland did not live long to enjoy his restored estate. In July following, that stormy month in which Queen Mary

* Acts of the Parl. of Scot., II., 581.

was forced to abdicate, the Earl and Countess of Sutherland were poisoned to death at Helmsdale, and the Master of Sutherland narrowly escaped the same fate. Gordonstoun says that Isobel Sinclair, daughter of Dunbeath, and wife of Gilbert Gordon of Garty, whose son would have inherited Sutherland had the Master perished, was suspected of having committed the crime, and was brought up for trial to Edinburgh, where she died. He also says that the wife of Terrel of Doll, Brora, "was ane actrix in this doleful tragedie."* Apparently the wives of some of the leading vassals of the house of Sutherland were involved in this affair, by which it was sought to destroy the family lately restored to rule in the earldom. That the Earl of Caithness instigated the plot, as Gordonstoun further says, need not be true, although the death of the Earl of Sutherland removed a rival and increased his power.

Alexander Gordon, a youth of fifteen, now became Earl of Sutherland upon his father's death. But the Earl of Caithness bought his ward and marriage from the Earl of Atholl, who had purchased it from Queen Mary, and married him to his own daughter, Barbara Sinclair, 9th August, 1567.† This marriage, however, was not a success, and Sutherland divorced her when he came of age. Neither did Caithness prove a faithful tutor to his ward and son-in-law. So strained were the relations between them that Sutherland escaped in 1569 from the control of Caithness to Strathbogie, where he continued to reside with Huntly until he attained his majority, leaving his landed estate perforce to the management of Caithness.

The lawlessness of the times, and the rough manner in which the law was administered by the justiciar and his deputies, are well illustrated in the following appeal by Lord Oliphant to the Privy Council. Lord Oliphant states that on the 28th July, 1569, after dining at the house of Thomas Keir, Wick, he walked out with his host and met Andro Keith in Subister (Sibster), William Sutherland, younger of Clyne, John his brother, and

* Earld. of Suther., pp. 146-9.

† Celtic Mag., xii., 374.

others, to the number of twenty-four persons; that Keith disputed with Keir, drew his sword and attacked him, upon which all the rest drew their blades and set to, but that he separated them. Later he returned to his Castle of Auldwick, and after supper, hearing that Keith with sixty armed men was meditating an attack upon Keir's house, sent some servants to protect him,

“To quhome, or thai approcheit be the space of ane pair of buttis, the said Andro, with his complices fairsaidis, but ony speking or motioun, made schot at the Lord Oliphantis servandis, and befoir ony swerd wes drawin on ather side, sevin gentilmen, his servandis wes hurt and mutilat with arrowis; and thaireftir, being sa cruellie invadit, tuke thame to thair defence. In the quhilk combat Johnne Suthirland was slane, and diverse hurt and mutilat as yit in perrell of thair lyffis. . . . Upoun the morne thaireftir, the nynetene day of the said moneth of Julii nocht onelie come Alexander Suthirland to the said Lord Oliphantis landis . . . bot als the samyn day at xii houris, Johnne, Maister of Caithnes, with a greit nowmer of armit men, come and besegeid the said Lord Oliphantis place and castell of Auldwiek . . . be the space of aucht dayis or thairby; nixt thaireftir at lenth quhill in defalt of viveris (victuals), speciallie watter, thai wer constranit for sauftie of thair lyffis to becum in will. And thai being this assegeid, wer be the Erll of Caithnes, as Justice of that schyre and his said sone as Depute, chargeit to find souertie (surety) to underly the law.” As the slain John Sutherland is a son of Alexander Sutherland, “quhilk Alexander is sone to umquhile Kathrene Sinclair, dochter to umquhile [] Sinclair, Bischop of Caithnes, quha wes brother to umquhile William, Erll of Caithnes, grandsire to the said George, now Erll of Caithnes.” Oliphant contends that it is not possible for him to get justice in a court presided over by Caithness, and wants the case tried before an impartial tribunal.*

It appears that in August and October of this same year the Earl of Caithness, at courts held in Thurso, called for the

* P.C. Reg., II., 38 (First Series).

appearance of Oliphant, and that not appearing he "was denounced rebel and put to the horn." But in the month of November the Privy Council called Caithness before them, to be informed that this matter was taken out of his hands. The quarrel went on, however, for in April, 1574, Lord Oliphant came before the Council to protest against an apprising of some of his lands, purchased by the Master of Caithness, by means of which he was to be jockeyed out of them. And on the 8th March, 1574-75, Oliphant and Caithness are still at law.*

Ever since the forefather of the Earl of Sutherland in 1563 there was more than ordinary turbulence in Sutherland. The various septs of the Morays, who held the lands of Aberscross, Spenziedale (Spinningdale), Polrossie, etc., became embroiled in many quarrels. As Gordonstoun says, they were at bitter feud with the Thomasson MacKays of Creich, the Polson MacKays of Braechat, the Sutherlands of Duffus, and with the Strathnaver MacKays.† He also says that they incurred the bitter hostility of Caithness as well. We already saw that they suffered severely at the hands of Iye MacKay and the MacLeods of Assynt in 1566, but in 1569-70 they were still more severely handled by a most formidable alliance. The Master of Caithness and Iye MacKay, joining forces with Duffus and the Polsons, attacked them on every side, captured and burnt the town and Cathedral of Dornoch, and took hostages from them for future good behaviour—hostages that were afterwards miserably slain, according to Gordonstoun.‡

During this expedition MacKay and the Master of Caithness roamed over the earldom, and drove out of the country such as cleaved to the absent Earl of Sutherland. A swarm of Morays and Gordons escaped to Strathbogie, where they soon afterwards gave valiant assistance to Huntly in the prosecution of his feud with Forbes; Gordon of Drumuy passed over to Orkney, the MacHamish Gunn of Kilearnan fled to Glengarry,

* P.C. Reg., II., 437 (First Series); Anderson's "Oliphants in Scotland," p. lviii.

† Earl. of Suther., pp. 139, 151, 156.

‡ Ibid., pp. 156-7.

and Gray of Skibo sought refuge with Bishop Stewart at St. Andrews.* This was how the Master of Caithness sought to avenge his sister's desertion by her husband, the Earl of Sutherland; and MacKay, rendered furious by the recollection of what he had himself suffered at the hands of the family of Sutherland since 1554, when his country was laid waste and his Castle demolished, struck out blindly. The fortunes of the house of Sutherland sunk so low at this time that Dunrobin Castle became a retreat of the Earl of Caithness, who passed thither from Girnigoe, when it suited himself, to collect the rents of his ward and to administer justice in that part of the country. And this accounts very much for Gordonstoun's bitter references to the ruthless Earl George.

The Earl of Moray, who was created Regent soon after the abdication of Queen Mary, came as far north as Inverness in 1569, and used his authority to settle various disputes. At Elgin, on the 13th June, he made Huntly promise to dispoise by resignation the lands of Strathnaver to Iye MacKay and his heirs, so as to "be haldin of the king" by them, upon payment of 4000 merks to Huntly.† Had Moray lived long enough he would have seen justice done to MacKay in this matter, but unfortunately for the latter, the Regent was assassinated at Linlithgow upon the 23rd January, 1570. The pressure being thus removed, Huntly refused to fulfil his pledge, but offered to restore the lands of Strathnaver to MacKay for a payment of 3000 merks, upon condition that he himself should retain the superiority. As MacKay was getting old, and as he had been now for about twenty years without legal title to his lands, he was strongly advised by his friend Lord Forbes to close with the terms—although they meant vassalage—and did so on the 29th July, 1570.‡ The inscription which Huntly cut upon a stone built into the front of his town house in the Canongate of Edinburgh, with the date 1570, and still to be

* Earld. of Suther., p. 157.

† P.C. Reg., I., 670 (First Series).

‡ Book of MacKay, pp. 103-4.

seen, is an index of the uncertainty of the times. The inscription runs, *Hodie Mihi Cras Tibi Cur Igitur Curas*, which means, "To-day is mine, to-morrow is yours, why therefore dost thou care."

Iye MacKay's stormy and troubled life came to an end in December, 1572. The lifelong supporter of the Protestant party, but not a pronouncedly religious man, so far as we can gather, he suffered severely on behalf of the cause which he espoused, for though he recovered his ancestral lands after a twenty years' chequered struggle, the superiority of these lands now pertained to Huntly. Therefore MacKay handed on the struggle to his son Huistean Du, a boy of eleven, who was carried down to Caithness to be fostered by the Sinclairs, his maternal relatives, until he came of age.

In September of the year* in which Iye MacKay died, the Master of Caithness was cast, by his father the Earl, into the dungeon of Girnigoe Castle, where he perished on the 15th March, 1576, as his tombstone at Wick shows. That is to say, he lay for three and a half years in prison, and not seven years as Gordonstoun says. It is hard to say what induced the Earl to deal so unnaturally with his eldest son. The father was a wily, far-seeing, capable man, who strove all his days, by hook or by crook, to build up the house of Sinclair, and leave a rich and powerful legacy to his heir. That this was his ambition is very patent. It may well be that he found his son a shiftless weakling, like his son's son afterwards, whom he had often to reprove and restrain, and that the son was in consequence suspected of hatching some plot against his aged father. This seems the most reasonable view,† notwithstanding the lurid colours in which Gordonstoun draws the portrait of the Earl of Caithness. If Caithness had been a Gordon, we have no doubt Gordonstoun would have lauded him to the skies for the

* Celtic Mag., XII., 469-70.

† There is evidence in the charter chest at Barrogill Castle that the Master of Caithness went to law with his mother over some lands. (Celtic Mag., XII., 373.) And Gordonstoun says that the Earl was displeased with his son's conduct at the siege of Dornoch in 1570.

conspicuous ability with which he prosecuted the aggrandizement of his house. That the son died in prison of foul play is likely—he had enemies in his own family, and various efforts were made to free him—but that his father had anything to do with his death is most unlikely.

The Earl of Sutherland attained his majority in July, 1573, and then the wardship of Caithness over Sutherland came to an end. Thereupon the Earl of Sutherland divorced his wife Barbara Sinclair, upon the plea of her alleged adultery with the deceased Iye MacKay, and married Huntly's sister, Jean Gordon, the divorced wife of Bothwell. But in less than a year after, Barbara was married a second time to Alexander Innes of Innes,* for the Earl of Caithness was a past master in arranging matrimonial alliances to strengthen his house.

There is a tradition that once upon a time the Inneses owned every third rig in Caithness. It is a fact that the Inneses were very much mixed up with the Sinclairs by marriage and otherwise during the 16th century. For example, the King confirmed to Alexander Innes, son and heir of Alexander Innes of Innes, the lands of Dunbeath, Reay, and Sandside, hereditarily, 8th August, 1507, upon the resignation of Malcolm Culquhone.† On 2nd November, 1529, the King conceded to Alexander Sinclair of Stemster, and to his wife Elizabeth Innes, the lands of Dunbeath, Reay, and Sandside, upon the resignation of Alexander Innes, son and apparent heir of Alexander Innes of Innes.‡ A daughter of the house of Sutherland, Beatrix Gordon, who died before 1565, married William Sinclair of Dunbeath, and thereafter the said William (in 1567) took as his second wife Beatrix Innes, widow of Alexander Innes of Cromarty.§ And now Lady Barbara Sinclair married Alexander Innes of Innes, as aforesaid. Perhaps the tradition had its genesis in these marriages.

Alexander Sutherland of Duffus and his elder son Alexander

* Reg. Mag. Sig., 8 July, 1574, No. 2267.

† Ibid., 8 August, 1507, No. 3116.

‡ Ibid., 2 November, 1529, No. 860.

§ P.C. Reg., II., 361 (First Series).

were both probably dead before the 18th June, 1574, when the Earl of Caithness obtained a decree of the Lords of Session directing William, the next surviving son of Duffus, to fulfil the matrimonial contract which his father made with the Earl,* as recorded in the preceding chapter. William, as soon as he obtained an infeftment of Duffus, etc., in 1578, duly married Margaret Sinclair, youngest daughter of Caithness. About the same time, Caithness married his daughter Elizabeth, widow of Alexander Sutherland, Master of Duffus, to young Huistean MacKay of Strathnaver. In this fashion Caithness bound to himself Innes of Innes, Sutherland of Duffus, and MacKay of Strathnaver, with whose combined support he made ready to hold the crown of the causeway against the Gordons, although old age was telling upon him.

The Gordons, however, had a tremendous advantage, for young Duffus was a vassal of Sutherland's, so far as his lands to the north of Oykell were concerned, and the superiority of young MacKay's lands lay in Huntly's lap. The two Gordon Earls, also, played splendidly into one another's hands. In April, 1576, the ward and nonentry of MacKay's lands, since his father's death, were bestowed upon the Earl of Sutherland by his brother-in-law Huntly,† who died a few months after, leaving his son and heir George, aged fourteen, to the care of guardians, one of whom was Sutherland. The ward of MacKay's lands, and a share in the guardianship of young Huntly, placed a powerful lever in the hands of Sutherland, who knew well how to apply it, for the troubles which he had to encounter during his own minority must have made him an apt student of feudal law. He got the Gordons, Sutherlands, Morays, etc., who held lands within the earldom of Sutherland, to resign these lands to himself as superior, and then reconveyed the same to them by charters of vassalage. He exerted himself to split up the followers of his ward MacKay, and bent all his energies to reduce the commission of justiciary which

* Scots Peerage, III., 200.

† Sutherland Book, I., 141.

Caithness held within the earldom of Sutherland, two affairs which cost him much trouble.

Neil Angusson, one of the MacLeods of Assynt, got into very serious trouble at this time. On 20th June, 1576, the Master of Rothes, Torquil MacLeod, son and heir of Rory MacLeod of the Lewis, etc., became sureties to produce the said Neil before the Lords of Secret Council at Holyrood a week hence, under pain of £20,000 in case of failure.* In February following, Neil Angusson was charged with the slaying of his two brothers, Hew and Donald, in 1575, and with the burning of Dornoch in 1566. Neil pleads that MacKay compelled him to pass with him to Dornoch, and that the burning of the town was justified by the rules of warfare.† Neil was found guilty of fratricide, and duly executed at Edinburgh soon after.

The Assynt MacLeods were septs of the Lewis MacLeods, their progenitor being Tormod, son of Rory Mor MacLeod of the Lewis. The said Tormod had a son Angus Aosda, father of Angus Mor, one of whose sons was Neil Angusson.‡ The fratricide in question was the result of a fierce dispute between the different sons of Angus Mor concerning the lands of Assynt, held by this family off the family of Lewis. And eventually the son of Neil Angusson, to wit, Donald Neilson, fostered by the Munros of Fowlis, became laird of Assynt, and handed on the succession. It is very likely that the trouble in Assynt was closely connected with the fatal disagreement between Rory MacLeod of the Lewis and his reputed son Torquil Connonach, whom Rory held to be a son of the Breive of Lewis. The dispute led to the downfall of the Lewis MacLeods, who were superseded by the Mackenzies. For this chapter of Highland history the reader should consult Gregory's *History of the Western Highlands*, issued in 1836.

To avoid falling into the hands of Sutherland, who claimed him as his ward, young Huistean Du MacKay continued to reside in Caithness since his father's death. During most of

* P.C. Reg., II., 534 (First Series).

† Pitcairn's "Criminal Trials," I., part II., 68.

‡ Earld. of Suther., pp. 262-3.

that time John Beg MacKay, Huistean's half brother, managed affairs in Strathnaver for the absent chief. But in September, 1579, the Earl of Sutherland instigated two of his own followers, James MacRory, a chieftain of the MacLeods, and Neil MacIan, chieftain of the Aberach MacKays, to attack John Beg MacKay at Durness. The MacLeods and Aberachs fell upon John Beg in the night and slew him. They also slew a brother of the Chieftain of the Robson Gunns, and almost succeeded in slaying the Chieftain of the Shinness Mathesons, both of whom happened to be at Durness visiting MacKay. Gordonstoun says that the MacLeods and Aberachs were instigated to make this attack by the Earl of Caithness;* but that is impossible, for they were both provably hostile to Caithness and under the influence of Sutherland. Further, Caithness had no interest in causing the death of his son-in-law's manager, but Sutherland had a good motive to seek the overthrow of such a man.

The affair at Durness had a very bloody sequel. It gave rise to such an inveterate feud between the Robson Gunns and the Aberach MacKays as filled Caithness and Strathnaver for many a long day with an unholy and insensate strife. "The long, the many, the horrible encounters, which happened between these two tribes, with the bloodshed, and infinite spoils committed in every part of the diocese of Caithness," are too numerous to recount, says Gordonstoun.† This feud, which set the Aberachs and Robsons at one another's throats, suited the Earl of Sutherland well, for the weaker they became the easier it was for him to advance his own aggrandising policy.

While these bloody encounters were taking place between men who ought to be standing shoulder to shoulder, the Earl of Sutherland was using all his influence to reduce by a process of law the commission of justiciary which Caithness had within the earldom of Sutherland. Gordonstoun naively tells us that the Regent Morton—a great enemy of the Gordons—opposed Sutherland with all his might, "although he had gottin from

* Earld. of Suther., p. 174.

† Ibid., p. 174.

him the lands of Kintessak, in Morey, for to be his friend in that sute.”* Evidently Morton was above taking a bribe in this matter. The power which this commission gave to the Earl of Caithness within the diocese must have been very galling to the other barons and heritors, for it enabled him “to charge under the pane of rebellion, and caus execute the horning, and tak up half the escheittis (escheats) to his awin use . . . and to do and use sindry uther thingis propirly competent to his Majesteis awin persoun.”† That Caithness used his power harshly is no doubt true, but that was characteristic of the age in which he lived. Huntly, as hereditary sheriff of Inverness, was every whit as harsh; indeed, he was more so.

At length Morton was driven from power, and impeached by Esme Stewart (created Duke of Lennox), a Popish emissary, who endeavoured to capture King James and Scotland for the Romish Church. Morton was tried by a jury of his bitterest enemies, one of whom was the Earl of Sutherland, and executed in 1581. In April of the following year, Caithness’ commission of justiciary was reduced by a decret of the Lords of the Council and Session,‡ who were largely under the influence of the Duke of Lennox. Thus, what was given at a time of great injustice, in 1567, was taken away at another unjust juncture of Scottish history in 1582.

The Earl of Caithness, who had gone up to Edinburgh to defend himself, died there on the 9th September, 1582, as his tombstone at Edinburgh shows, but his embalmed heart was brought back to Wick for burial. He ruled for the long period of 53 years as Earl of Caithness, and was succeeded by his grandson, George.

Towards the close of the last chapter it was pointed out that few if any of the leading clergy of the diocese cast in their lot with the Protestant Church, except the time-serving Bishop; otherwise the demand for assistance from outsiders—some of them conspicuously illiterate—to organise congregations is

* Earld. of Suther., p. 172.

† P.C. Reg., III., 540 (First Series).

‡ Ibid., III., 540 (First Series).

inexplicable. Of the minor clergy, however, some did conform, but the number was so small that several parishes had to be assigned to one person, and so unfitted were they to preach that they were generally appointed readers, seldom ministers or exhorters. A list of the Protestant incumbents of the diocese in 1567 is still preserved, but it is so bald as to be practically of little value, unless it be to show the nakedness of the land. For example, William Gray is exhorter at Dornoch; Robert Ferne, reader at Golspie and Clyne; Donald Reid, reader at Farr; Thomas Brady, exhorter at Watten, etc. Brady was formerly parish priest at Watten, and the other three were connected with the Cathedral at Dornoch under the old order. The stipends of these men ranged from twelve to twenty merks a year, and for such a miserable pittance the incumbent at Thurso had to minister at Strath-halladale, Reay, Olrig, and Thurso. It is safe to say that the pension of 500 merks, which the Bishop of Galloway drew from the revenues of Caithness, far exceeded all that was paid in stipends to the Protestant clergy in 1567. For lack of funds to execute necessary repairs the ecclesiastical buildings were getting ruinous; and from Orkney it is reported in 1570, "that the kirks are decayed, and made, some sheepe-folds, some so ruinous that none darre enter into them, for feare of falling."* The situation in Caithness and Sutherland was probably not much better, for the General Assembly was without a report from that quarter for several years.

In 1570 the Bishop of Caithness was made commendator of the Priory of St. Andrews, by his brother, the Earl of Lennox, who that year succeeded the Earl of Moray in the Regency. This gave Bishop Stewart an opportunity, which he did not fail to take, of squandering the ecclesiastical revenues of Fife as he had already done those of the northern province. James Melvill writes bitterly of Stewart and "his gentlemen-pensionars, wha colluded with the rewallars (rulers) of the town (of St. Andrews) to hald the ministerie vacand; and in the meantyme tuk up the stipend, and spendit the sam, with the

* Calderwood, II., 534.

rest of the kirk-rents of the Pryorie, at the goff, archerie, guid cheir, etc.”* As Prior of St. Andrews, Bishop Stewart usually resided at the university seat, but he never relaxed his hold of the northern diocese unto the end.

So disgraceful was the dilapidation of benefices all over the land, that late in 1571 the Protestant barons and gentlemen expressed their sorrow to the Regent that “dumbe dogges” were admitted “to the office, dignitie, and rents, appointed for sustentatioun of preaching pastors.” They assert that :—

Our poore ministers, bound to their charge, are compelled to keepe their hous, and with dolorous hearts see their wives, childrein, and familie, sterve for hunger, and that, becaus your Grace and greedie courteours violentlie reave, and unjustlie consume that which just law and good order hath appointed for their sustentatioun, to witt, the thrids of benefices, which are now so abused that God cannot long delay to powre furth his just vengeance for this proud contempt of his servants; whereof we crave hastie and suddane redress.”†

In December of this same year, we read that the ministers in the north, and especially in Moray, are rigorously handled by the Catholic barons, who insist that the deposed Queen Mary shall be remembered in public prayers. “Sindrie had beene compelled before to leave the countrie becaus they would not pray for the queen; but none were summouned by order of law till this time.”‡ Thus the ministers were not only starved but persecuted in the north.

The brethren in the south, however, vehemently strove to plant kirks in the north and to help the ministers, for it was felt that the Protestant religion was in danger so long as the north remained Catholic. To secure these ends the General Assembly adopted the plan of sending commissioners to visit certain needy places, armed with the authority of the Kirk to

* Melvill's Diary, p. 126.

† Calderwood, III., 145.

‡ Ibid, III., 166.

carry out what was necessary, and to report. In 1574 two commissioners were sent to Sutherland and Caithness, authorised as follows :—

“ At Edinburgh, the elleventh day of August, the yeere of God 1574 yeeres, the whole Kirk presentlie assembled, in one voice and minde giveth full commissioun, speciall power, and charge to their loved brethrein, Mr Robert Grahame, Arch-deacon of Rosse, and Mr Johne Robertstone, Treasurer thereof, conjunctlie and severallie, to passe to the countreis of Caithnesse and Sutherland, and there to visite kirks, colledges, and schooles, and other places needfull, within the said bounds; and in the samine to plant ministers, readers, elders, and deacons, schoolmasters, and other members necessar and requisite for erecting a perfyte reformed kirk; suspend for a time or *simpliciter* deprive suche as they sall find unworthie, or not apt for their office, whether it be for crimes committed or ignorance; abolish, eradicat, and destroy all monuments of idolatrie; establish and sett up the true worship of the eternall God, als weill in cathedral and colledge kirks, as in other places within the said bounds. conforme to the order tane and agreed upon in the Booke of Discipline; and als to searche and inquire the names of all these that possesse benefices within the saids bounds, at whose provisioun they have beene; and if anie vaike, ar happin to vaike, within the commissionarie, to confer and give the samine to the persons qualified and being presented by the just patrons of the samine, due examinatioun preceding; to reject and refuse suche as they shall find unable, and not apt thereto, as they will answer to God and the kirk thereupon. Their diligence to be done therein, with thir presents, to report them to the nixt Assemblie Generall, where it sall happin to be for the time.*

This commission bears testimony to the noble ideal which the Kirk set before herself, to cover the land not only with kirks but with schools. And were it not for the lack of funds she would have done so at that early date, to the lasting benefit of the country. This commission, taken along with other numerous references, distinctly indicates that unsuitable persons,

* Calderwood, III., 332.

"dumbe dogges," were not seldom planted by patrons in vacant kirks. There are cases on record of a boy of eleven years of age being inducted to the ministry of a parish at this time. Such men became mere stipend drawers. There were Tulchan readers as well as Tulchan bishops in those days, i.e., men who filled offices in the church and shared the stipend with the patrons. Of course the Protestant Church set her face against such practices, but at this distracted time she often found herself powerless.

The following year (1575), a complaint was lodged before the General Assembly that Commissioner Robert Grahame was not diligent in his visitation; and that he had given a warrant to marry the daughter of the Earl of Caithness, divorced for adultery, to the laird of Innes. To the last charge he replied, "that he gave to her suche libertie as the kirk giveth to others, she having made her repentance bare-headed and bare-footed." He was, however, relieved of his commission,* and Mr. George Hay, minister of Turriff, a very able man, was appointed in his place.

At this same meeting of Assembly, in the roll of ministers who "had waisted their benefices, and made no residence at their kirks," is found the name of George Sinclair, Chancellor of Caithness. The Chancellor was a son of the Earl of Caithness, and a pronounced Romanist, but he evidently professed to have conformed to Protestantism. There were a good many in the same position, running with the hares and hunting with the hounds.

In 1578, the Earl of Caithness and Robert, Bishop of Caithness and Prior of St. Andrews—the Bishop was now also Earl of Lennox, his brother of Lennox having died — were made members of the Privy Council.† On 1st June of this year, a charter from the Bishop to the Earl of Caithness passed the Great Seal, wherein the Bishop bestowed upon the Earl, and upon his heirs after him, a yearly pension of over £90 out of the revenues of the Kirk in Caithness; and to assure due payment

* Calderwood, III., 350.

† Ibid., III., 397.

of said pension assigned to the Earl the yearly feu duty of the barony of Mey, which the Earl held hereditarily off the Kirk for about that sum.* The meaning of this is that the Bishop made a gift to the Earl and to his heirs of the barony of Mey. Here is a so-called Protestant Bishop making a free gift of a barony of Church lands to a wealthy Earl, while the Church is crying in vain for funds to plant churches and schools in the province of which he is Bishop. The episcopal impudence and the whole greed of this transaction are upon a par. And the worst of it is that this was far too common.

The resignation of the Regent Morton; on 12th March, 1578, and the consequent appointment of the new Councillors, filled the Church leaders with alarm. At the Assembly, which convened at Edinburgh on the 24th of April, a list of those suspected of Popery was laid upon the table, the name of the Earl of Caithness being of that number. As the Earl was in town, a deputation waited upon him to enquire whether he would subscribe the articles of religion, i.e., the Confession of Faith adopted by Parliament. But the wily Caithnessman desired some time to study these articles.† Whether he signed eventually is not recorded, but we fancy that his conscience was elastic enough for such a feat without any undue strain, if he had the prospect of bettering his position thereby. It is reported, however, that at the reforming Parliament of 1560, while the Popish prelates remained silent, the Earl of Caithness and a few other nobles dissented from the proceedings, saying that "they would believe as their fathers before them had believed."‡

As the conduct and attitude of the conforming bishops were causing much anxiety to the Church, an Act was passed at this same agitated session, declaring that henceforward bishops were to be "called by their owne names, or brethrein, time comming." In this way it was sought practically to abolish the name and title of bishop in the Church of Scotland.

* Reg. Mag. Sig., 1 June, 1578, No. 2782.

† Calderwood, III., 402.

‡ Craven's "Diocese of Caithness," p. 25.

Commissioners were appointed by the Assembly of 1580 to summon the Bishops of Caithness and Brechin to next meeting of Assembly, to give their submission and assent to the agreement lately come to with the other bishops. This agreement really amounted to the adoption of the Presbyterian form of Church government,* which seems to have been unacceptable to these two prelates.

The following year (1581) the Church was divided into synods and presbyteries. The diocese of Caithness became the Provincial Synod of Caithness, with its two Presbyteries of Caithness and Sutherland, whose respective seats were Wick and Dornoch.† And to carry this out Messrs George Hay, John Robertson, George Munro, and John Gray, were appointed commissioners for Sutherland and Caithness.‡ At this same session of Assembly it was also agreed “to crave that an Act of Parliament be made against these that passe in pilgrimage, and use superstition at wels, croces, images, and other Papisticall idolatrie ; or observe feasts and dayes dedicated to sancts, or sett out bonfires for superstition.”§ These practices must have been very common in Caithness and Sutherland then, for MacFarlane says that they prevailed in these quarters a century and a half afterwards, when he visited the north.

None were present from the far north at the Assembly of 1582 to report what had been done there by way of erecting Presbyteries. It was therefore resolved to appoint “some brethrein to travell in the erectioun and establishing of Presbytereis betuixt and the nixt Generall Assemblie” ; for the Church in the south was determined to push the business on, notwithstanding the apathy and hostility encountered in the north. A commission was given to the Earl Marischal, the Abbot of Deer, Messrs Patrick Adamson, George Hay, Alexander Arbuthnot, and James Martin, Provost of the

* Calderwood, III., 475.

† Row's "Historie," p. 84.

‡ Calderwood, III., 587.

§ Ibid., III., 590.

College of St Andrews, "to visite the north, and call before them, where they think most expedient, such as be suspected of Papistrie," and endeavour to get them to sign the Confession of Faith.* As Hay was a special commissioner to Sutherland and Caithness for some years back, and as the Earl Marischal and the Abbot of Deer were heritors in Caithness, the northern province is embraced in this charge, although Moray and Aberdeen were certainly also included—a part of the country which continued very Catholic owing to the influence of the family of Huntly.

* Calderwood, III., 599.

CHAPTER IX.

SUCCESSFUL DIPLOMACY.

THE commission of justiciary bestowed upon the Earl of Caithness by Queen Mary, and duly confirmed by Parliament, was reduced by a decret of the Lords of Council in the spring of 1582, shortly before the Earl's death, as was already noticed. The reduction was largely at the instance of the Earl of Sutherland, who had striven to secure this for ten years, but latterly upon the plea that such a commission in the hands of Caithness interfered with the rights of the minor Earl of Huntly, hereditary sheriff of the North, one of whose guardians Sutherland was. In other words, the Earl of Sutherland gained his coveted object at last by the use which he made of his relative Huntly.

Ere the year closed the matter came up again before the Privy Council upon the supplication of the Earl Marischal, the Abbot of Deer, and Lord Oliphant—the first two members of the Council, and all three holders of land in Caithness—that the reduced commission be not restored to the young Earl of Caithness, a minor, should he solicit the same, as he probably will. They say that the commission was granted to Caithness' grandfather at a time of great national misgovernment, in April, 1567, "in that disordered court and time which immediately followed the murder" of Darnley. They further say, that if the commission be restored it will "in effect tak thair landis within Caithnes, and the service of thair awin men . . . fra thame, and mak thair rowmes to be possest be the Clan Gun and utheris, aganis thair will, and contrair justice, law and ressoum."*

* P.C. Reg., III., 540-541 (First Series).

This supplication, which was duly granted, raises some interesting points. It is interesting to find that the Abbot of Deer possessed lands in Caithness at this time, although we have no means of knowing what they were. In an earlier chapter we pointed out that Drostan, the founder of the monastery of Deer, is commemorated in various places throughout Caithness, and that the chapel of Teer, near Ackergill, was probably an offshoot of Deer. It now seems that the religious institution of Deer continued to maintain its connection with Caithness until the Reformation, and drew some emoluments from the same; but the present Abbot was simply a layman who enjoyed the old revenues as commendator or pensionary.

The pointed reference which the petitioners make to the Clan Gunn is also interesting. It shows that in the olden times the Gunns—as tradition holds—were stronger and more formidable in Caithness than the scanty references to them in the National Records would prepare us to believe. As the Gunns did not hold land directly off the king, or by charters which passed the Great Seal, they are hardly referred to in that register at all; while families of far less importance, but holding land by sheep skin titles, make a very much more imposing appearance in these documents. The Keiths and Oliphants held a great deal of land in these northern parts, and had many tenants, but comparatively few of their tenants were related to them as clansmen to chieftains. The landless Gunns, on the other hand, knit together in the bonds of brotherhood, and cherishing ill-concealed hostility towards those who had dispossessed them of an ancient heritage, as their tradition maintains, were naturally a serious menace to charter holders apprehensive of lawlessness. In a time of confusion might is often right, and the Gunns had too much of the former, as the Keiths and Oliphants feared.

What is of no less importance, the Caithness Gunns were useful and powerful allies of the late Earl of Caithness, who no doubt liberally rewarded them by property escheated in his administration of law, for he knew how to value such supporters. A few years after this, however, we shall see that the succeeding

Earl of Caithness was short-sighted enough to agree to the policy of destroying the Gunns—a policy suggested by Huntly and Sutherland, and which eventually spelt disaster to the house of Sinclair.

It is also worth noticing the judgment which the three petitioners pass upon the proceedings of the Parliament held in April, 1567, when the commission of justiciary in question was ratified to the late Earl of Caithness. It was a time of misgovernment and disorder, they say. That is too true, but it was at this same Parliament that MacKay's lands of Strathnaver were confirmed to the late Huntly—a much more shameful proceeding, which was never reduced.

In 1584 the young Earl of Huntly successfully urged Parliament to reduce and cancel the commission of justiciary held by the late Earl of Caithness, because, he pleads, Queen Mary gave that grant "upon sinister and false narration."* No doubt she gave a good many things "upon sinister and false narration," some of which were held by Huntly himself, but it was far from true of this grant. Let the National Records testify. † William Sinclair, first Earl of Caithness in the Sinclair line, resigned the offices of justiciar and sheriff, within the bounds of the bishopric of Caithness, in favour of his son and successor, William, afterwards second Earl of Caithness, by a charter which passed the Great Seal on the 7th December, 1476. ‡ John, third Earl, succeeded to these two offices, for he afterwards resigned them in favour of his elder son and heir-apparent William, to whom they were confirmed hereditarily by a charter of the King, dated 14th July, 1527. § Young William, however, predeceased his father, who was succeeded by his second son George, fourth Earl of Caithness, and full brother of the deceased William. Consequently these offices, which were held hereditarily, must have passed to Earl George. It is a fact, however, that the commission of justiciary granted

* Acts of the Parl. of Scot. III., 358.

† Reg. Mag. Sig., 1476. No. 1267.

‡ Ibid., 14 July, 1527. No. 475.

in 1567 conveyed more ample powers. So much for Huntly's plea of "sinister and false narration."

It is undoubtedly true that the jurisdiction of the Sinclairs, hereditary justiciars and sheriffs of the diocese of Caithness, was diminished by the later grant to the Gordons of the hereditary sheriffship of the diocese of Inverness, Ross, and Caithness. It is difficult, indeed, to reconcile these two grants, or to understand how they could be dovetailed into one another. The administration of the law suffered thereby, for it divided authority and gave two families the power of fleecing and crushing the inhabitants of one unfortunate diocese. It must have also set these two families in political variance to one another, and then in 1567 an extra grant was given to the Sinclairs to outmatch the Gordons, as the old Earl hoped. That is how we read the involved situation. We should point out that when the commission of 1567 was reduced the old offices of justiciar and sheriff were left with the Sinclairs, though they were very much of the nature of empty titles afterwards.*

As soon as the Earl of Huntly attained his majority, and was in a legal position to administer his estate, he conceded to the Earl of Sutherland, one of his late curators, the right of superiority over the lands of Strathnaver, by a charter which passed the Great Seal on the 5th July, 1583.† Sir William Fraser, who had the Dunrobin documents before him, says that Huntly at the same time bestowed upon Sutherland the sheriffship of the earldom in return for the barony of Aboyne.‡ Not long after, Sutherland resigned these new possessions in favour of his son and heir John, reserving his own life interest, and got the King's confirmation.§ In this way Huntly's gift to Sutherland and his heirs was absolutely confirmed, a gift which made MacKay of Strathnaver Sutherland's vassal by feudal law, although MacKay struggled hard and long ere he could be brought to admit the bitter fact.

* Reg. Mag. Sig., 3 April, 1592. No. 2078.

† Ibid., 5 July, 1583. No. 580.

‡ Sutherland Book, I., 145.

§ Reg. Mag. Sig., 21 May, 1588. No. 1546.

As in the reduction of Caithness' commission of justiciary, so also in this matter, Sutherland played a long and steady game. He saw that the late Huntly could not make full use of the superiority of Strathnaver owing to its distance from Strathbogie, and that its possession, as a contiguous property, would add immensely to his own power. To get within reach of what he coveted so much, he married Lady Jean Gordon, the late Huntly's sister, and in 1576 got the nonentry of these lands from his brother-in-law. Now from the late Huntly's son, whose tutor he was, he secured the superiority of these lands to himself.

At this very time the Earl of Sutherland was playing a somewhat similar game in Ross. He arranged to marry his daughter, a mere child, to the boy son and heir of Ross of Balnagown, and had her infeft in a great deal of the Balnagown estate. In December 1583, Ross, "for no apparent adequate reason, granted a charter selling to the Earl of Sutherland evidently his whole estate," says Sir William Fraser.* That is to say, he so manœuvred as to make Balnagown his vassal, a result which the latter rued so bitterly that he joined the Earl of Caithness in fighting Sutherland. As for MacKay, he was hand and glove with Sinclair all along. Thus, misfortune threw Ross and MacKay violently into the arms of the Earl of Caithness.

But the young Earl of Caithness was very ill-fitted to contend with a statesman like Alexander, Earl of Sutherland. Caithness had barely attained majority when he made a notorious display of his lack of self control, slaying with his own hand, in cold blood, two brothers, Ingrahm and David Sinclair, his kinsmen. Attended by a large retinue, he accepted an invitation to the bridal feast of a daughter of one of these men,

* Sutherland Book I., 147. Fraser is perplexed at Ross' practical sale of his lands to Sutherland. He can see no reason for such a procedure. We suggest that the reason is to be found in Ross' trouble at the hands of the Privy Council, who denounced him a rebel in September, 1580. The diplomatic Sutherland probably represented to Ross that the sale of the Balnagown estate would help to extricate him from his entanglement with the Privy Council. The explanation lies in this direction, we think.

and while some of the assembled guests were engaged playing a game of football, the Earl blew out Ingrahm's brains with a pistol and ran his sword through David.* This happened in February, 1584. The young man was probably under the influence of drink, but drunk or sober it was the irresponsible deed of a treacherous madman, and augured ill for his future rule, so full of other mad, thoughtless deeds.

From the civil consequences of this crime Caithness obtained the King's remission, dated 19th May, 1585, to himself and to his companions, viz., James his brother, Master of Caithness; David his brother; Matthew, son of the late David Sinclair of Dunn; John Sinclair, son of William, Rector of Olrig; Thomas, James, George, and Alexander Hepburns, etc.† The Hepburns were the Earl's cousins, for his mother was of that family; and it may well be, as some hold, that the tragic slaughter of the two Sinclairs was by way of revenge for the part which the two were supposed to have taken in the murder of the Earl's father. The presence of so many Hepburns gives some countenance to this view: they would be naturally ready to avenge the death of their aunt's husband. It is a curious feature of the case, however, that before the remission was obtained, and while the Earl was lying legally under the crime, the King at the Earl's solicitation created Wick a royal borough, on 25th September, 1584.‡ Evidently the crime was not looked upon as a serious one at court, otherwise we cannot understand how he could have obtained such a signal mark of the King's favour. At the same time, it must be remembered that the slaughter of Ingrahm and David Sinclair, men of considerable influence in Caithness, must have weakened the following of Earl George at a time when he needed the support of every available man to contend with his numerous and powerful enemies.

The feud between the Sinclairs and Oliphants continued amain. In July, 1583, David Sinclair, natural brother of the Earl of Caithness, came under silence of night with a party of

* Earld. of Suther., p. 180.

† Reg. Mag. Sig., 19 May, 1585. No. 826.

‡ Acts of the Parl. of Scot., V., 638.

men to Thrumster, the property of Lord Oliphant, and ejected therefrom William Oliphant, uncle of Lord Oliphant and tenant of these lands, together with his servants and hinds ; which lands the said David "continually since has detained and withholden." Lord Oliphant complains to the Privy Council that David did this at the instigation of the Earl of Caithness, and that the Earl himself has since then ejected several of the complainer's kindly tenants from the lands of Thrumster and Bruan, planting in a great part thereof broken men and sorners, who will neither acknowledge Lord Oliphant as their master, nor desist from occupying his lands.* This state of matters continued until the harvest of 1587, when a further invasion took place, of which more later.

The seizure of lands and eviction of tenants appear very unwarrantable in the complaint, but let it be remembered that the Earl's father, the late Master of Caithness, procured an apprizing of these lands which gave the Sinclairs a kind of title. The Earl, however, took the law into his own hands, and consequently cast away some of his legal rights, whatever they may have been worth. But such a course was characteristic of the man.

The intestine strife which was unfortunately consuming the MacLeods of Assynt, and to which we briefly referred in the last chapter, dragged on its miserable course. On the one side were the sons of Neil Angusson, who cleaved to the MacKays of Strathnaver ; and on the other were the sons of Hew Angusson, who rushed into the arms of the Earl of Sutherland. For Sutherland and the MacKays were the two permanent opposing poles, that gathered round them the lesser families in these parts. After the execution of Neil Angusson in 1577, the power passed to his nephew Neil Huistearson ; but in 1585 Donald Neilson, son of Neil Angusson, returned from Fowlis, married a sister of Huistear MacKay of Strathnaver, and endeavoured to oust Neil Huistearson. With the concurrence of his ally the Earl of Caithness, MacKay advanced into Assynt to support Donald

* P.C. Reg. IV., 229 (First Series.)

Neilson with a body of men, among whom were the Robson Gunns; but the Earl of Sutherland sent a superior force to the assistance of Neil Huistearson, which checkmated MacKay, as Gordonstoun reports.*

This formidable confederacy, however, so alarmed the Earl of Sutherland that he lost no time in trying to break it up. Through the influence of Huntly, his relative and ally, lately appointed lieutenant-general of the North—a post which he held until February, 1592†—Sutherland got a meeting convened at Elgin, to which Caithness was called to discuss the situation. At this Elgin meeting the Gordons constrained Caithness to agree to a plan which they drew up, involving the destruction of the Robson Gunns, who were a thorn in the side of the Earl of Sutherland but a tower of strength to the Earl of Caithness. A man of ordinary intelligence and common prudence would have spurned such a suicidal proposal at once, but Caithness accepted it, on condition that he got the hand of Huntly's sister in marriage. This was settled, and the marriage duly solemnised.‡

When the Earl of Caithness returned home with his bride, however, he repented of his promise, and “refused to delyver vnto the Earle of Suotherland such of the Clangun of Cattheynes as he had promised to doe,” says Gordonstoun. Thereupon Huntly made a journey into Sutherland, and summoned Caithness and MacKay of Strathnaver to meet him at Dunrobin. MacKay ignored the summons, and was consequently denounced rebel by the King's Lieutenant-General; but Caithness obeyed, and was a second time bound to the policy of destroying his best allies, the Gunns.§

The policy of the Gordons, to destroy a whole tribe of people, as is unblushingly recorded by Gordonstoun, was inhumanly cruel from the point of view of to-day, or for that matter of any day. It may, however, be paralleled by the proscription of the

* Earld. of Suther., pp. 181, 264.

† P.C. Reg. IV., 725. (First Series.)

‡ Earld. of Suther., p. 182.

§ Ibid., p. 182.

Clan Gregor. The Robson Gunns were certainly a lawless set of thieves, but were those who proscribed them in the King's name any better? The Gunns lifted cows and horses as a rule : the Gordons did not hesitate to walk away with landed estates, and to traffic in such plunder. The proscribers were just as thievish as the proscribed in our opinion.

After a good deal of scheming and plotting, a plan of campaign was drawn up against the Gunns, as follows :—A party of Caithnessmen, coming from the east, and a party of Sutherlandmen from the west were to stealthily surround and cut up the Gunns. The hunted Gunns, with every ear to the ground, warned betimes of the fate awaiting them, moved over the hills towards Ben Griam, and kept a sharp look out on every side. The two expeditions started at the time appointed, but it so happened that William MacKay, a brother of Huistean of Strathnaver, was at that very time returning from Corrie Kinloch (which lies between Ben Armin and Ben Mor, Assynt) with cattle plundered from James MacRorie, one of the Assynt MacLeods depending upon the Earl of Sutherland. The Sutherlandmen saw and gave chase. MacKay retired before them in the direction of Ben Griam, pushing on the cattle and fighting a rearguard action all the day, in which sturdy advantage was taken of the inequalities of the ground to check the advance of the pursuers. The skirmishing tactics practised gave the fight the name of *La Fraoich*, Day of the Heather Bush. About break of day next morning, the retiring MacKays stumbled upon the Robson Gunns, also falling back before the advancing Sinclairs. After a hasty consultation, the Gunns and MacKays resolved to rush the Sinclairs first, and then to give battle to the men of Sutherland. The Sinclairs, who had no knowledge of the Gunns' accession of strength, boldly pressed up the slope of Altgawn, when suddenly the Gunns and MacKays, springing up from out the heather, charged down the brae. The Sinclairs were speedily routed ; their leader and seven score men fell ; the rest fled.* As for the Sutherland men, they gave no more

* Earld. of Suther., pp. 182-3.

trouble that day. Too prudent to risk a battle in such circumstances, they returned home. The affair at Altgawn took place in 1586, according to Gordonstoun.

Huistean Du MacKay was down at Girnigoe, trying to influence the Earl of Caithness in favour of the Gunns, when news arrived of the disaster which befell the Sinclairs at Altgawn, and of the part which the MacKays so unwittingly played that day. So stung were the people of Caithness with grief and anger, that MacKay had to flee by night back to Strathnaver to escape their fury. Thus, without striking a blow or losing a man, the Earl of Sutherland tumbled almost to its foundations the lately compact confederacy of Sinclair, Gunn, and MacKay. This was the natural fruit of the Elgin policy, which the Earl of Caithness was silly enough to adopt.

For some time after this MacKay managed to protect the Gunns, but Sutherland was not the man to leave things half done. With the Caithnessmen crying for revenge, and the Aberach MacKays at bitter feud with the Gunns, he found little difficulty in bringing such threatening pressure to bear upon MacKay that the latter was forced to advise the Gunns to escape to Ross or to the Western Isles. The Robson Gunns eventually escaped to Lochbroom, where they were overtaken and severely handled by the Aberach MacKays and some Assynt MacLeods, under the leadership of James MacRorie of Corrie Kinloch.* The affairs at Altgawn and at Leckmelm show how seriously divided the MacKays were at this period. At Altgawn the MacKays assist their allies the Gunns, but at Leckmelm the Aberach MacKays, who were induced during the minority of Huistean MacKay to ally themselves to Sutherland, attack and overthrow the same people. Here was indeed a miserable example of a house divided against itself.

So bitter was the feeling at this time between the other MacKays and the Aberachs, that the latter were assailed at Syre by the sept of Ian Ruadh MacKay, as Gordonstoun tells us.†

* Earld. of Suther., p. 185.

† Ibid., p. 174.

Tradition has it that the battle of Syre was of such a cruel and obstinate character that hardly a man escaped unhurt. The trench where the dead were buried is still marked by a line of nettles on the hill overlooking Syre. And it should also be noted that in 1587 James MacRorie of Corrie Kinloch was slain by Donald Balloch MacKay of Scourie, as Gordonstoun also records. So that the MacKays and MacLeods who punished the Gunns at Leckmelm were in their turn punished by the MacKay allies of the Gunns not long after.

For a short time after the Earl of Caithness had married Lady Jean Gordon, and while he was engaged carrying out the Gordon policy of destroying the Gunns, he was on visiting terms at Dunrobin and at liberty to pass and repass through Sutherland. But towards the end of 1586, as the Earl's saddle-horses were fording the river above Helmsdale, George Gordon of Marle, natural son of Gilbert Gordon of Garty and Golspietower, docked their tails and told the servants in charge to present his compliments to their master at Girnigoe. So incensed was the Earl of Caithness at this indignity that he determined to wipe out the insult in the blood of the offender, although his uncle, George Sinclair of Mey, did his utmost to restrain him from such a course.* Discarding sound advice, Caithness secretly assembled a sufficient body of men in February, 1587, crossed the Ord, and surrounding Marle in the night time, slew the unsuspecting culprit.†

Of course such a proceeding was certain to precipitate hostilities between the rulers of the two earldoms. The marches between two northern earldoms were held as inviolate then as the boundaries separating Germany from Russia to-day, for Highland barons were to all intents and purposes petty kings. Consequently both parties sent fiery crosses flying over the land and summoned their respective friends to back them under arms. So speedily did they gather that in the early days of March Caithness advanced again towards Helmsdale, at the head of

* Reg. Mag. Sig., 28 March, 1589; No. 1648.

† Earld. of Suther., p. 193.

all the men he could raise benorth the Ord, supported by the Strathnaver men led by Huistean Du, and by a contingent from beyond the Pentland led by the Master of Orkney. It must have been a formidable army; but the Earl of Sutherland had also a strong force posted on the south side of the water, consisting of his own men, some MacIntoshes, the Munroes of Contalich, the MacKenzies of Redcastle, and a section of the MacLeods of Assynt. There was some skirmishing between the two armies as they lay for several days on either side of the river, but not much bloodshed, for the Earl of Sutherland wisely restrained his men and tried what intrigue could do.

Sutherland bent himself to break up the alliance between Caithness and MacKay, and to this end sent MacIntosh across the river by night on a secret mission to MacKay, offering certain inducements to desert his ally. MacKay, however, flatly refused to entertain the idea. But messengers sent on a similar errand to Caithness were more successful, for Caithness ultimately entered upon a truce with Sutherland from which MacKay was excluded—the truce to last to the close of the following year.* When MacKay discovered that his ally, who had lately tossed the Gunns to the wolves, had now practically deserted himself, he evacuated his position in disgust and marched his men back to Strathnaver.

At a meeting which the two Earls held at Edinburgh not long after this, Caithness is said to have promised to support Sutherland in crushing MacKay, according to Gordonstoun. If this tale is true, it casts a lurid light upon Caithness' undoubted lack of common sense, not to speak of common honesty. To agree to such a proposal was to play his enemy's game, as any child could see. Forced to the conclusion that an alliance with Caithness was impossible, and understanding that the Earl of Sutherland was willing to receive him with open arms, MacKay agreed to meet the latter at Inverness in the autumn of 1588. At a subsequent meeting, held at Elgin on the 26th November, 1589, the Earl of Sutherland, as superior of Strathnaver in

* Earld. of Suther., p. 195.

virtue of Huntly's late grant of the same, promised, in return for MacKay's band of service, to infeft him hereditarily in the lands of Strathnaver—the lands in which his father, Iye MacKay, died last infeft—to forego his claim to £50,000 Scots of accumulated nonentry duty, and to give his daughter Lady Jane Gordon in marriage to MacKay.*

MacKay duly agreed to these terms though they were very severe. In the first place, they meant that MacKay was to be henceforward Sutherland's vassal, a position of inferiority that must have been very galling to a proud spirit that strove against it since his father's death in 1572. In the second place, it meant that he had to discard his present wife, an aunt of the Earl of Caithness, in order that he might be more closely bound to the interests of the house of Sutherland by taking a Gordon wife. Gordonstoun says that MacKay repudiated his wife, Elizabeth Sinclair, for adultery; but that is not true, for she claimed the legal adherence of her husband time and again, without any such objection being raised against her. If she had been guilty of adultery, she would certainly have been divorced in order to make the Gordon marriage more valid. But there was no divorce, only repudiation, for divorce was not possible. Her sister was discarded by the Earl of Sutherland, and now the same influence helped to send herself adrift. Sutherland certainly took pleasure in heaping indignities upon the house of Sinclair, but in this case it meant sending his own daughter to the altar to be bigamously married to MacKay. Yet, to advance his feudal influence, the crafty, calculating Earl of Sutherland stooped to make such a sacrifice of his eldest daughter, and for a like purpose MacKay flung his lawfully married wife out of doors. Wild, selfish times, were they not? Anyway MacKay married the Earl of Sutherland's daughter, a girl of barely fifteen years, before the close of the following year (1589).

Meantime the Earl of Caithness was again getting into hot water with Lord Oliphant, and that seriously. Lord Oliphant

* Sutherland Book, III., 157.

reports to the Privy Council that certain tenants and servants of the Earl of Caithness, to the number of three score, "all bodin in feir of war," and led by James, John, and David Sinclair, the Earl's three brothers, came under silence of night, on the 15th September, 1587, to the tower of Tusbister and the houses of Bruan, whence they ejected Lord Oliphant's folks. He proceeds to complain that Lady Oliphant, who happened to be in Caithness on business at the time, cannot remain within the country, partly for fear of the Earl's oppression, and partly for lack of a house to reside in. The Council there and then denounced the leaders in this expedition rebels.* On the 8th January following, the Earl of Caithness himself was denounced rebel for non-appearance before the Council in regard to the matter in dispute; and on the 16th March, Francis Steuart, Earl of Bothwell, his uterine brother, became his caution in 5000 merks that he shall appear before the Council to answer to Lord Oliphant's complaints.†

This lawsuit, however, continued for close upon four years longer, if not more, and gave Caithness an immense amount of trouble, for on the 10th November, 1591, he complains that upon Oliphant's letters of horning, charging him to find caution in £5000 Scots for the safety of Oliphant's tenants, he has been put to the horn; and on subsequent letters ordered to ward in Blackness Castle. He now asserts that these letters were never served upon him, and is given to the 10th of December to find a proper cautioner.‡ Thus it turns out that while Sutherland was cudgelling Caithness with raid upon raid, as we shall presently see, Oliphant was busy holding Caithness' nose to the legal grindstone at Edinburgh. Undoubtedly Oliphant was playing into the hands of Sutherland, for the overthrow of their common enemy; and Caithness was getting his kail through the reek with a vengeance.

As soon as the Earl of Sutherland had "separated the Earl

* P.C. Reg., IV., 229,230 (First Series).

† Ibid., IV., 241 (First Series).

‡ Ibid., IV., 689 (First Series).

of Caithness and MacKay, then he bendeth himself altogether against the Earl of Caithness," says Gordonstoun. He bound MacKay fast to his side by contract and a promise of marriage late in December, 1588, and early the following February took the field against Caithness. For some time past the Earl of Caithness objected to the manner in which the Earl of Sutherland enforced his rights to certain church lands bestowed upon the family of Sutherland by the late Bishop,* within the earldom of Caithness. As some of these lands in and around Wick lay close to Girnigoe, the residence of the Earl of Caithness, Sutherland could hardly fail to make himself obnoxious to the proud man dwelling in the Castle by the sea. There was some bickering between them, but keen as Sutherland was to attack his neighbour, he was too prudent to do so without legal sanction if possible. With the help of Chancellor Maitland, however, he obtained a commission to pursue the Earl of Caithness with fire and sword for the slaughter of George Gordon†—the fellow who docked the horses' tails at Marle—and, as was usual with commissions of this kind, to summon the lieges to his assistance for its execution.

This was a formidable weapon with which to belabour Caithness, and it sent a shiver through the land. His uncle, George Sinclair of Mey, sought and obtained a remission from the King, dated 28th March, 1589, to himself and his servitors (viz., John Sinclair of Dunn, Andrew Mowat of Brabstermyre, Henry Sinclair, James Forbes, William Coghill, and Alexander Innes) for their share in the slaughter of Gordon. Mey says that he has done all he could to restrain his nephew, whereby he has incurred his displeasure so seriously that he dare not, for fear of his life, visit his own home and family, or come into the Earl's presence.‡ Sinclair of Mey retired to Ross and settled near Cadboll, when he acquired some property, and which became the home of his children for many years. In the

* Sutherland Book, I., 149.

† Earld. of Suther., p. 196.

‡ Reg. Mag. Sig., 28 March, 1589. No. 1648.

face of accumulating troubles, when he ought to be rallying every influence to his side, the Earl of Caithness not only cast away his MacKay and Gunn allies, but was thoughtlessly scattering his relatives as well.

In February, 1589, Sutherland dispatched a force of 200 men over the Ord, who wasted the coast side from Dunbeath to Latheron. This affair came to be known as *Creach Latharan*, Spoiling of Latheron.* As the lands in that region pertained chiefly to the Sinclairs of Dunbeath and the Sutherlands of Forse, two families that were hostile to the Earl of Sutherland, the raid would help to clear the way for the intended advance upon Girnigoe. A few days after, Sutherland himself crossed the Ord with a large force, consisting of his own followers in Sutherland, together with MacIntosh, Fowlis, the MacLeods of Assynt and Raasay, the MacKays of Strathnaver, and the Robson Gunns. With this army he lay before the Castle of Girnigoe for close upon a fortnight, spoilt the country round, gave the town of Wick to the flames after pillage, burst open the burial vault of the Sinclairs in the church of Wick, and savagely destroyed the leaden casket enclosing the heart of the late Earl. The sack of Wick was spoken of as *La na Creiche Moire*, Day of the Great Spoil, for the plunder taken was abundant, and was probably the work of one day towards the close of the operations.† For lack of cannon they were unable to make any impression on the Castle, however, and withdrew upon the Earl's agreement to submit the matters in dispute between himself and Sutherland to the arbitration of Huntly. It was to secure this end that Sutherland sought and obtained a commission against Caithness. Gordonstoun says that Sutherland's loss in this expedition was one man, a straggler at the water of Wick; but Sir William Fraser reports from documents at Dunrobin that the loss amounted to 300.‡ Evidently there was some stiff fighting, and Gordonstoun's partisan account of the immediately subsequent conflicts must be largely discounted.

* Earld. of Suther., p. 196.

† Ibid., p. 196.

‡ Sutherland Book, I., 151.

The Earl of Sutherland hardly returned home when a tribe of Caithness Campbells, the Siol Iver, raided Sutherland and carried away a spoil of cattle out of Badenloch. Whereupon Alexander Gordon of Kilealumkill returned again to spoil Caithness about Whitsunday, whence the affair was called *Creach na Caingis*, Whitsuntide Spoil.*

A few days after this, in the month of June, James Sinclair of Murkle, the Earl's brother, surprised the Sutherland border guards in the heights of Strath Kildonan, pushed on to Strath-brora, where he took a spoil of cattle, but had to fight for it at Crissaligh on his way back. About the same time, the Siol Iver, at the instigation of the Earl of Caithness, raided the Robson Gunns at Strathy and took some cattle, but the Gunns pursued the raiders and gave them a drubbing at Acha-moin-merkel, in the heights of Reay. In November of this same stirring year, the two Earls met at Elgin, submitted the questions in dispute between them to Huntly, and agreed that henceforward Huntly would be the arbitrator of all their quarrels. All this we give upon the authority of Gordonstoun.

Adam Gordon, great-grandfather of the present Earl of Sutherland, gave ten davochs of land in Strath Kildonan to the great-grandfather of the present Earl of Caithness, in 1516. The possession of these lands was a bone of contention between the two families for some time, but now the strife came to a point. In the autumn of 1590, the Earl of Caithness invaded Sutherland and came into the neighbourhood of Dunrobin, whence he swept away much cattle. The hastily assembled forces of Sutherland overtook and attacked him at Kintradwell, but with little success. As the Morays were not permitted to take their accustomed place in the vanguard of the battle, they retired to a hill hard by, and left the Gordons to fight alone that day, "since which tyme the Morayes have done nothing worthie of themselves or there forbears in that cuntrey," says Gordonstoun.† But while the Gordons were ineffectually hanging to the heels of the retreating Earl of Caithness, laden with spoil,

* Earld. of Suther., p. 198.

† Ibid., p. 202.

Huistean Du of Strathnaver slipped over Druim Halistane, and wasted Caithness even unto Thurso, carrying away much booty. Soon after this, David Sinclair, natural brother of the Earl, came to Bowsaid, on the Strathy water, and made a night attack upon the Robson Gunns, who were for some time settled there in considerable numbers. Thus the murderous strife continued apace.

The country was now getting so infested with broken men living by plunder that the holders of property became alarmed for the maintenance of order. And the Earl of Sutherland had good cause to seek a settlement with Caithness that he might have a breathing space to nurse his allies into a proper frame of mind. The Morays, a very powerful family, were sulking dangerously; the MacKays were not to be trusted, for Donald Balloch MacKay lately supported the Earl of Caithness at Kintradwell with a strong force from the Western Isles; and the McLeods of Assynt were so consumed with their own feuds that their help at a pinch was very uncertain. In these circumstances Sutherland managed to get Caithness to visit Huntly at Strathbogie, in the spring of 1591, where the two Earls came to terms. The Earl of Caithness resigned the ten davochs of land in Strathkildonan to the Earl of Sutherland, in return for some church lands which the latter resigned to him.* The church property consisted of the towns of Wick and Papigoe; the towns and lands of North and South Kilimster; the towns and lands of Ulgrammore [Olgrinmore], Ulgrambeg [Olgrinbeg], Thormesdail [Tormsdale], Eisterdail [Easterdale], and Westerdale, in the parish of Halkirk. Sutherland's charter to Caithness was confirmed by the King before the close of the year; and the King added to it, as a gift from himself, the advowson of the churches of Wick, Thurso, Latheron, and Halkirk, "understanding the burning zeal of the said George [Earl of Caithness] for the promotion of the glory of God."† With such pious phrases was the patrimony of the Church often unblushingly handed over to greedy, godless men!

* Sutherland Book, I., 155, 6.

† Reg. Mag. Sig., 17 December, 1591; No. 1977.

There is no doubt the King had some ulterior object in bestowing the patronage of these churches upon the Earl of Caithness. The probable reason was to separate the Earl from his uterine brother, the Earl of Bothwell, a hare-brained character like himself, who of late gave the King no end of trouble, and who from time to time retired for refuge to distant Caithness. The Privy Council denounced Ross of Balnagown rebel, on 5th June, 1592, for having convoyed Bothwell "to and fra Caithnes, ouer the ferreis of Ardersier, Cromartie, and Dornoch," especially at the time when Bothwell, "returning south frome Caithnes," slew some at Holyrood on 27th December last; and, again, lately, in this "moneth of Maii," he returned a second time from Caithness to do further mischief.* Gordonstoun reports that the Earl of Caithness eventually turned against Bothwell, and we have little doubt the King's gift was intended to produce that result. As for Ross, he assisted Bothwell because he was a friend of the Earl of Caithness.

We shall now consider the ecclesiastical history of the period covered by this chapter.

Robert Stewart, titular Bishop of Caithness, continued to dilapidate Church property, although there was now very little more to wreck. On the 20th October, 1583, the Bishop disposed hereditarily the three penny lands of Ormlie, with mill, cruives, and salmon fishing at Ormlie, on the Thurso, to Henry Sinclair, son of William Sinclair of Dunbeath, whom failing to his brother David and his heirs male.† As the Bishop was the King's grand-uncle, exceptional powers were conferred upon him for devouring the Church property of Caithness and Sutherland. For example, on the 8th November, 1583, the King, to improve his own revenue, revoked all grants of crown-lands, and all grants made "furth of commoun kirkes, frier landes, the thriddes of benefices," etc., but excepting "the assignations of the thirds of the bishopric of Caithnes and priory of

* P.C. Reg., IV., 748-50. (First Series.)

† Reg. Mag. Sig., 1 December, 1586; No. 1088.

Sanctandroids (St. Andrews)," which were made over to his grand-uncle Robert.* Thus Robert Stewart held a private lien from the King over the third of the teinds of Caithness, which was by law conferred upon the Reformed Church, a singular state of matters. But the maw of the Bishop was every bit as insatiable as that of the hungry King himself.

When King James attained the age of eighteen (in 1583) he began to rule personally, and from the start set his face against Presbytery, a democratic form of Church government obnoxious to his autocratic views. At the Parliament which met in May, 1584, he caused the "Black Acts" to be passed, declaring that the King was head of the Church as well as of the State, that no Assemblies of the Church can be held without his sanction, that bishops are to be appointed, and that their appointment is to be in the King's hands. This was a stunning blow to Presbytery. It stiffened the backs of the Reformers, however, and increased their hostility to Prelacy. It was also, further, enacted that all the clergy must conform to these Acts by adhibiting their names to a document prepared for the purpose, but many of them refused and fled the country. The banished clergy made their plaint as follows: "By the insatiable, sacriligious avarice of earles, lords, and gentlemen, the kirk, schooles, and poore are spoiled of that which sould sustaene them; the materiall kirks ly like sheepe and nolt [cattle] faulds, rather than like places of Christian congregations to assemble into."† If this is anything like a truthful representation of the state of matters in the midlands of Scotland, where the majority of the people were Protestant, the situation in the far north must have been extremely miserable, for Protestantism had few friends there.

In a royal proclamation of the 2nd January, 1585, "Our weil-beloved Johne Gray of Fordell, assisted by our right trust cousins, Alexander, Erle of Sutherland, and George, Erle of Cathnesse," were appointed commissioners to see these Acts put

* P.C. Reg., III., 609 (First Series.)

† Calderwood's "Historie," IV., 152.

into execution within the diocese of Caithness.* As both these Earls were Romanists, although much given to sit upon the fence, we may rest assured they would show scant favour to any minister who stood up for Presbytery in these parts. But we are not aware that there was a minister with sufficient backbone to stand up for Presbytery in Caithness or Sutherland; and as for the common people, they cared not for these things, for they were grossly ignorant and steeped in superstition.

Bishop Robert Stewart, who kept a firm hold of the revenues of the northern diocese until the end, and who was a drag upon its religious development, died at St. Andrews in the spring of 1586.† He succeeded his brother as Earl of Lennox in 1571, and in 1580 resigned that title in favour of his nephew, Esme Stewart—who had come from France—receiving in exchange the title of Earl of March from the King. Of Esme Stewart Hume Brown justly says, “He came . . . as the express emissary of the Guises to work by all the means in his power for the restoration of Mary Stewart and of the ancient religion.”‡ When we remember that the so-called Protestant Bishop of Caithness resigned his secular title in favour of such an emissary, the less said about the Bishop’s Protestantism the better. All that need be said is that vampire-like he sucked the ecclesiastical carcase in Caithness white before he was done with it.

The conforming ministers met in General Assembly in 1586 humbly petitioned the King as follows:—

“That seing Papistrie aboundeth in the north, by reasoun of the skant of qualified ministers there, for laike of sufficient provisioun and stipend, that therefore assignatiouns may be made unto them, conformable unto the ministrie in the south.”§

* Calderwood’s “Historie,” IV., 341-2.

† P.C. Reg. IV., 60n. (First Series.)

‡ History of Scotland, II., 175.

§ Calderwood’s “Historie,” IV., 562.

What the King's response to this petition was we cannot say. At the same meeting it was reported that the King nominated Robert Graham commissioner for Caithness. This was confirmed by the General Assembly, and the following were appointed assessors to the commissioner, viz., Robert Innes, William Gray, and Andrew Anderson.* It was ordained that Bishops were to be the standing moderators of Presbyteries, and where there is no bishop the commissioner is to hold the office instead. The Presbytery of Caithness consisted of the parishes of Wick, Halkirk, Skinnet, Reay, Bower, Watten, Olig, Canisbay, Latheron, Dunnet, Thurso, Farr, and Ardnerness. The Presbytery of Sutherland consisted of Assynt, Kilmalie, Dornoch, Clyne, Creich, Loth, Lairg, Kildonan, and Rogart.†

At the General Assembly of 1587, Robert Graham, Commissioner for Caithness, was charged with having a Highland kirk, "which he served not, and that he made not residence at his owne kirk." Graham replied that he "laiked the knowledge of the Irish tongue, and yitt upon his expences the kirk was served." He also said that he had neither glebe nor manse. The Assembly referred the matter to a committee for consideration.‡ At the same meeting Robert Pont reported that the King expressed a desire to appoint him Bishop of Caithness, and that he wished to have the mind of his brethren on the matter. After due deliberation, the brethren agreed to ordain him minister of Dornoch, should this be acceptable, but they refused to countenance the appointment of a bishop, and thus the matter took end.§ We are not aware that Pont was ever appointed bishop.

The winter of 1587-8 was so full of rumours of the coming Spanish Armada that King James, greatly alarmed, began a close study of the Apocalypse. The Assembly also met in

* Calderwood's "Historie," IV., 566-569.

† Ibid., IV., 572.

‡ Ibid., IV., 620.

§ Ibid. IV., 624-6.

February, 1588, and pressed certain matters upon the King, among which were the following :—

“As concerning . . . the planting of kirks, this is our advice unto your Hienesse, that commissioners be directed from your Majestie, and from this Generall Assemblie, unto the north and south-west parts [Galloway] in speciall, to the effect that the kirks may be visited, and Ministers planted where need requireth, and Papistrie suppressed, which hath overflowed all these parts.” They also say that the “Erle of Sutherland, with his ladie and freinds, Papists [are] vehementlie suspected latelie to have had masse, and [are] contemners of the Word and Sacraments. *Item*, verie few ministers there, and all destitute of provisions.”*

The Countess of Sutherland referred to here is Jean Gordon, daughter of George, 4th Earl of Huntly, whose portrait is given in the *Sutherland Book*, holding a rosary in her hand.† She died in 1629, and was often challenged by the authorities for harbouring priests and Jesuits. Her nephew, the then Earl of Huntly, was a pronounced Romanist, and so was her niece, Jean Gordon, Countess of Caithness.

The Spanish Armada came in the harvest of 1588, and was destroyed by our autumnal gales. In the striking language of the time, they came, they saw, they passed away. As a naval operation, the whole thing was a miserable failure, yet it made a deep impression upon the people of Scotland. It made the Protestants realise their danger vividly, and filled them with apprehension of a second attempt. On the other hand, the Catholics, though naturally disappointed, felt that the failure was very much an accident, and were more sanguine than ever that their cause would succeed eventually with the help of the Catholic powers on the Continent. Nor were they without substantial reasons for their hopeful view. To the north of the Grampians, throughout the Hebrides, and in Galloway, the people were still overwhelmingly Catholic, while over the rest

* Calderwood's "Historie," IV., 655-660.

† Vol. I., facing page 168.

of Scotland the Catholic lords had considerable influence. To dish Presbytery, King James sheltered the Catholic lords, and is known to have been in friendly correspondence with the Pope. Little wonder though the Catholics were sanguine.

Early in 1589, Huntly, in name of the Catholic lords, sent a letter to the King of Spain, and another to the Duke of Parma, both of which were intercepted. To the King of Spain Huntly says, "We may assure your Majestie, that having once six thowsand men heere of your owne, with money, yee may list heere forces in this countrie als freelie as in Spaine, who will serve you no lesse faithfullie than your owne naturall subjects." To the Duke of Parma he tells that he is in such credit with King James "that since my comming to Court, he hath brokin his former guardes and caused me establishe others about his persoun, of my men."* Evidently the King was playing into the hands of the Romanist Huntly.

Under pretence of calling the Catholic lords to task, the King went north in June of this year, visited the Chanonrie of Ross and came as far as Cromarty, where he remained for some days hunting.† While the King was busy playing hide and seek in the north, Jesuit emissaries were also actively engaged in these parts herding the people for Rome. One of the most active and powerful of this order was James Gordon, uncle of the Earl of Huntly, who for years spent a good deal of his time in Caithness and Sutherland. And not without cause, for the Countess of Sutherland was his sister, the Countess of Caithness was his niece, and Jean Gordon, wife of Huistean Mackay of Strathnaver, was also his niece—all of them Catholics.

Father Gordon, writing in June, 1592, under the assumed name of James Chriesteson, refers to earlier visits to Sutherland, and says, "When yee come nixt to Sutherland or Cathness, where I am bound to, I sall convoy you there, and shew you how yee sall speede better nor yee did the last tyme yee

* Calderwood's "Historie," V., 15, 17.

† Ibid., V., 59. The King owned a good deal of land in the Black Isle, land which was ecclesiastical in origin.

were there." Writing in November of the same year, he says, "Our man of warre has been at Pluscardie, and is yitt in Cathnesse and Sutherland.* What he means by "man of war" we cannot say. It probably had a cryptic meaning.

The peaceful arrangement come to by the Earls of Sutherland and Caithness in 1591, already referred to, may have been influenced to some extent by the religious situation. In this treaty the Earl of Caithness certainly fared better than he deserved, but probably the Romish party promoted peace between them so as to strengthen the forces of the old religion.

* Calderwood's "Historie," V., 201, 203.

CHAPTER X.

KING JAMES' RULE IN THE NORTH.

IN 1587 an Act of Parliament was passed for quieting and keeping in obedience the Borders and Highlands, commonly called "The General Band," but it remained very much of a dead letter until 1590, when Chancellor Maitland took the matter up in the Privy Council. In the latter year a list of the principal landholders of these parts was drawn out, showing for Sutherland and Caithness the following: the Earl of Sutherland, the Laird of Duffus, James Innes of Touchie, the Earl of Caithness, the Earl Marischal, Lord Oliphant, the Laird of Buchollie, the Laird of Dunbeath, and MacKay of Farr; while the Morays of Sutherland are said to cleave together as a clan, though most of them hold their lands of various other landlords.* James Innes had lands somewhere in Sutherland; Buchollie was Patrick Mowat, whose eldest son was Magnus, whose son was James; and Dunbeath was William Sinclair. There is no reference in these lists to the MacLeods of Assynt, the Gunns, or the Sutherlands, although the latter very probably followed the banner of Sutherland of Duffus.

Towards the close of 1590 many had to find caution for the maintenance of peace under the Act of 1587, but in the far north three only are mentioned, viz., the Earl of Sutherland in 20,000 merks, the Earl of Caithness in £20,000, and MacKay of Farr in £10,000.† A list of broken Highland clans was also drawn up in 1594 in which the following northern names appear, the Clanmorgan (MacKays), Clangunn, Cheilephale

* P.C. Reg., IV., 782. (First Series.)

† Ibid., IV., 803. (First Series.)

(Polson MacKays), and Neilsons (probably Assynt MacLeods).^{*} Thus all the principal names are eventually accounted for in these sets of lists.

The MacLeods of the Lews were superiors of the lands of Assynt from very early times, but of late the family was going sadly to pieces. During the reign of James V., Rory MacLeod of the Lews, a free-living character morally, married a daughter of the rising house of MacKenzie, and soon after discarded her for misconduct with the Breive of Lewis, the father of her newborn child, as MacLeod maintained. MacLeod married again and so did the discarded wife; but the child whose paternity was in dispute was fostered by his maternal relatives at Conon, and came to be known as Torquil Connonach. After Torquil attained to manhood, strongly supported by the MacKenzies and some disaffected islanders, he invaded the Lews, assailed and captured Rory MacLeod, who was at the horn for misdemeanour, and handed him over to the civil authority, who kept Rory prisoner in Stirling Castle for four years. Torquil Connonach at the same time took possession of the MacLeod muniments in the Castle of Stornoway, and as "son and heir of Rory MacLeod of the Lews, upon the resignation of his said father at Stirling," secured for himself the baronies of Assynt and Coigach by royal charter on 14th February, 1572.[†]

In this way Torquil Connonach obtained the mainland possessions of the MacLeods, but as he had no living male issue, and as his only daughter had married one of the MacKenzies of Kintail, he helped the latter family in every way possible, by foul as well as by fair means, to oust the MacLeods. In accordance with this policy, Torquil disposed the lands and barony of Assynt to Colin MacKenzie of Kintail, who obtained a heritable charter of confirmation from the King, dated 20th January, 1592, in which the barony of Assynt is said to consist of Alphin, Leardmoir, Leadbeg, Strowchrobe, Glasmoir, Stoir, Clachoule, Inchevandie, Auchmoir, Ullebell, Ravintrait,

^{*} Col. de rebus Alb., pp. 39-40.

[†] Reg. Mag. Sig., 14 February, 1571-2. No. 2019.

Ardvar, Glenlerik, Neyther, Taymouth, Brumepak, Uldeneyne, Glasmassie, Auchincarne, Auchinamulvich, Torbrek, Invererlik, with the salmon fishings of the same, Lochbannoch, Kirktonn of Assynt, with fortalice, etc.* Thereafter, for more than a century, the superiority of Assynt was in the hands of the MacKenzies, and the MacLeods of Assynt held their lands off the Mackenzies as feudal vassals. As for the MacLeods of the Lews, they were practically wiped out by the machinations of the Mackenzies, who played upon the cupidity of King James so successfully that eventually all the lands of the Lews with the title of Seaforth came to them.

On the 14th September, 1592, Rory Moray of Bighouse complained to the Privy Council that upon the 20th September, 1587, William MacKay of Galdwall, Durness, "with certane brokin hieland men," had come to the complainer's lands of Bighouse, held by him "in few of his Majestie," and, after having intromitted with his goods on the said lands and within the house thereof, had "ejectit the said complenaris wyffe and bairnis furth of the saidis houssis; quhairthrou, thay being strangearis in that cuntrey, unacquented with ony of the cuntrey people, and wanting moyane to mak thair awne provisioun, thay wer forceit to beg thair meitt and at last miserable deit throu hunger in the montane." Further, the said MacKay "hes continuallie sensyne withhaldin and possess the said complenaris hous and rowme, and hes baneist himselff the contrey, swa that he dar nocht repair thairunto for feir of his lyffe," for which MacKay was denounced rebel in his absence.† Some years thereafter William MacKay, who was a brother of Huistean Du of Strathnaver, purchased Moray's rights to these lands on 18th July, 1597, for 1000 merks—a very small sum for the lands concerned—and became progenitor of the Bighouse MacKays.‡ The Morays had obtained the lands in the reign of James I by escheat from the MacKays, and

* Reg. Mag. Sig., 19 January, 1591-2. No. 2024.

† P.C. Reg., V., 11. (First Series.)

‡ Inventory of Bighouse Papers.

probably found it difficult to retain and use them in the circumstances.

This same year (1592), George, Earl of Caithness, with consent of his wife, Lady Jean Gordon, resigned all the lands of the earldom, with the patronage of the hospital of St. Magnus (at Spittal) and other rights as regards churches, altars and chaplains, pertaining to said earldom, together with the old rights of justiciar within the bishoprics, in favour of his infant son and heir William Sinclair, but reserving the life interest to himself. This the King confirmed in return for two pair of doves for the lands of North Wick in "albe firme," an ancient exaction for said lands.* By this arrangement the Earl of Caithness secured his son's succession, should he die himself before the boy came of age, without the risk of being subjected to a ruinous feudal wardship. Such was the scandalous injustice attending feudal wardships in the north that almost every landholder adopted somewhat similar protective measures.

* We would draw particular attention to the fact that the Earl of Caithness still claims to be hereditary justiciar within the bishopric, and that the King confirms this claim. It was in the exercise of this function that the Earl afterwards made various ineffectual attempts to perambulate Sutherland and Strathnaver as we shall soon find.

The closing week of this year of 1592 was made memorable by the discovery of an intrigue of the Catholic lords of the north to call in the assistance of a Spanish army to overthrow Protestantism in Scotland, an affair which came to be known as the "Spanish Blanks." Blank documents signed and sealed by these lords, of whom Huntly was the chief, were found in the possession of an emissary empowered to fill them up and to deliver them to the King of Spain. When these facts became known the excited Protestant clergy clamoured so loudly for the punishment of the traitors that the King was forced to take action. Alexander, Earl of Sutherland, was charged to

* Reg. Mag. Sig., 21 July, 1592. No. 2127.

appear before the Privy Council on 27th February, 1592-3, but on the day appointed he was too ill to travel, as was testified by two ministers, William Gray, parson of Lairg and Rogart, and Andrew Anderson, parson of Loth.* The object of this summons was very likely to detach the Earl from the more pronounced Catholic leaders, for both he and the Earl of Caithness were at this time reported to take up a neutral and impossible attitude on the question of religion.†

The King immediately marched with an army to Aberdeen, but Huntly and Errol, finding themselves unable to contend with the royal troops, fled with a few followers over the water to Caithness, where they lurked among friends until the storm blew over, planning fresh schemes against the present order in kirk and state from their distant retreats. Of the barons and noblemen convened at Aberdeen, who "made a band for the suretie" of the Protestant religion, the only one present from the far north was William Sutherland of Duffus, so far as we can gather.‡

During the King's sojourn in the Granite City, George, the Earl Marischal, brought a complaint before the Council that his own brother, Robert Keith, had stormed and captured Ackergill Tower in Caithness, was collecting the rents from the Earl's tenants there, and using violence to such as refused submission to his usurped authority. The Earl says he is able enough to suppress this unnatural violence, but prefers to report the matter to the King as he happens to be in the north. Robert Keith was duly put to the horn and denounced rebel,§ but what the issue was is not recorded. As Earl Keith was a Protestant and Robert his brother on the other side, the trouble at Ackergill may have had some connection with the presence of the Catholic Huntly and Errol in Caithness at this time, for Earl Keith was supporting the King's display of military force.

* P.C. Reg., V., 44. (First Series.)

† Tytler's "History of Scotland," IV., 345.

‡ Calderwood's "Historie," V., 233, 774.

§ P.C. Reg., V., 45. (First Series.)

Not long after this there was trouble on the borders of Caithness and Strathnaver, as Gordonstoun records. A colony of Gunns at Strathly crossed over to the heights of Reay, and attacked the Iverach Campbells, killing their captain, Farquhar Buy, a great friend of the Earl of Caithness. To avenge this Caithness dispatched his brother of Murkle with a body of men to punish the Gunns, and thus the bloody feud continued.*

Huntly returned from his northern retreat to Strathbogie betimes, accompanied by the Earl of Caithness, and continued to range the country in defiance of the government. The notorious Earl of Bothwell, half-brother of the Earl of Caithness, now cast in his lot with the northern lords, and in August, 1594, a secret bond was drawn up at Menmure by Huntly, Errol, Caithness, Bothwell, etc., to depose King James and to set the Crown on the head of the infant Prince Henry.† This mad enterprise came to naught, save that it brought much trouble upon its entertainers. Huntly eventually sought refuge with his eldest son in Sutherland, and passed over to the Continent, temporarily stripped of his possessions; Caithness and Bothwell fled to Caithness, whence Bothwell escaped to Italy, where he died; and Caithness managed to muddle out of the mess in a damaged condition. These wildcat schemes fairly broke the formidable back of the Catholic cause in Scotland, for, though the Jesuits continued plotting, they never rose to such a height again.

Alexander, Earl of Sutherland, a great friend of Huntly and deeply in sympathy with the Catholics, as the leaders of the Kirk had good cause to believe, notwithstanding his public profession of neutrality, took little active part in the turmoil of 1593-4. Never a robust man, he was ill all that time, and died in December of the latter year, at the early age of 43, leaving his estates to his eldest son John. While the Earl of Caithness found himself floundering up to the neck in the Catholic bog, though his sympathy with Rome was not one whit

* Earld. of Suther., p. 207.

† P.C. Reg., V., xxxii. (First Series.)

stronger than Sutherland's, the latter passed away in comparative peace. But Sutherland was a wise, prudent man; and Caithness was neither to his own great loss.

When in the north the King appointed the Duke of Lennox lieutenant-general of these parts, and left him behind to establish some form of order. As Lennox was a brother-in-law of Huntly, and consequently a relative of Caithness and Sutherland, he dealt very mildly with those who had taken part in the Catholic rebellion, to the great alarm of the Protestant leaders, who felt that their cause was being betrayed.* Though Huntly was forced to take a holiday abroad, his landed estate was left in the possession of his countess, and no doubt the Earl of Caithness was let softly down too. This treatment was all the more pronounced because Lennox severely punished the petty offences of the smaller fry.

Jean Gordon, Countess-Dowager of Sutherland, was called up before the Council, and had to find caution in 2,000 merks that she shall not reset nor have dealings with any of the King's declared traitors, or with Jesuits, seminary priests, Papists, etc.† But young Earl John of Sutherland, having visited Lennox at Aberdeen, where he was very kindly received and advised by the lieutenant-general, soon after paid a visit to Girnigoe "to settle the peace of these cuntries, and to conclude a perfyte freindship and amitie beuixt him and George Earle of Catteynes."‡ As both families were Catholic this was a perfectly natural course to take after such a national upheaval. At the time being it looked as if the salvation of the two families depended upon their ability to pull together and live in peace. But peace and amity were plants that did not flourish in this soil.

While the Earl of Sutherland was feasting at Girnigoe, the Sutherlands of Berriedale, at the supposed instigation of Caithness, crossed over to the Strath of Kildonan, and made an unsuccessful attempt upon the life of one of the leaders of

* Calderwood's "Historie," V., 357.

† P.C. Reg., V., 218. (First Series.)

‡ Earld. of Suther., p. 233.

the Clan Gunn, and a faithful supporter of the Earl of Sutherland. Whether Caithness was to blame or not, this act roused the fires of strife on either side of the Ord, and soon the Gordons, MacKays, and Gunns were brandishing their spears in the face of the Caithnessmen. Through the influence of Lennox and others, however, bloodshed was averted, for the Council bound the parties over to keep the peace, Caithness finding caution in 20,000 merks, MacKay and the Earl of Sutherland in a sum not specified.*

The Earl of Huntly, who had professed conformity to Protestantism, and agreed to receive instruction in his family from the reformed clergy, was restored to his title and lands by the Parliament which met on 13th December, 1597, when the young Earl of Sutherland carried the sword of state before the King.† From about this time, and probably owing to the honour thus conferred upon the young man, a new feud broke out between Caithness and Sutherland as to precedence, which lasted until 1616, when Lord Berriedale disposed any lineal rights he might have to the then Earl of Sutherland. Though the matter in dispute was comparatively trifling it created very bitter feelings between the families of Dunrobin and Girnigoe while it lasted, and its settlement later was due very much to the pecuniary embarrassments of the house of Sinclair. We shall see that in the long drawn out struggle for superiority the star of the Gordons rose steadily during the first twenty years of the 17th century, while that of the Sinclairs suffered a disastrous eclipse. But let us proceed with our tale.

The Gordons strengthened their position in Sutherland, especially of late, with rare diplomatic skill. The lands which Sutherland of Forse, Latheron, held near Golspie were purchased by a Gordon, and a Gordon procured the Terrel lands in Strathfleet from Innes. These Gordons were scions of the House of Sutherland, and bound by manrent to the earl. At the same time, the Munroes, who held lands in Strathoykell and Creich, became the feudal vassals of the same house; and

* P.C. Reg., V., 738. (First Series.)

† Calderwood's "Historie," V., 668.

LANDS RECONVEYED TO EARL OF SUTHERLAND. 201

Huistean Du MacKay of Strathnaver, as we described in the preceding chapter, stood in a similar relation to his brother-in-law Earl John. The Gunns, too, were carefully nursed by the Gordons who bestowed lands upon them in wadset in Kildonan, and the Macleods of Assynt had good cause to look with favour towards Dunrobin. In this way the Earl of Sutherland now stood very strong, and was liberally supplied with allies, but his ambition was not satisfied. He aimed still higher, and by a fluke of fortune attained to it. He aspired to hold all the lands that he could lay any feudal claim to by a charter of regality from the King, and to the attainment of this object bent all his energies with consummate address.

John, Earl of Sutherland, married Anna, daughter of Alexander Elphingstone, Lord High Treasurer of Scotland, on 1st February, 1601, and on the 29th April following, by the treasurer's influence, the Earl took "a new infeftment of the whole earldome of Southerland, by resignation thereof into his Majestie's hands . . . not onlie confirming the old regalitie of the earldome of Southerland, granted by King David Bruce to William, the third of that name, Earle of Southerland, the year 1347 [1345], bot also conteyning divers other privileges."* Among the divers other privileges were the following. The church lands of the diocese of Caithness, which the late Bishop bestowed upon the late Earl, and the lands of Strathnaver which also came into the same Earl's hands by left handed means, were now all resigned to the King and reconveyed hereditarily by the said King to the present Earl of Sutherland in regality along with the lands of the old earldom.

The plea upon which this important grant was sought and obtained from King James was, however, a false one. It was maintained that the lands of the earldom of Sutherland were held in regality by the charter of King David Bruce in 1345, and that the right continued down the centuries although practically dormant. But that is not correct, for the Bruce charter granted the lands in regality to the heirs of the

* Earld. of Suther., p. 243.

marriage of King David's sister to the then Earl of Sutherland, a marriage of which there was no surviving issue.* And because the only son of this marriage died young, and the Earl of Sutherland took a second wife from whom the family is descended, the tenure of the earldom reverted to what it was before, and the King David charter became void. It is evident that all reference to the Earl of Sutherland's second marriage in 1347 was suppressed when the case was laid before King James, and that the charter of 1601 was granted upon a false plea. The new gift, however, gave the Earl of Sutherland a tremendous leverage. It bound the church lands to him securely, and it made him the undoubted superior of the lands of Strathnaver henceforth. To suppress the truth for such a prize was a matter of little consequence in those days, and not at all out of keeping with the times.

King James was in chronic want of money, but his exchequer was never lower than it was at this present time. The office of treasurer had been going a-begging, and Elphingstone was appointed to the post because he was rich and could lend money to the King.† It was Elphingstone who lent to the King what was needed in order to celebrate the baptism of Prince Henry with fitting ceremony, and readers of the *Privy Council Register* may see abundant evidence of the King's indebtedness to this officer of state, whose daughter had just married Sutherland. With Elphingstone's influence at his back, as Gordonstoun tells us was the case, Sutherland would not find it difficult to manipulate the King. But besides all this Elphingstone's brother was Secretary of State, and deeply engrossed drawing up the King's claim to the throne of England. King James had for a long time been employed preparing his title as successor to Queen Elizabeth, and in the performance of this task was much helped by Secretary Elphingstone.‡ We may safely say that pedigree-making was the peculiar hobby of the King at this particular juncture, so that Sutherland's

* See what has already been said regarding this marriage in Chapter V.

† Tytler's "History of Scotland," IV., 271-2.

‡ P.C. Reg. IV., 266. (First Series.)

claim, supported by the purse and influence of the Elphingstones, was sure to prevail with one so constituted as James was. This important grant gave a tremendous lift to Sutherland, whatever its inner history may have been. And the inner history of many a loud sounding feudal title is not one whit more respectable.

Huistean Du MacKay of Strathnaver had lately been involved in some broil, for on the 10th February, 1600, he had to find caution in 10,000 merks, the Earl of Sutherland and the Master of Forbes being his sureties, "that he and his men shall keep the King's peace and redress parties skaithed, conform to the laws."* With whom MacKay was threatening to break the peace is not said, but perhaps it has reference to MacKay's relations to the Earl of Caithness. It seems that for some time Caithness was endeavouring to arrange a hunting expedition into Strathnaver, and basing his right to pay a visit to those parts upon the fact that he was hereditary justiciar within the diocese. But as Caithness purposed to come with an army of followers MacKay refused permission, and perhaps his opposition was accompanied by such a display of violence as to cause a breach of the law, for Gordonstoun says there was a deal of "bragging" on either side.† There was bad blood between the two, undoubtedly, ever since the affair at Helmsdale a few years ago.

Meantime the ill-feeling of the restless Earl of Caithness towards his neighbours to the west was not subsiding. On 19th February, 1601, the Earl of Caithness personally appeared before the Privy Council to prosecute his claim to precedence over the Earl of Sutherland, and in April following he saw his rival in possession of a charter of regality from the King. This made him more determined than ever to assert his right as justiciar to visit Sutherland and Strathnaver. But so loudly did he proclaim his intention that his neighbours had timely warning to give him a warm reception when he came.

* P.C. Reg. VI., 824. (First Series.)

† Earld. of Suther., p. 240.

The Earl of Sutherland assembled his forces at midsummer, and was joined by MacKay and the Strathnaver men at Lochan Ganvich in Dirichat, whither also came the MacLeods of Assynt and the Munroes of Strathoykell. This host of armed men advanced towards the borders of Caithness to meet the Sinclairs, and came into touch with them in the neighbourhood of Ben Griam. There is little doubt the Sutherland men far outnumbered the Caithness men, for the former came in battle array and the latter came on a hunting expedition. The former, too, were keen for a fight in the favourable circumstances, and the latter anxious to quit the field with whole skins. Caithness was warned in the evening that he would have to fight for it should he remain in position until daybreak next morning, and taking the hint he fled back within his own borders without delay. The Sutherland men were so elated with their bloodless victory that they raised a memorial cairn there and then, dubbing it *Carn teichidh*, "Cairn of Flight." The childish fiasco at Ben Griam must have greatly weakened the influence of Caithness over his tenants and allies in a warlike age such as that was.*

In consequence of the utter neglect in the Highlands of attention to the various Acts of Parliament ordaining wapenshaws over all the realm twice a year, the Council on 31st January, 1602, ordered the same to be duly carried out by the men of Sutherland, Strathnaver, and Caithness on the 10th of the March following, when those in authority were instructed "to enroll the names of all the persons mustered, with the form and manner of their arms." At the same sederunt the Council ordered 100 men to be raised by Sutherland and MacKay, and another 100 by the Earl of Caithness for dispatch to Ireland to assist Queen Elizabeth in putting down rebellion there.† And in July following a muster of the Sutherland, Strathnaver, and Caithness men was proclaimed to take place in October to proceed to the recovery of the Island of Lewis. The expedition,

* Earld. of Suther., pp. 241-3.

† P.C. Reg. VI., 343. (First Series.)

however, did not take place owing to the unseasonable weather prevailing at that time of the year.

In August of this same year the Earl of Sutherland, accompanied by some of his friends, to wit, his brother Sir Robert Gordon, his brother-in-law Huistean Du MacKay, and Donald Neilson of Assynt, passed over to Orkney by way of Cromarty, on a visit to Earl Patrick Stewart of Orkney, and after a good deal of entertainment made a bond of friendship with him. Two years thereafter the Earl of Orkney visited Sutherland at Dunrobin, when he became godfather to Sutherland's eldest son, Patrick, named after himself.* Earl Patrick was a wild, savage fellow, whose subsequent execution had to be delayed some days until his spiritual mentors had time to teach him the Lord's Prayer ere committing him to the headman's axe.† A very unsuitable person for a godfather, we should think. But the armed strength of the Earl of Orkney was considerable. He had been a friend of the Earl of Caithness, and now became united to the other side. This fact covered a multitude of sins, and more than compensated his lack of religious knowledge. To detach an ally from the Earl of Caithness was the important matter, not whether he knew the Lord's Prayer or not.

Gordonstoun tells of a petty feud which gives a vivid exhibition of the lawlessness of the times. Angus MacKenneth, a tenant in Creich, had a dispute with his immediate superior, and in the ensuing controversy slew from time to time no less than nine persons who dared to interfere with him. At last Angus took refuge in Strathnaver, whither he was pursued by Gray of Ospisdale, who slew him at the Water of Hope after a severe conflict.‡ As this feud went on for several years, one is tempted to ask where are the constitutional legal authorities when such deeds are possible. Truth to tell, the authorities often turned a blind eye on such proceedings to serve their own purpose.

* Earld. of Suther., pp. 248, 252.

† Calderwood's "Historie," VII., 195.

‡ Earld. of Suther., pp. 253-4.

About the same time the Earl of Caithness apprehended a servant of MacKay, and for no reason at all, save to spite MacKay, had the man beheaded at Girnigoe. The levity with which human life was sacrificed in those days is appalling.

By the advice of mutual friends, who in this way sought to remove a constant source of friction between the two, the Earl of Caithness purchased from the Earl of Sutherland for 40,000 merks all the church lands which the latter held to the north of the Ord, together with the sheriffship over the same, in November, 1604.* By this purchase he sought to strengthen his own position in the county, and to remove any cause of interference by the Earl of Sutherland in the internal affairs of the same. About the same time he also purchased all the property in Caithness pertaining to Lawrence, Lord Oliphant, to wit, the lands of Berriedale, Auldwick, Ulbster, Cambuster, [Camster], Thrumbster [Thrumster], Hasbuster [Haster], Bulbster [Bilbster], Stangergill [Stannergill], Sower [Sour], Gresten [Gerston], Brawlbynd [Brawlbin], Thurdistoft, Greenland, Duncansby, and their pendicles, over which he obtained a royal charter of confirmation duly.† Thus the Earl of Sutherland and Lord Oliphant were both bought out, and the Earl of Caithness is launched upon the policy of consolidating his earldom by the expropriation of the other holders. A very good policy, but one that sent the Earl of Caithness headlong into the arms of the money-lenders. We have little doubt this policy of consolidation was suggested to Caithness by the charter of regality which his neighbour obtained in 1601, and that he thus endeavoured to establish himself more firmly in Caithness proper.

But this purchase did not establish peace between the two Earls, for the Council on 7th August, 1606, learning that there is "some variance and contraversie" between George, Earl of Caithness and Alexander, Earl of Sutherland, ordain both

* Sutherland Book, I., 177.

† Reg. Mag. Sig., 18th June, 1606, No. 1758. After the death of the 4th Lord Oliphant, who was buried at Wick in 1593, the Oliphant estate became considerably wasted north and south in the hands of the 5th Lord.

parties to subscribe, under pain of rebellion, such a form of assurance as shall be presented to them, and this to endure for a twelvemonth.* And to give MacKay, Sutherland's close ally, all the trouble possible, Caithness had him prosecuted for adherence to his wife, Mrs Elizabeth Sinclair, the Earl's aunt.

Notwithstanding the precautions taken by the Council, ere a twelvemonth had run, the Earl of Caithness assembled a large force of men ostensibly to hunt in Ben Griam, but really to exercise his right as diocesan justiciär beyond the borders of his own earldom. Sutherland and MacKay mobilised their forces in July, 1607, and joining hands in the heights of Kildonan, prepared to deal with the justiciär should he venture beyond his own border. So strongly did they muster their men that the Earl of Caithness thought it prudent not to advance,† but evidently a considerable commotion was caused, and the Sutherland army kept the field for some time.

While the men of the shire were away at the hosting, some brawling fellows set upon the brothers William and Thomas Pope, ministers attending some ecclesiastical meeting in Dornoch, and grievously wounded them, killing their lay brother, Charles Pope. Gordonstoun says that the ministers Pope went about girt each with a sword, and that the MacPhails and Morays who assailed them were paying out an old score. The culprits fled to Holland and escaped punishment, but their superiors, MacKay and Sutherland, got into trouble over the matter, both being denounced by the Council on 1st September, 1608, for non-production of the guilty parties.‡

Sutherland and Caithness met at Elgin towards the close of 1607, and there the questions in dispute between them were submitted to the arbitration of their mutual friend Huntly, who patched up some sort of peace. Gordonstoun says that Sutherland made such a display of allies on this occasion that

* P.C. Reg. VII., 233. (First Series.)

† Earld. of Suther., p. 256.

‡ P.C. Reg. VIII., 161. (First Series.)

Caithness never afterwards could be got to meet his rival in open conference.

On 21st January, 1608, the Earl Marischal and his elder son, Lord Keith, were charged to appear before the Council, touching their challenge to Francis Sinclair, son of the Earl of Caithness, affixed to some public building in Edinburgh, where the Keiths and the Sinclairs then resided. And on the 13th July following the Master of Caithness is summoned before the Council for challenging Lord Melrose to combat, when both were committed to ward until they acknowledged reconciliation.*

The Earl of Sutherland obtained the necessary license from the Council on 28th June, 1608, to go abroad for the space of three years, in consequence of his "diverse diseases and infirmities," and for some time thereafter he drops out of public notice. Indeed he took but little part in public affairs until his death in 1615, for his health was too seriously impaired. But now that Sutherland was out of the way a feud broke out between Caithness and Patrick, Earl of Orkney. The latter, as we saw, was in close league with Sutherland, and this of itself was sufficient to rouse the hostility of Caithness. It so happened that Earl Patrick got into such serious trouble with his Orcadian subjects that he had to send a message up to the Council at Edinburgh per bearer, and that those whom he dispatched on this errand landed on the shores of Caithness, and fell into the hands of the Sinclair Earl. Instead of letting them pass peaceably through his territories, the Earl of Caithness, having shaved one side of their heads and beards, and having otherwise maltreated them, compelled the party to take their boat and to return home.

When the King heard that Caithness denied the right of passage through his territories to the messengers of Orkney going to Edinburgh, he took it very ill, and wrote to the Council that he should be dealt with for this offence. The King's letters on the matter may be seen in the *Register of the Privy Council*

* P.C. Reg. VIII., 38, 128. (First Series.)

(VIII., 570, 571. First Series.) The Council summoned the two Earls before them, and on 1st November, 1608, "fearing some great trouble to fall out between them," bind them to keep the peace until the beginning of 1610, each giving caution in 10,000 merks to this effect. They appear again before the Council on the 8th June, 1609, when they profess to be thoroughly reconciled, and in token of the change of feeling they fall into each other's arms and publicly "chop hands." Five days after they appear once more, and are ordained to find caution in 10,000 merks each to grant free and peaceable passage to the King's subjects within their respective bounds.* A few days later the Earl of Orkney is cast into prison for other offences, and his imprisonment helped to keep the peace between the two.

The Sutherlands of Berriedale were not long in getting into trouble with their new proprietor, the Earl of Caithness, who had lately purchased Berriedale from Lord Oliphant. On the 9th March, 1609, a complaint was laid before the Council that on the previous October John Sutherland, sister's son of Huistean Du MacKay of Strathnaver, came to the house of the Earl's servant at Rinsarie, "with accomplices all armed with two-handed swords, gauntlets, platesleves, bows, dirks, darlochs, and with hagbuts and pistolets," and there sorely wounded the said seryant. Again on the 9th January following, the Earl having sent his officer to the lands of Millerie to arrest corn and cattle, John Sutherland, assisted by some Aberach MacKays, set upon Caithness's men, despoiled them of their weapons and clothes, made them run naked on a cold day lashed with bowstrings, and thereafter returned to Strathnaver with a large spoil of horse, kye, etc. As some of the offenders depended upon MacKay, the latter is summoned to appear before the Council as well as John Sutherland.†

John Sutherland, having failed to put in an appearance on the day appointed, was put to the horn, and on 14th September, 1609, a commission was issued for the apprehension

* P.C. Reg., VIII., 186, 294, 299. (First Series.)

† Ibid., VIII., 258. (First Series.)

of the rebel. These proceedings made Sutherland a broken man. He now skulked in hiding places, whence he issued from time to time to harry the lands of the Earl of Caithness along with other broken followers like himself. The Earl, however, approached the King on the matter, and on 14th February, 1610, King James addressed a missive letter to his Council, from which it appears that in the December preceding John Sutherland slew some of the Earl's servants, "carying by strong hand of ane grite quantitie of goodis out of Cathnes to the said Hucheoun's [MacKay] landis and countrey of Strathnaver; whar it is allegit the said Johnne" now resides. The King instructs the Council to deal with MacKay and Sutherland.*

MacKay at this time got into a good deal of legal trouble with the Earl of Caithness over John Sutherland's plundering expeditions. On the 23rd November, 1609, he bound himself in a caution of 10,000 merks that he shall appear to answer Caithness's complaint; and on the 27th February following found caution in 5,000 merks that he shall duly answer before the Council to the horning of Mrs Elizabeth Sinclair, the Earl's aunt. On the 10th March of the same year MacKay petitioned the Council that when his case comes on for trial he may have timely notice of the same, for that owing to distance from Edinburgh he may fail to get the summons, and so run the risk of being denounced rebel for non-appearance.† Gordonstoun records that eventually John Sutherland was handed over to Caithness, who imprisoned him for some time in Girnigoe, but that in course of time he was set at liberty to please MacKay, whose friendship Caithness earnestly but vainly sought.‡

In the exercise of his resolution to subdue the Hebrides, but with the ultimate object of increasing his own taxes, the King sent missive letters to the Earl of Caithness, Balnagown, MacLeod of Assynt, MacKay, and the Munroes, dated 9th July, 1608, to attend the muster of royal troops at Trotterness, Skye.

* P.C. Reg., VIII., 617. (First Series.)

† Ibid., VIII., 379, 617, 843. (First Series.)

‡ Earld. of Suther., p. 266.

on the 20th of next month, when the common soldiers are to furnish themselves with the necessary powder and lead out of their pay. It seems, however, that Caithness and MacKay were very loth to serve against the islesmen, preferring rather to give protection to such as fled into their territories, and that their conduct became so glaring in this latter respect that both had to find caution not to reset any fugitive Hebridean. It is impossible to say whether their motive was benevolent or not.

The MacKenzies who were playing jackal to the King in the Lews business, and who had become superiors of the lands of Assynt, were by no means on friendly terms with the Assynt MacLeods. The hostility of the latter was probably caused by the double dealing of the MacKenzies beyond the Minch. At any rate we find that Rory MacKenzie of Coigeach lodged a complaint before the Council on the 27th July, 1609, that on the 19th May preceding Donald Neilson of Assynt, with others to the number of sixteen, all armed, came to his lands of Lochanshas, demolished the sheilings, houghed three score kye, cut the tails of the horses, and violently assaulted the herds. This reads barbarous, but it was quite in keeping with the acts of vengeance taken at this period by those who made some claim to culture.

The frequency with which delinquents are called upon to find caution for good behaviour at this period is very marked. It was the means by which King James evolved some order all over the land, and it was very effective. The threat to hang or the issuing of a commission of fire and sword was ineffective compared to this system of demanding a money caution, for in the execution of commissions the innocent suffered as often as the guilty.

During the period covered by this chapter the Morays of Sutherland were largely in the shade. There was an abiding coldness between them and the house of Sutherland, so that when they needed caution they, as a rule, looked to the house of Tullibardine for the necessary countenance. Ever since that day at Kintradwell, when the Morays refused to fight

unless they got their accustomed right wing, there was little friendliness between them and the Gordons. Hugh Moray, fiar of Aberscross, the doyen of the clan, died at Dornoch in 1610 at a very great age.

The ecclesiastical history of the country generally during the period covered by this chapter was extremely chequered. By the Act of 1592 the Kirk obtained her great charter, whereby all previous legislation in favour of the Reformed religion was ratified, Presbytery was formally sanctioned, and the severest measures against the old religion were confirmed. Public opinion became so roused by the threatening attitude of Catholic Spain that the King was practically forced to pass this important measure, although personally he had no love for Presbytery. On the contrary, modern research conclusively proves that King James was in sympathetic correspondence with the Catholics all the time,* and more inclined that way than to Presbytery, but he had to play the game. As soon, however, as the Catholic lords of the north were put down and James had found his political feet, he began to work the undoing of Presbytery, and almost succeeded in completely destroying it ere he died.

In this struggle the Kirk got little support from the nobles, for the latter were enjoying the plunder which came their way through the collapse of the old faith in 1560. Fattened upon Church property they could not be expected to sympathise with kirkmen crying for the restoration of the thirds. So when James turned the screw upon the Kirk the nobles naturally gave him their active or passive support.

Owing to the social system prevailing in the north, the leaders of the people were the landholders, and we fail to find one who during this period gave any support to the Reformed religion. All the mighty were still Catholic, the north was infested with fugitive Jesuits, and the starving Reformed clergy were nowhere in this region men of standing or pronounced character. The fact is the Reformation had not

* Hume Brown's "Scotland," II., 216.

yet come the length of Caithness and Sutherland in anything but the name, and whole districts were left to the care of interested "readers," who were fitter to keep sheep than souls—an unlearned and unprincipled crew, who drew their miserable stipends.

A crying scandal was brought to the notice of the Assembly in 1595, "speciallie in Cathnesse . . . where they that possesse the benefice (as the late Bishop of Cathnesse did in speciall) delipadat the whole rents thereof, except a verie small quantitie, in pensiouns most prodigallie to all that sought the same, whereby he has dilapidated the whole patrimonie of the said bishoprick." The law officers of the Kirk are instructed to pursue these pensionaries, but we do not find that they met with any success.* In the circumstances there was little left for the Kirk to plant a ministry in this territory, for the Catholic barons were eating up the funds. The following year the Assembly appointed a commission of three to visit Orkney, Shetland, Caithness, and Sutherland, to take in the situation and to endeavour to plant kirks. The commission consisted of Mr. Robert Pont, Mr. Alexander Douglas, minister of Elgin, and Mr. George Monro, elder.†

At a packed meeting of the Assembly held at Perth in 1597-8 the northern ministers, "every one of them courtiers," supported the King in his attempt to bridle Presbytery, as Calderwood records. He might have called them also tulchans, for many of them were but nominal ministers, the creation of the Catholic lairds. In 1598 the Presbyteries of Dundee and Arbroath are ordained to summon before them the Countesses of Huntly, Sutherland, and Caithness, to swear and subscribe the Confession of Faith under pain of excommunication.‡ It is likely this business was entrusted to these two southern presbyteries because the northern ones could not be trusted. "Forasmuche as there are diverse parts of the countrie that,

* Calderwood's "Historie," V., 374.

† Ibid., V., 419.

‡ Row's "Historie," p. 192.

for laike of visitatioun, are become almost desolat," the Assembly of 1600 gave a commission to Messrs Robert Pont, John Monro, elder, and John Monro, younger, to visit the bounds of Orkney and Caithness.*

In October, 1600, the standing Ecclesiastical Commission met in Holyrood and at James's dictation appointed three bishops, one each for the dioceses of Aberdeen, Ross, and Caithness.† It is well worthy of notice that this first batch of Jacobean bishops was foisted upon the most Catholic part of Scotland, where the people were living in great spiritual darkness. And thus James rewarded the men of the north for their "courtier" vote at the Perth Assembly. The Bishop of Caithness was George Gladstone, minister at St Andrews, one who had no connection with the north, and could not make himself understood in large tracts of his Gaelic-speaking diocese. His supreme fitness for the office consisted in the fact that he was "a very court sycophant," as Row says.

Bishop Gladstone reports in 1602 that he has been in the north on a visit to his diocese, and that he called upon the Marquis of Huntly coming back. Huntly excused himself for not attending public worship, "partlie in respect of the meane rank of suche as were with him in the parish, partlie in respect his predecessors were in use to have a chappell in their owne hous." A few days later means were taken to wait upon the Popish lords, when the Presbytery of Edinburgh was charged with the care of the Earl of Sutherland, should he make his residence in that neighbourhood. It was also arranged that Protestant tutors be engaged for the Masters of Caithness and Huntly, the former to reside in Aberdeen for his education.‡

Robert Bruce, an eminent Edinburgh minister, was driven from his charge by the King, and forced to reside for several years in Inverness, where his ministry is traditionally reported to have been largely blessed. It is said that crowds used to

* Calderwood's "Historie," VI., 22, 23.

† Ibid., VI., 96.

‡ Ibid., VI., 162.

walk from as far north as Tain to wait upon ordinances at his hand. There were other evangelical ministers also at this time driven north into the Highlands by persecution, who opened wells of water here and there, but we have no means of tracing their labours. True it is, however, that the lash of persecution was what brought the Reformed religion into the North.

After James succeeded Elizabeth in the throne of England, the Protestant spirit which she left behind her compelled him to show less favour to the Catholics. His policy now was to act up to the idea of "Defender of the Faith," the Anglican faith of course. Consequently what was left of the Kirk in Scotland was empowered to restrain the Romanists, and in the exercise of this function the Assembly of 1606 ordained the noblemen suspected of Popery to be confined in the towns following, viz., the Earl of Sutherland, his wife and mother, in Inverness; the Earl of Caithness and his lady in Elgin; and the Marquis of Huntly, his wife and bairns, in Aberdeen.* This was to prevent these noblemen from abetting fugitive Jesuits in their territories, but this restraining policy was not a success.

As the Jacobean bishops had but a nominal connection with their respective dioceses, a fact well illustrated in the case of Caithness, King James determined that in every Presbytery there should be one called "Constant Moderator," whose duty it would be to preside in the absence of the bishop. In June, 1607, commissioners were appointed by the Privy Council to see this instruction carried out, and in July of the same year the Earl of Caithness reported by procurator that Saul Bruce, parson of Olig, had been appointed constant moderator by the Presbytery of Caithness.† By this time, however, Alexander Forbes, minister of Fettercairn, was become Bishop in succession to Gladstone.‡

At the Holyrood Assembly of 1608, the brethren appointed

* Calderwood's "Historie," VI., 608.

† P.C. Reg., VII., 376, 413.

‡ Reg. Mag. Sig., 12 November, 1604, No. 1547.

to visit certain districts report that they "fand many kirkis wanting persones (parsons), to witt, fitt pastoris, togider with great disorderis, especially in Cathnes and Sudderland."* At a later sederunt of the same Assembly it is reported that there are many kirkis in the dioceses of Ross and Caithness in which the Holy Communion has never been celebrated.† The state of matters seems to have been very deplorable even at this late date, and the worst of it was that notwithstanding these continual reports the kirkmen in the south found themselves unable to correct matters, for the prelatists of the north got a long rope from the Privy Council. So long as the northern clergy played up to the King and prelacy they got very much their own way. But the Highlands suffered terribly in consequence, and Scotland suffered too, in the subsequent Jacobite risings, every one of which had their roots in religious neglect. We shall find abundant proof of this as we proceed.

* Melvill's "Diary," p. 758.

† Calderwood's "Historie," VI., 774.

CHAPTER XI.

BEGINNING OF THE SEVENTEENTH CENTURY.

GORDONSTOUN says that William Sinclair of Dunbeath suffered severely at the hands of the Earl of Caithness, and was forced at last to flee the country, but never could be got to lodge a complaint against his kinsman before the Council. William was succeeded in the barony of Dunbeath by his grandson George Sinclair, "whom the Earle of Catteynes in like maner abused many wayes"* the grandson, however, unlike the grandfather, appealed to the Council, and on the 23rd October, 1609, the Earl of Caithness and Lord Berriedale had to find caution, the former in 5,000 merks and the latter in 4,000 merks, not to hurt George Sinclair of Dunbeath, their sureties being James Sinclair of Murkle, John Sinclair of Ratter, and Francis Sinclair of Lythmore. On the following day these three sureties also found caution for themselves not to harm Dunbeath, both documents being drawn up at Castle Sinclair. And on the 10th of the following month George Sinclair of Dunbeath became bound at Edinburgh not to harm the Earl of Caithness, Lord Berriedale, or the three sureties, in a caution of 3,000 merks, Arthur, Lord Forbes, being his guarantee.†

On 16th March, 1610, George Sinclair of Dunbeath complains that on the 23rd April of last year Henry Sinclair in Burroston (Borrowston), brother to the Earl of Caithness, and a number of others,

"All bodin in feir of weir, with bows, dorlochis, tua-handit swordis, targes, durks, and utheris wapponis invasive," came

* Earld. of Suther., pp. 329-30.

† P.C. Reg., VIII., 711-12. (First Series.)

to the said George Sincler of Dunbaith's lands of Soundsyd (Sandside), where Alexander MacKay, his servitor, "was ganging at his plewch in peaceable and quiet maner," violently seized him, carried him to Castle Sincler, and there "committit him to prisone in the pitt of the said castle appointit for thevis, murderaris and malefactouris, and held and detenit him in that miserable hoill the space of sevin weikis, refusing all men to haif acces unto him or to minister unto him ony necessaries except so muche bread and water as micht preserve his lyff, and keepit him in this miserable conditioun the space forsaid," consulting meanwhile "by qhat meanis, under the pretext and cullour of law and justice, they micht tak his lyff." Failing to find such, they had at last let him go free.*

This complaint was accompanied by another on the same day by George Sinclair of Dunbeath, "with the haill remanent poor people and inhabitants upon the landis of Dunbaith, Rae, Sandsyd, Biorlum, Daothow, Dischald [Isauld], Mylnetoun, Dounray, Schirrarie [Shurrery], Broubster, Steimster, Spittel, and remanent tonnes and landis thairabout, to the number of fyve hundreth personis, all poore, herreit and oppress people." They complain against George, Earl of Caithness, "as judge, magistrat, and commander of the countray of Caithnes," on the these grounds. First, that William Bain and a number of others were put to the horn on 15th November last for stealing from the said George Sinclair certain horses and mares. Second, on the 23rd February last John MacInnes MacEan in Oust and a number of others were put to the horn at the same instance in default of finding caution to underlie the law for coming "in oppin and hoistile and wearrelyk (warlike) maner," to the lands of Dunbeath, Sandside, Reay, Stemster, and others, and there stealing from him 60 kye and oxen, with 140 sheep, besides 180 kye and oxen, 80 horses and mares, 380 sheep, 100 swine, 300 geese, and 300 bolls of beir and oats, with the whole inside plenishing; estimated worth 20,000 merks. The said persons though unrelaxed from the horn, are still "hunting and frequenting" all parts of Caithness, "and ar incouraged to continew in thair rebelliónn by the oversicht, connivance and covert maintenance whiche they haif of George, Erll of Caithnes," whose tenants they are. "They ar altogidder under his

* P.C. Reg., VIII., 833. (First Series.)

obedience and commandment, accompanyis him to all his oistis, roadis, assemblis and hunting, assistis and takis pairt with him in his querrellis, actionis and enterpryses, standing under his protectionn, saulffeguard and mantennance." Petitioners, therefore, crave letters of charges against the earl, requiring him to enter the said persons to abide justice, which was granted.*

After a good deal of procrastination upon the part of the Earl of Caithness, who was eventually threatened with denouncement for rebellion, he at last promised to produce the culprits before the Council on 5th July, 1611, under pain of £1,000 for each one in case of failure. What punishment was meted out to them we cannot say, but soon thereafter Sinclair of Dunbeath, who was childless and wearied of the strife, sold the barony of Dunbeath to his father-in-law, Lord Forbes, and retired to Aberdeenshire beyond the reach of his enemy. The Earl, however, continued to vex the lands of Dunbeath, as we shall soon see.

Meanwhile, in August, 1611, the King, on the ground that "the incivile and barbarous behaviour" of the greater part of the inhabitants of Sutherland, Strathnaver, and Caithness, instead of improving is become worse, gave a commission to Bishop Forbes to do what he can by civil as well as ecclesiastical means to promote order, and to strengthen the Bishop's position ordains that he be appointed a member of the Privy Council.† That is to say, the King adopts towards this district the policy which proved so effective in the Hebrides, where Bishop Knox ruled with a very firm hand, having liberal recourse to powder and ball. So far as we can gather, Bishop Forbes, unlike Bishop Knox, did not go about with an army swaggering at his heels, but was regular in attendance at the Council, and may have had a considerable restraining influence in the north.

The Earl of Sutherland, being subject to "diverse diseases

* P.C. Reg., VIII., 834, et seq. (First Series.)

† Ibid., IX., 237. (First Series.)

and infirmities of body," and having been advised to go abroad for the sake of his health, is given a licence to do so by the Council on 22nd January, 1611. From this time forward the Earl's brother, Sir Robert Gordon of Gordonstoun, a crafty, cunning fellow as compared to his generous brother, managed the affairs of the house of Sutherland. During this interregnum in Sutherland Huistean Du MacKay and his elder son Donald took also a leading part in guiding affairs, for father and son were very friendly to the sickly Earl.

About this time it was discovered that false coin was circulating in the north, that Arthur Smith, a native of Banff, who had narrowly escaped the gallows for forging in 1603,* was in the service of the Earl of Caithness, and provided with a secret chamber in Castle Sinclair for carrying on his nefarious business. The King gave a commission to Sir Robert Gordon of Gordonstoun and to John Gordon of Golspietower, dated 12th March, 1612, for the apprehension of Smith, but Gordonstoun slipped out of the dangerous business and got the name of his nephew, Donald MacKay, inserted in his place. In May following MacKay and Golspietower, hearing that Smith was at Thurso, invaded the town with a body of men, and captured him; but a struggle ensuing, in which John Sinclair of Stirkoke was killed and a brother of the Laird of Dunn sorely wounded, Smith was killed to prevent his escape. The affair at Thurso, where one leading Sinclair lost his life and another was grievously maimed, roused such feeling that the Earl of Caithness appealed to the Council for redress, going up to Edinburgh himself to plead the cause. After a deal of wrangling, however, Gordonstoun went behind the Council to the King, secured a remission for the party who executed the royal commission, and thus took the wind out of the sails of the Caithness men.†

While up in Edinburgh, the Earl of Caithness fell out with Lord Enzie, eldest son of the Marquis of Huntly, and one night

* Pitcairn's "Criminal Trials," II., 418.

† Reg. Mag. Sig., 13 January, 1614. (No. 976.)

the parties met in the High Street, when swords were drawn and blows exchanged. Next morning they were called before the Council and a reconciliation patched up,* but this was the beginning of a cleavage between the families of Caithness and Huntly.

Patrick, Earl of Orkney, who was a prisoner in Edinburgh, complained to the Council on 17th April, 1612, that while his servant, Thomas Laing, was passing through Caithness with some horses to Orkney he was assailed in a pass by a servant of the Earl of Caithness, carried captive to Girnigoe, where the horses still are, and badly used. There was evidently much disorder in Caithness, and the Earl, who was also sheriff, was seldom out of hot water. The Earl, however, to curry favour with the King, apprehended, and transported to Edinburgh for execution, Lord Maxwell, his wife's cousin, who fled the country for the slaughter of one of the Johnstones, and sought refuge at Girnigoe, where he was hospitably entertained for a time. This heartless betrayal of a miserable fugitive seeking asylum at his house made many of his fellow peers execrate Caithness, as Gordonstoun says.† Gordonstoun, of course, is biassed against Caithness, but this looks a black business.‡

The agent employed in the capture of Lord Maxwell was George Sinclair, brother of the lately slain Laird of Stirkoke, whose father was an illegitimate brother of the Earl. The said George Sinclair was busily engaged at the time raising soldiers for the service of Gustavus Adolphus in the Calmar War, between Sweden and Denmark, having been given the rank of captain in a regiment of Scots which Colonel Ramsay tried to embody. King James, however, made a proclamation through the Council that none of his subjects are at liberty to assist Gustavus in carrying on war against Denmark, so that Ramsay managed to slip away from Dundee with but 100 men, mostly unarmed, to be joined later on the coast of Caithness by 200

* P.C. Reg., IX., 422. (First Series); Earld. of Suther., p. 286.

† Earld. of Suther., pp. 287-9.

‡ Calderwood's "Historie," VII., 165; P.C. Reg., IX., 461n. (First Series.)

men under Captains Sinclair and Hay. With this small band of 300 men in two ships they proceeded on their way, hoping to unite with a body of Dutch adventurers similarly bound off the coast of Shetland, a hope which was not realised, for the Dutchmen had embarked three weeks earlier and could not tarry.

The Scots expedition disembarked on the east coast of Norway and endeavoured to cross over the hills to Sweden, but after marching five days into the interior, they were overwhelmed in the pass of Kringelen on the 26th August, when the peasantry rolled stones upon them down the mountain side, and destroyed them all, except 134 who were taken prisoners. But next morning 116 of the prisoners were miserably shot in cold blood, and only 18 spared. Captain Sinclair fell in the fighting and a monument marks his grave. These facts are gathered from Michell's *History of the Scottish Expedition to Norway in 1612*, an admirable account published in 1886, and based upon Danish, Scots and English documents. A highly coloured version of this expedition is presented in Norwegian saga and song, but the research of Mr. Michell, lately British consul at Christiania, reduces the incident to its true proportions.

It was about this time that the Earl of Caithness purchased from William, Lord Keith, son and heir of the Earl-Marischal Keith, the barony of Ackergill, comprising all the lands in Caithness held by the Keiths.* In 1604 we saw that the Earl of Sutherland was expropriated for 40,000 merks, that the

* The barony of Ackergill consisted of $\frac{1}{2}$ of the lands of Ackergill, with Castle, and the advowson of the church and parish of Dunnet; $\frac{1}{2}$ of the lands of Reis; the lands of Subuster; $\frac{1}{2}$ of Myrelandnorne; $\frac{1}{2}$ of Wesbister and Harland; $\frac{1}{2}$ of the mill of Auldwick; the 2d lands in Wick, with a part of the fishing of the water; the lands of Lyneaiker and Congilft; $\frac{1}{2}$ of Tane; $\frac{1}{2}$ of Stangergill, with $\frac{1}{4}$ of its mill; two parts of Nethersyd-Oirik; $\frac{1}{2}$ of Sordell; $\frac{1}{4}$ of Claireden; $\frac{1}{4}$ of Murkill; the 2d lands of Ratter; $\frac{1}{2}$ of Thurso, with $\frac{1}{4}$ of its water and fishing; the lands of Burrestom; $\frac{1}{2}$ of the lands and mill of Lybster; the lands of Lowrarie; the 5d lands of Farsequhair; $\frac{1}{2}$ of the 2d lands of Greistane, with the croft of Boilkaik; the lands of Scottiscaldier, with mill; the lands of Nornecaldier; the 32d lands in the village of Skail; $\frac{1}{2}$ of Banniskirk; the 7d lands in the village of Dwne; $\frac{1}{4}$ of Brabisterdmrhaine; $\frac{1}{4}$ of Ernelie; Burland-Murkill and Subamister; the 7d lands of Dwnnet; the 2d lands of Halland; $\frac{1}{2}$ of Hallandmak, with the ferdingland of Rattar; $\frac{1}{6}$ of Corsbauk, with $\frac{1}{4}$ of the mill;

Oliphant lands were purchased a little later, and now, following up this same policy of buying out the other landholders, the Earl of Caithness secured the lands of the Keiths for a large sum. The money for these truly huge transactions had to be borrowed, however, and thus though the Earl of Caithness found himself increased in landed estate, it put a terrible millstone of debt round his neck, for the coveted lands had to be bought at a ransom price. It should be noted, too, that it was in pursuance of this aggrandising policy that Sinclair of Dunbeath was hounded out of the country, and that the possession of the barony of Dunbeath was made so hot for his successor, Lord Forbes, as we shall see.

Alan Cameron of Lochiel offended his feudal superior, the Marquis of Huntly, who retaliated by secretly stirring up a section of the clan to turn against their chief. Alan, however, managed to overthrow the clan opposition by a stratagem which resulted in the slaughter of some of the leaders. Whereupon Huntly raised a hue and cry before the Council, as the jealous guardian of order, obtained a commission to himself, several other Gordons, and to Donald MacKay of Farr, for the apprehension of "the auld subtile fox," with power to make a levy for the purpose throughout the north Highlands. But with the secret assistance of Argyll, Alan managed to weather the storm wonderfully well.* In the ensuing operations Donald MacKay and Gordonstoun proceeded as far as Inverness with 300 well appointed men, in August, 1612; and, again, towards the close of 1613 Gordon of Embo and MacKay marched into Lochaber at the head of 450 men to support Lord Enzie, as Gordonstoun records.

MacKay's active support of the Gordons at this period, both in Caithness and Lochaber, is noteworthy. So long as

$\frac{1}{2}$ of Holm; the lands of Sunzie, with mill; the lands of Brabisterne and Sleiklie; $\frac{1}{2}$ of Ulbster; the lands of Fors, with castle; with other lands and tenements in the villages of Thurso, Wick and Dunnet.—Reg. Mag. Sig., 3 November, 1612. No. 766.

As the lands held of old by Reginald Cheyne were divided between the Keiths and Sutherlands, this accounts for the fractions in the above charter.

* P.C. Reg., X., xxxiv. (First Series.)

Alexander, Earl of Sutherland, lived, he maintained friendly relations with his brother-in-law, Huistean Du MacKay, and his family. The ill-health of the Earl also resulted in young Donald MacKay's being frequently employed in enterprises of this character, so suitable to his restless disposition. It was after Sir Robert Gordon became tutor of Sutherland, and this had ceased, that estrangement took place.

Arthur, Lord Forbes, was not long in possession of the barony of Dunbeath when he began to feel the hostility of the Sinclairs. He complained to the Council, on 14th December, 1613, that in October last William Sinclair, apparent of Mey, called together the tenants of the barony in the town of Wick, commanded them, under pain "of hanging of thame over thair awne balkis," not to acknowledge Forbes as their landlord, nor to pay him any "maili and dewtyis." Further, the said Sinclair has held baron courts on pursuer's lands, and has given decisions as if he were the lawful landlord. The case is referred to the judge ordinary. But a little later, on 30th June following, the Earl of Caithness and Lord Forbes are commanded by the Council to find caution for the keeping of the peace, which shows that the trouble was developing.*

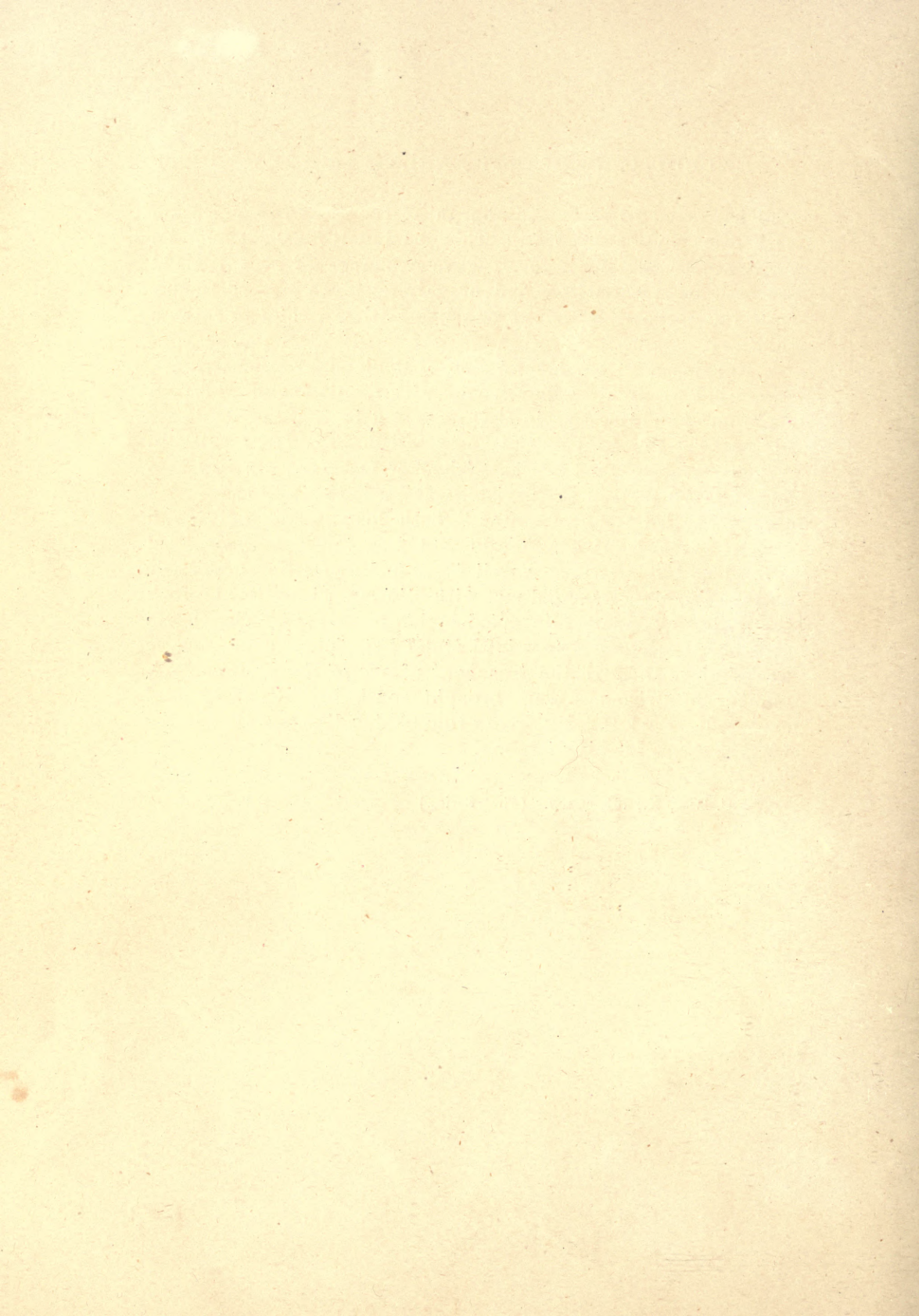
While the trouble with Lord Forbes was a-brewing, the turbulent Earl of Caithness got an opportunity of shewing his zeal for the maintenance of order. That old pagan, Patrick Stewart, Earl of Orkney, was guilty of inhuman misgovernment in his island regality, and too long suffered to continue his oppressions because he was cousin to the King. In course of time "Earl Pate" was warded at Edinburgh in 1610, yet by means of relatives he ceased not to harass the miserable Orcadians until 1614, when his bastard son Robert, with a band of associates, fortified the Castle and Cathedral of Kirkwall in his interest, and set the authority of the Crown at defiance. At first the Council resolved to employ Sir James Stewart of Killeyth for the reduction of the rebellion in Orkney, but eventually the task was entrusted to the Earl of Caithness,

* P.C. Reg., X., 197, 249. (First Series.)

who happened to be in Edinburgh at the time in connection with the Forbes lawsuit. This business must have been congenial to the Earl, for it gave a chance of avenging old scores upon a hated foe, and of gaining much needed favour from the authorities; but it was like setting a thief to catch a thief.

Furnished with a commission of lieutenancy over Orkney, supported by some regular troops with munitions of war, and empowered to raise men in Caithness and beyond the Pentland for service, the Earl of Caithness sailed away from Leith in August, accompanied by the Bishop of Orkney. He had also on board 60 trained artillerymen, a large battering piece and a cannon, called "Thrawn Mou," both loans from Edinburgh Castle, together with a herald, a trumpeter, a surgeon, and several wrights. It was a well furnished expedition and made a brave show.* The Earl met with stiff opposition but he took the posts, one by one, occupied by his opponents. The Castle of Kirkwall made a determined stand but yielded after a three weeks' siege through the treachery of one of the besieged. A number of prisoners were brought south to Edinburgh and executed. Earl Patrick soon after paid a like penalty at the Market Cross for high treason.

* P.C. Reg., X., 701, et seq. (First Series.)



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