

## MACKINTOSH

Source: *The Scottish Highlands, Highland Clans and Highland Regiments, Volume II (of 2)* by Sir John Scott Keltie

According to the Mackintosh MS. Histories (the first of which was compiled about 1500, other two dated in the 16th century, all of which were embodied in a Latin MS. by Lachlan Mackintosh of Kinrara about 1680), the progenitor of the family was Shaw or Seach, a son of Macduff, Earl of Fife, who, for his assistance in quelling a rebellion among the inhabitants of Moray, was presented by King Malcolm IV. with the lands of Petty and Breachly and the forestry of Strathearn, being made also constable of the castle at Inverness. From the high position and power of his father, he was styled by the Gaelic-speaking population Mac-an-Toisich, i.e., "son of the principal or foremost." Tus, tos, or tosieh, is "the beginning or first part of anything," whence "foremost" or "principal." Mr Skene says the tosieh was the oldest cadet of a clan, and that Mackintosh's ancestor was oldest cadet of clan Chattan. Professor Cosmo Innes says the tosieh was the administrator of the crown lands, the head man of a little district, who became under the Saxon title of Thane hereditary tenant; and it is worthy of note that these functions were performed by the successor of the above mentioned Shaw, who, the family history says, "was made chamberlain of the king's revenues in those parts for life." It is scarcely likely, however, that the name Mackintosh arose either in this manner or in the manner stated by Mr Skene, as there would be many tosiachs, and in every clan an oldest cadet. The name seems to imply some peculiar circumstances, and these are found in the son of the great Thane or Earl of Fife.

Little is known of the immediate successors of Shaw Macduff. They appear to have made their residence in the castle of Inverness, which they defended on several occasions against the marauding bands from the west. Some of them added considerably to the possessions of the family, which soon took firm root in the north. Towards the close of the 13th century, during the minority of Angus MacFerquhard, 6th chief, the Comyns seized the castle of Inverness, and the lands of Geddes and Rait belonging to the Mackintoshes, and these were not recovered for more than a century. It was this chief who in 1291-2 married Eva, the heiress of clan Chattan, and who acquired with her the lands occupied by that clan, together with the station of leader of her father's clansmen. He appears to have been a chief of great activity, and a staunch supporter of Robert Bruce, with whom he took [202] part in the battle of Bannockburn. He is placed second in the list of chiefs given by General Stewart of Garth as present in this battle. In the time of his son William the sanguinary feud with the Camerons broke out, which continued up to the middle of the 17th century. The dispute arose concerning the lands of Glenlui and Locharkaig, which Angus Mackintosh had acquired with Eva, and which in his absence had been occupied by the Camerons. William fought several battles for the recovery of these lands, to which in 1337 he acquired a charter from the Lord of the Isles, confirmed in 1357 by David II., but his efforts were unavailing to dislodge the Camerons. The feud was continued by his successor, Lauchlan, 8th chief, each side occasionally making raids into the other's country. In one of these is said to have occurred the well-known dispute as to precedence between two of the septs of clan Chattan, the Macphersons and the Davidsons. According to tradition, the Camerons had entered Badenoch, where Mackintosh was then residing, and had seized a large "spreagh." Mackintosh's force, which followed them, was composed chiefly of these two septs, the Macphersons, however, considerably exceeding the rest. A dispute arising between the respective leaders of the Macphersons and Davidsons as to who should lead the right wing, the chief of Mackintosh, as superior to both, was appealed to, and decided in favour of Davidson. Offended at this, the Macphersons, who, if all accounts are true, had undoubtedly the better right to the post of honour, withdrew from the field of battle, thus enabling the Camerons to secure a victory. When, however, they saw that their friends were defeated, the Macphersons are said to have returned to the field, and turned the victory of the Camerons into a defeat, killing their leader, Charles MacGillionie. The date of this affair, which took place at Invernahavon, is variously fixed at 1370 and 1384, and some writers make it the cause which led to the famous battle on the North Inch of Perth twenty-six years later.

As is well known, great controversies have raged as to the clans who took part in the Perth fight, and those writers just referred to decide the question by making the Macphersons and Davidsons the combatant clans.[186]

Wyntoun's words are—

"They three score ware clannys twa, Clahynne Qwhewyl and Clachinyha, Of thir twa kynnys war thay men, Thretty again thretty then, And thare thay had thair chiftanys twa, Scha Farqwharis Sone wes ane of thay, The tother Christy Johnesone."

On this the Rev. W. G. Shaw of Forfar remarks,—*"One writer (Dr Macpherson) tries to make out that the clan Yha or Ha was the clan Shaw. Another makes them to be the clan Dhail or Davidsons. Another (with Skene) makes them Macphersons. As to the clan Quhele, Colonel Robertson (author of 'Historical Proofs of the Highlanders,')* supposes that the clan Quhele was the clan Shaw, partly from the fact that in the Scots Act of Parliament of 1392 (vol. i. p. 217), whereby several clans were forfeited for their share in the raid of

Angus [described in vol. i.], there is mention made of Slurach, or (as it is supposed it ought to have been written) Sheach[187] et omnes clan Quhele. Then others again suppose that the clan Quhele was the clan Mackintosh. Others that it was the clan Cameron, whilst the clan Yha was the Clan-na-Chait or clan Chattan.

"From the fact that, after the clan Battle on the Inch, the star of the Mackintoshes was decidedly in the ascendant, there can be little doubt but that they formed at least a section of the winning side, whether that side were the clan Yha or the clan Quhele.

"Wyntoun declines to say on which side the victory lay. He writes—

'Wha had the waur fare at the last,

I will nocht say.'

"It is not very likely that subsequent writers knew more of the subject than he did, so that after all, we are left very much to the traditions of the families themselves for information. The Camerons, Davidsons, Mackintoshes, and Macphersons, all say that they took part in[203] the fray. The Shaws' tradition is, that their ancestor, being a relative of the Mackintoshes, took the place of the aged chief of that section of the clan, on the day of battle. The chroniclers vary as to the names of the clans, but they all agree as to the name of one of the leaders, viz., that it was Shaw. Tradition and history are agreed on this one point.

"One thing emerges clearly from the confusion as to the clans who fought, and as to which of the modern names of the contending clans was represented by the clans Yha and Quhele,—one thing emerges, a Shaw leading the victorious party, and a race of Shaws springing from him as their great—if not their first—founder, a race, who for ages afterwards, lived in the district and fought under the banner of the Laird of Mackintosh." [188]

As to the Davidsons, the tradition which vouches for the particulars of the fight at Invernahavon expressly says that the Davidsons were almost to a man cut off, and it is scarcely likely that they would, within so short a time, be able to muster sufficient men either seriously to disturb the peace of the country or to provide thirty champions. Mr Skene solves the question by making the Mackintoshes and Macphersons the combatant clans, and the cause of quarrel the right to the headship of clan Chattan. But the traditions of both families place them on the winning side, and there is no trace whatever of any dispute at this time, or previous to the 16th century, as to the chiefship. The most probable solution of this difficulty is, that the clans who fought at Perth were the clan Chattan (i.e., Mackintoshes, Macphersons, and others) and the Camerons. Mr Skene, indeed, says that the only clans who have a tradition of their ancestors having been engaged are the Mackintoshes, Macphersons, and Camerons, though he endeavours to account for the presence of the last named clan by making them assist the Macphersons against the Mackintoshes.[189] The editor of the *Memoirs of Lochiel*, mentioning this tradition of the Camerons, as well as the opinion of Skene, says,—“It may be observed, that the side allotted to the Camerons (viz. the unsuccessful side) affords the strongest internal evidence of its correctness. Had the Camerons been described as victors it would have been very different.”

The author of the recently discovered MS. account of the clan Chattan already referred to, says that by this conflict Cluny's right to lead the van was established; and in the meetings of clan Chattan he sat on Mackintosh's right hand, and when absent that seat was kept empty for him. Henry Wynde likewise associated with the clan Chattan, and his descendants assumed the name of Smith, and were commonly called Sliochd a Gow Chroim.

Lauchlan, chief of Mackintosh, in whose time these events happened, died in 1407, at a good old age. In consequence of his age and infirmity, his kinsman, Shaw Mackintosh, had headed the thirty clan Chattan champions at Perth, and for his success was rewarded with the possession of the lands of Rothiemurchus in Badenoch. The next chief, Ferquhard, was compelled by his clansmen to resign his post in consequence of his mild, inactive disposition, and his uncle Malcolm (son of William Mac-Angus by a second marriage) succeeded as 10th chief of Mackintosh, and 5th captain of clan Chattan. Malcolm was one of the most warlike and successful of the Mackintosh chiefs. During his long chiefship of nearly fifty years, he made frequent incursions into the Cameron territories, and waged a sanguinary war with the Comyns, in which he recovered the lands taken from his ancestor. In 1411 he was one of the principal commanders in the army of Donald, Lord of the Isles, in the battle of Harlaw, where he is by some stated incorrectly to have been killed. In 1429, when Alexander, Lord of the Isles and Earl of Ross; broke out into rebellion at the head of 10,000 men, on the advance of the king into Lochaber, the clan Chattan and the clan Cameron deserted the earl's banners, went over to the royal army, and fought on the royal side, the rebels being defeated. In 1431, Malcolm Mackintosh, captain of the clan Chattan, received a grant of the lands of Alexander of Lochaber, uncle of the Earl of Ross, that chieftain having been forfeited[206] for engaging in the rebellion of Donald Balloch. Having afterwards contrived to make his peace with the Lord of the Isles, he received from him, between 1443 and 1447, a confirmation of his lands in Lochaber, with a grant of the office of bailiary of that district. His son, Duncan, styled



captain of the clan Chattan in 1467, was in great favour with John, Lord of the Isles and Earl of Ross, whose sister, Flora, he married, and who bestowed on him the office of steward of Lochaber, which had been held by his father. He also received the lands of Keppoch and others included in that lordship.

On the forfeiture of his brother-in-law in 1475, James III. granted to the same Duncan Mackintosh a charter, of date July 4th, 1476, of the lands of Moymore, and various others, in Lochaber. When the king in 1493 proceeded in person to the West Highlands, Duncan Mackintosh, captain of the clan Chattan, was one of the chiefs, formerly among the vassals of the Lord of the Isles, who went to meet him and make their submission to him. These chiefs received in return royal charters of the lands they had previously held under the Lord of the Isles, and Mackintosh obtained a charter of the lands of Keppoch, Innerorgan, and others, with the office of bailiary of the same. In 1495, Farquhar Mackintosh, his son, and Kenneth Oig Mackenzie of Kintail, were imprisoned by the king in Edinburgh castle. Two years thereafter, Farquhar, who seems about this time to have succeeded his father as captain of the clan Chattan, and Mackenzie, made their escape from Edinburgh castle, but, on their way to the Highlands, they were seized at Torwood by the laird of Buchanan. Mackenzie, having offered resistance, was slain, but Mackintosh was taken alive, and confined at Dunbar, where he remained till after the battle of Flodden.

Farquhar was succeeded by his cousin, William Mackintosh, who had married Isabel M'Niven, heiress of Dunnachtan: but John Roy Mackintosh, the head of another branch of the family, attempted by force to get himself recognised as captain of the clan Chattan, and failing in his design, he assassinated his rival at Inverness in 1515. Being closely pursued, however, he was overtaken and slain at Glenesk. Lauchlan Mackintosh, the brother of the murdered chief, was then placed at the head of the clan. He is described by Bishop Lesley[191] as "a verrie honest and wyse gentleman, an barroun of gude rent, quha keipit hes hole ken, friendes and tennentis in honest and guid rewll." The strictness with which he ruled his clan raised him up many enemies among them, and, like his brother, he was cut off by the hand of an assassin. "Some wicked persons," says Lesley, "being impatient of virtuous living, stirred up one of his own principal kinsmen, called James Malcolmson, who cruelly and treacherously slew his chief." This was in the year 1526. To avoid the vengeance of that portion of the clan by whom the chief was beloved, Malcolmson and his followers took refuge in the island in the loch of Rothiemurchus, but they were pursued to their hiding place, and slain there.

Lauchlan had married the sister of the Earl of Moray, and by her had a son, William, who on his father's death was but a child. The clan therefore made choice of Hector Mackintosh, a bastard son of Farquhar, the chief who had been imprisoned in 1495, to act as captain till the young chief should come of age. The consequences of this act have already been narrated in their proper place in the General History. On attaining the age of manhood William duly became head of the clan, and having been well brought up by the Earls of Moray and Cassilis, both his near relatives, was, according to Lesley, "honoured as a perfect pattern of virtue by all the leading men of the Highlands." During the life of his uncle, the Earl of Moray, his affairs prospered; but shortly after that noble's death, he became involved in a feud with the Earl of Huntly. He was charged with the heinous offence of conspiring against Huntly, the queen's lieutenant, and at a court held by Huntly at Aberdeen, on the 2d August 1550, was tried and convicted by a jury, and sentenced to lose his life and lands. Being immediately carried to Strathbogie, he was beheaded soon after by Huntly's countess, the earl himself having given a pledge that his life should be spared. The story is told, though with grave errors, by Sir[207] Walter Scott, in his Tales of a Grandfather.[192] By Act of Parliament of 14th December 1557, the sentence was reversed as illegal, and the son of Mackintosh was restored to all his father's lands, to which Huntly added others as assythment for the blood. But this act of atonement on Huntly's part was not sufficient to efface the deep grudge owed him by the clan Chattan on account of the execution of their chief, and he was accordingly thwarted by them in many of his designs.

In the time of this earl's grandson, the clan Chattan again came into collision with the powerful Gordons, and for four years a deadly feud raged between them. In consequence of certain of Huntly's proceedings, especially the murder of the Earl of Moray, a strong faction was formed against him, Lauchlan, 16th chief of Mackintosh, taking a prominent part. A full account of these disturbances in 1624 has already been given in its place in the General History.

In this feud Huntly succeeded in detaching the Macphersons belonging to the Cluny branch from the rest of clan Chattan, but the majority of that sept, according to the MS. history of the Mackintoshes, remained true to the chief of Mackintosh. These allies, however, were deserted by Huntly when he became reconciled to Mackintosh, and in 1609 Andrew Macpherson of Cluny, with all the other principal men of clan Chattan, signed a bond of union, in which they all acknowledged the chief of Mackintosh as captain and chief of clan Chattan. The clan Chattan were in Argyll's army at the battle of Glenlivet in 1595, and with the Macleans formed the right wing, which made the best resistance to the Catholic earls, and was the last to quit the field.

Cameron of Lochiel had been forfeited in 1598 for not producing his title deeds, when Mackintosh claimed the lands of Glenluy and Locharkaig, of which he had kept forcible possession. In 1618 Sir Lauchlan, 17th chief of Mackintosh, prepared to carry into effect the acts of outlawry against Lochiel, who, on his part, put himself under the protection of the Marquis of Huntly, Mackintosh's mortal

foe. In July of the same year Sir Lauchlan obtained a commission of fire and sword against the Macdonalds of Keppoch for laying waste his lands in Lochaber. As he conceived that he had a right to the services of all his clan, some of whom were tenants and dependents of the Marquis of Huntly, he ordered the latter to follow him, and compelled such of them as were refractory to accompany him into Lochaber. This proceeding gave great offence to Lord Gordon, Earl of Enzie, the marquis's son, who summoned Mackintosh before the Privy Council, for having, as he asserted, exceeded his commission. He was successful in obtaining the recall of Sir Lauchlan's commission, and obtaining a new one in his own favour. The consequences of this are told in vol. i. ch. x.

During the wars of the Covenant, William, 18th chief, was at the head of the clan, but owing to feebleness of constitution took no active part in the troubles of that period. He was, however, a decided loyalist, and among the Mackintosh papers are several letters, both from the unhappy Charles I. and his son Charles II., acknowledging his good affection and service. The Mackintoshes, as well as the Macphersons and Farquharsons, were with Montrose in considerable numbers, and, in fact, the great body of clan Chattan took part in nearly all that noble's battles and expeditions.

Shortly after the accession of Charles II., Lauchlan Mackintosh, to enforce his claims to the disputed lands of Glenluy and Locharkaig against Cameron of Lochiel, raised his clan, and, assisted by the Macphersons, marched to Lochaber with 1500 men. He was met by Lochiel with 1200 men, of whom 300 were Macgregors. About 300 were armed with bows. General Stewart says:—"When preparing to engage, the Earl of Breadalbane, who was nearly related to both chiefs, came in sight with 500 men, and sent them notice that if either of them refused to agree to the terms which he had to propose, he would throw his interest into the opposite scale. After some hesitation his offer of mediation was accepted, and the feud amicably and finally settled." This was in 1665, when the celebrated Sir Ewen Cameron was chief, and a satisfactory arrangement having been[208] made, the Camerons were at length left in undisputed possession of the lands of Glenluy and Locharkaig, which their various branches still enjoy.

In 1672 Duncan Macpherson of Cluny, having resolved to throw off all connexion with Mackintosh, made application to the Lyon office to have his arms matriculated as laird of Cluny Macpherson, and "the only and true representative of the ancient and honourable family of the clan Chattan." This request was granted; and, soon afterwards, when the Privy Council required the Highland chiefs to give security for the peaceable behaviour of their respective clans, Macpherson became bound for his clan under the designation of the lord of Cluny and chief of the Macphersons; as he could only hold himself responsible for that portion of the clan Chattan which bore his own name and were more particularly under his own control. As soon as Mackintosh was informed of this circumstance, he applied to the privy council and the Lyon office to have his own title declared, and that which had been granted to Macpherson recalled and cancelled. An inquiry was accordingly instituted, and both parties were ordered to produce evidence of their respective assertions, when the council ordered Mackintosh to give bond for those of his clan, his vassals, those descended of his family, his men, tenants, and servants, and all dwelling upon his ground; and enjoined Cluny to give bond for those of his name of Macpherson, descended of his family, and his men, tenants, and servants, "without prejudice always to the laird of Mackintosh." In consequence of this decision, the armorial bearings granted to Macpherson were recalled, and they were again matriculated as those of Macpherson of Cluny.

Between the Mackintoshes and the Macdonalds of Keppoch, a feud had long existed, originating in the claim of the former to the lands occupied by the latter, on the Braes of Lochaber. The Macdonalds had no other right to their lands than what was founded on prescriptive possession, whilst the Mackintoshes had a feudal title to the property, originally granted by the lords of the Isles, and, on their forfeiture, confirmed by the crown. After various acts of hostility on both sides, the feud was at length terminated by "the last considerable clan battle which was fought in the Highlands." To dispossess the Macdonalds by force, Mackintosh raised his clan, and, assisted by an independent company of soldiers, furnished by the government, marched towards Keppoch, but, on his arrival there, he found the place deserted. He was engaged in constructing a fort in Glenroy, to protect his rear, when he received intelligence that the Macdonalds, reinforced by their kinsmen of Glengarry and Glencoe, were posted in great force at Mulroy. He immediately marched against them, but was defeated and taken prisoner. At that critical moment, a large body of Macphersons appeared on the ground, hastening to the relief of the Mackintoshes, and Keppoch, to avoid another battle, was obliged to release his prisoner. It is highly to the honour of the Macphersons, that they came forward on the occasion so readily, to the assistance of the rival branch of the clan Chattan, and that so far from taking advantage of Mackintosh's misfortune, they escorted him safely to his own territories, and left him without exacting any conditions, or making any stipulations whatever as to the chiefship.[193] From this time forth, the Mackintoshes and the Macphersons continued separate and independent clans, although both were included under the general denomination of the clan Chattan.

At the Revolution, the Mackintoshes adhered to the new government, and as the chief refused to attend the Viscount Dundee, on that nobleman soliciting a friendly interview with him, the latter employed his old opponent, Macdonald of Keppoch, to carry off his cattle. In the rebellions of 1715 and 1745, the Mackintoshes took a prominent part. Lauchlan, 20th chief, was actively engaged in the '15, and was at Preston on the Jacobite side. The exploits of Mackintosh of Borlum, in 1715, have been fully narrated in our account



of the rebellion of that year.

Lauchlan died in 1731, without issue, when the male line of William, the 18th chief, became extinct. Lauchlan's successor, William Mackintosh, died in 1741. Angus, the brother of the latter, the next chief, married Anne, daughter of Farquharson of Invercauld, a lady[209] who distinguished herself greatly in the rebellion of 1745. When her husband was appointed to one of the three new companies in Lord London's Highlanders, raised in the beginning of that year, Lady Mackintosh traversed the country, and, in a very short time, enlisted 97 of the 100 men required for a captaincy. On the breaking out of the rebellion, she was equally energetic in favour of the Pretender, and, in the absence of Mackintosh, she raised two battalions of the clan for the prince, and placed them under the command of Colonel Macgillivray of Dunmaglass. In 1715 the Mackintoshes mustered 1,500 men under Old Borlum, but in 1745 scarcely one half of that number joined the forces of the Pretender. She conducted her followers in person to the rebel army at Inverness, and soon after her husband was taken prisoner by the insurgents, when the prince delivered him over to his lady, saying that "he could not be in better security, or more honourably treated."

Dalcross Castle. From a photograph in the possession of The Mackintosh.

At the battle of Culloden, the Mackintoshes were on the right of the Highland army, and in their eagerness to engage, they were the first to attack the enemy's lines, losing their brave colonel and other officers in the impetuous charge. On the passing of the act for the abolition of the heritable jurisdictions in 1747, the laird of Mackintosh claimed £5,000 as compensation for his hereditary office of steward of the lordship of Lochaber.

In 1812, Æneas Mackintosh, the 23d laird of Mackintosh, was created a baronet of the United Kingdom. He died 21st January 1820, without heirs male of his body. On his death, the baronetcy expired, and he was succeeded in the estate by Angus Mackintosh, whose immediate sires had settled in Canada. Alexander, his son, became Mackintosh of Mackintosh, and died in 1861, his son, Alexander Æneas, now of Mackintosh, succeeding him as 27th chief of Mackintosh, and 22d captain of clan Chattan.

The funerals of the chiefs of Mackintosh were always conducted with great ceremony and solemnity. When Lauchlan Mackintosh, the 19th chief, died, in the end of 1703, his body lay in state from 9th December that year, till 18th January 1704, in Dalcross Castle (which was built in 1620, and is a good[210] specimen of an old baronial Scotch mansion, and has been the residence of several chiefs), and 2000 of the clan Chattan attended his remains to the family vault at Petty. Keppoch was present with 220 of the Macdonalds. Across the coffins of the deceased chiefs are laid the sword of William, twenty-first of Mackintosh, and a highly finished claymore, presented by Charles I., before he came to the throne, to Sir Lauchlan Mackintosh, gentleman of the bedchamber.

The principal seat of The Mackintosh is Moy Hall, near Inverness. The original castle, now in ruins, stood on an island in Loch Moy.

The eldest branch of the clan Mackintosh was the family of Kellachy, a small estate in Inverness-shire, acquired by them in the 17th century. Of this branch was the celebrated Sir James Mackintosh. His father, Captain John Mackintosh, was the tenth in descent from Allan, third son of Malcolm, tenth chief of the clan. Mackintosh of Kellachy, as the eldest cadet of the family, invariably held the appointment of captain of the watch to the chief of the clan in all his wars.