

THE CLAN CHATTAN

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

Clan Chattan—Chiefship—Mackintoshes—Battle of North Inch—Macphersons—MacGillivrays—Shaws—Farquharsons—Macbeans—Macphails—Gows—MacQueens—Cattanachs.

Of the clan Chattan little or nothing authentic is known previous to the last six hundred years. Their original home in Scotland, their parentage, even their name, have been disputed. One party brings them from Germany, and settles them in the district of Moray; another brings them from Ireland, and settles them in Lochaber; and a third makes them the original inhabitants of Sutherland and Caithness. With regard to their name there is still greater variety of opinion: the Catti, a Teutonic tribe; Catav, "the high side of the Ord of Caithness;" Gillicattan Mor, their alleged founder, said to have lived in the reign of Malcolm II., 1003–1033; cat, a weapon,—all have been advanced as the root name. We cannot pretend to decide on such a matter, which, in the entire absence of any record of the original clan, will no doubt ever remain one open to dispute; and therefore we refrain from entering at length into the reasons for and against these various derivations. Except the simple fact that such a clan existed, and occupied Lochaber for some time (how long cannot be said) before the 14th century, nothing further of it is known, although two elaborate genealogies of it are extant—one in the MS. of 1450 discovered by Mr Skene; the other (which, whatever its faults, is no doubt much more worthy of credence) compiled by Sir Æneas Macpherson in the 17th century.

Mr Skene, on the authority of the MS. of 1450, makes out that the clan was the most important of the tribes owning the sway of the native Earls or Maormors of Moray, and represents it as occupying the whole of Badenoch, the greater part of Lochaber, and the districts of Strathnairn and Strathearn, holding their lands in chief of the crown. But it seems tolerably evident that the MS. of 1450 is by no means to be relied upon; Mr Skene himself says it is not trustworthy before A.D. 1000, and there is no good ground for supposing it to be entirely trustworthy 100 or even 200 years later. The two principal septs of this clan in later times, the Macphersons and the Mackintoshes, Mr Skene, on the authority of the MS., deduces from two brothers, Neachtan and Neill, sons of Gillicattan Mor, and on the assumption that this is correct, he proceeds to pronounce judgment on the rival claims of Macpherson of Cluny and Mackintosh of Mackintosh to the headship of clan Chattan.

Mr Skene, from "the investigations which he has made into the history of the tribes of Moray, as well as into the history and nature of Highland traditions," conceives it to be established by "historic authority," that the Macphersons are the lineal and feudal representatives of the ancient chiefs of the clan Chattan, and "that they possess that right by blood to the chiefship, of which no charters from the crown, and no usurpation, however successful and continued, can deprive them." It is not very easy to understand, however, by what particular process of reasoning Mr Skene has arrived at this conclusion. For supposing it were established "beyond all doubt," as he assumes it to be, by the manuscript of 1450, that the Macphersons and the Mackintoshes are descended from Neachtan and Neill, the two sons of Gillicattan-more, the founder of the race, it does not therefore follow that "the Mackintoshes were an usurping branch of the clan," and that "the Macphersons alone possessed the right of blood to that hereditary dignity." This is indeed taking for granted the very point to be proved, in fact the whole matter in dispute. Mr Skene affirms that the descent of the Macphersons from the ancient chiefs "is not denied," which is in reality saying nothing to the purpose; because the question is, not whether this pretended descent has or has not been denied, but whether it can now be established by satisfactory evidence. To make out a case in favour of the Macphersons, it is necessary to show—first, that the descendants of Neachtan formed the eldest[198] branch, and consequently were the chiefs of the clan; secondly, that the Macphersons are the lineal descendants and the feudal representatives of this same Neachtan, whom they claim as their ancestor; and, lastly, that the Mackintoshes are really descended from Neill, the second son of the founder of the race, and not from Macduff, Earl of Fife, as they themselves have always maintained. But we do not observe that any of these points has been formally proved by evidence, or that Mr Skene has deemed it necessary to fortify his assertions by arguments, and deductions from historical facts. His statement, indeed, amounts just to this—That the family of Macheth, the descendants of Head or Heth, the son of Neachtan, were "identical with the chiefs of clan Chattan;" and that the clan Vurich, or Macphersons, were descended from these chiefs. But, in the first place, the "identity" which is here contended for, and upon which the whole question hinges, is imagined rather than proved; it is a conjectural assumption rather than an inference deduced from a series of probabilities: and, secondly, the descent of the clan Vurich from the Macheths rests solely upon the authority of a Celtic genealogy (the manuscript of 1450) which, whatever weight may be given to it when supported by collateral evidence, is not alone sufficient authority to warrant anything beyond a mere conjectural inference. Hence, so far from granting to Mr Skene that the hereditary title of the Macphersons of Cluny to the chiefship of clan Chattan has been clearly established by him, we humbly conceive that he has left the question precisely where he found it. The title of that family may be the

preferable one, but it yet remains to be shown that such is the case.

Tradition certainly makes the Macphersons of Cluny the male representatives of the chiefs of the old clan Chattan; but even if this is correct, it does not therefore follow that they have now, or have had for the last six hundred years, any right to be regarded as chiefs of the clan. The same authority, fortified by written evidence of a date only about fifty years later than Skene's MS., in a MS. history of the Mackintoshes, states that Angus, 6th chief of Mackintosh, married the daughter and only child of Dugall Dall, chief of clan Chattan, in the end of the 13th century, and with her obtained the lands occupied by the clan, with the station of leader, and that he was received as such by the clansmen. Similar instances of the abrogation of what is called the Highland law of succession are to be found in Highland history, and on this ground alone the title of the Mackintosh chiefs seems to be a good one. Then again we find them owned and followed as captains of clan Chattan even by the Macphersons themselves up to the 17th century; while in hundreds of charters, bonds and deeds of every description, given by kings, Lords of the Isles, neighbouring chiefs, and the septs of clan Chattan itself, is the title of captain of clan Chattan accorded to them—as early as the time of David II. Mr Skene, indeed, employs their usage of the term Captain to show that they had no right of blood to the headship—a right they have never claimed, although there is perhaps no reason why they should not claim such a right from Eva. By an argument deduced from the case of the Camerons—the weakness of which will at once be seen on a careful examination of his statements—he presumes that they were the oldest cadets of the clan, and had usurped the chiefship. No doubt the designation captain was used, as Mr Skene says, when the actual leader of a clan was a person who had no right by blood to that position, but it does not by any means follow that he is right in assuming that those who are called captains were oldest cadets. Hector, bastard son of Ferquhard Mackintosh, while at the head of his clan during the minority of the actual chief, his distant cousin, is in several deeds styled captain of clan Chattan, and he was certainly not oldest cadet of the house of Mackintosh.

It is not for us to offer any decided opinion respecting a matter where the pride and pretensions of rival families are concerned. It may therefore be sufficient to observe that, whilst the Macphersons rest their claims chiefly on tradition, the Mackintoshes have produced, and triumphantly appealed to charters and documents of every description, in support of their pretensions; and that it is not very easy to see how so great a mass of written evidence can be overcome by merely calling into court [199] Tradition to give testimony adverse to its credibility. The admitted fact of the Mackintosh family styling themselves captains of the clan does not seem to warrant any inference which can militate against their pretensions. On the contrary, the original assumption of this title obviously implies that no chief was in existence at the period when it was assumed; and its continuance, unchallenged and undisputed, affords strong presumptive proof in support of the account given by the Mackintoshes as to the original constitution of their title. The idea of usurpation appears to be altogether preposterous. The right alleged by the family of Mackintosh was not direct but collateral; it was founded on a marriage, and not derived by descent; and hence, probably, the origin of the secondary or subordinate title of captain which that family assumed. But can any one doubt that if a claim founded upon a preferable title had been asserted, the inferior pretension must have given way? Or is it in any degree probable that the latter would have been so fully recognised, if there had existed any lineal descendant of the ancient chiefs in a condition to prefer a claim founded upon the inherent and indefeasible right of blood?

Further, even allowing that the Macphersons are the lineal male representatives of the old clan Chattan chiefs, they can have no possible claim to the headship of the clan Chattan of later times, which was composed of others besides the descendants of the old clan. The Mackintoshes also repudiate any connection by blood with the old clan Chattan, except through the heiress of that clan who married their chief in 1291; and, indeed, such a thing was never thought of until Mr Skene started the idea; consequently the Macphersons can have no claim over them, or over the families which spring from them. The great body of the clan, the historical clan Chattan, have always owned and followed the chief of Mackintosh as their leader and captain—the term captain being simply employed to include the whole—and until the close of the 17th century no attempt was made to deprive the Mackintosh chiefs of this title.

Among many other titles given to the chief of the Mackintoshes within the last 700 years, are, according to Mr Fraser-Mackintosh, those of Captain of Clan Chattan, Chief of Clan Chattan, and Principal of Clan Chattan. The following on this subject is from the pen of Lachlan Shaw, the historian of Moray, whose knowledge of the subject entitled him to speak with authority. It is printed in the account of the Kilravock Family issued by the Spalding Club. "Eve Catach, who married MacIntosh, was the heir-female (Clunie's ancestor being the heir-male), and had MacIntosh assumed her surname, he would (say the MacPhersons) have been chief of the Clanchatan, according to the custom of Scotland. But this is an empty distinction. For, if the right of chiftanry is, *jure sanguinis*, inherent in the heir-female, she conveys it, and cannot but convey it to her son, whatever surname he takes; *nam jura sanguinis non præscribunt*. And if it is not inherent in her, she cannot convey it to her son, although he assume her surname. Be this as it will, MacIntosh's predecessors were, for above 300 years, designed Captains of Clanchatan, in royal charters and commissions, in bonds, contracts, history, heraldrie, &c.; the occasion of which title was, that several tribes or clans (every clan retaining its own surname) united in the general designation of Clanchatan; and of this incorporated body, MacIntosh was the head leader or captain. These

united tribes were MacIntosh, MacPherson, Davidson, Shaw, MacBean, MacGillivray, MacQueen, Smith, MacIntyre, MacPhail, &c. In those times of barbarity and violence, small and weak tribes found it necessary to unite with, or come under the patronage of more numerous and powerful clans. And as long as the tribes of Clanchattan remained united (which was till the family of Gordon, breaking with the family of MacIntosh, disunited them, and broke their coalition), they were able to defend themselves against any other clan."

In a MS., probably written by the same author, a copy of which now lies before us, a lengthened enquiry into the claims of the rival chiefs is concluded thus:—"In a word, if by the chief of the clan Chattan is meant the heir of the family, it cannot be doubted that Cluny is chief. If the heir whatsoever is meant, then unquestionably Mackintosh is chief; and whoever [200] is chief, since the captaincy and command of the collective body of the clan Chattan was for above 300 years in the family of Mackintosh, I cannot see but, if such a privilege now remains, it is still in that family." In reference to this much-disputed point, we take the liberty of quoting a letter of the Rev. W. G. Shaw, of Forfar. He has given the result of his inquiries in several privately printed brochures, but it is hoped that ere long he will place at the disposal of all who take an interest in these subjects the large stores of information he must have accumulated on many matters connected with the Highlands. Writing to the editor of this book he says, on the subject of the chiefship of clan Chattan:—

"Skene accords too much to the Macphersons in one way, but not enough in another.

"(Too much)—He says that for 200 years the Mackintoshes headed the clan Chattan, but only as captain, not as chief. But during these 200 years we have bonds, &c., cropping up now and then in which the Macphersons are only designated as (M. or N.) Macpherson of Cluny. Their claim to headship seems to have been thoroughly in abeyance till the middle of the 17th century.

"(Too little)—For he says the Macphersons in their controversy (1672) before the Lyon King, pled only tradition, whereas they pled the facts.

"De jure the Macphersons were chiefs; de facto, they never were; and they only claimed to use the title when clanship began to be a thing of the past, in so far as fighting was concerned.

"The Macphersons seem to have been entitled to the chieftainship by right of birth, but de facto they never had it. The might of 'the MacIntosh' had made his right, as is evidenced in half-a-hundred bonds of manrent, deeds of various kinds, to be found in the 'Thanes of Cawdor,' and the Spalding Club Miscellany—passim. He is always called Capitane or Captane of clan Quhattan, the spelling being scarcely ever twice the same."

Against Mackintosh's powerful claims supported by deeds, &c., the following statements are given from the Macpherson MS. in Mr W. G. Shaw's possession:—

I. In 1370, the head of the Macphersons disowned the head of the Mackintoshes at Invernahavon. Tradition says Macpherson withdrew from the field without fighting, i.e., he mutinied on a point of precedence between him and Mackintosh.

II. Donald More Macpherson fought along with Marr at Harlaw, against Donald of the Isles with Mackintosh on his side, the two chiefs being then on different sides (1411).

III. Donald Oig Macpherson fought on the side of Huntly at the battle of Corrichie, and was killed; Mackintosh fought on the other side (1562).

IV. Andrew Macpherson of Cluny held the Castle of Ruthven, A.D. 1594, against Argyll, Mackintosh fighting on the side of Argyll.[184]

This tends to show that when the Macphersons joined with the Mackintoshes, it was (they alleged) voluntarily, and not on account of their being bound to follow Mackintosh as chief.

In a loose way, no doubt, Mackintosh may sometimes have been called Chief of Clan Chattan, but Captain is the title generally given in deeds of all kinds. He was chief of the Mackintoshes, as Cluny was chief of the Macphersons—by right of blood; but by agreement amongst the Shaws, Macgillivrays, Clarkes, (Clerach), Clan Dai, &c., renewed from time to time, Mackintosh was recognised as Captain of Clan Chattan.

We cannot forbear adding as a fit moral to this part of the subject, the conclusion come to by the writer of the MS. already quoted:—"After what I have said upon this angry point, I cannot but be of opinion, that in our day, when the right of chieftanrie is so little

regarded, when the power of the chiefs is so much abridged, when armed convocations of the lieges are discharged by law, and when a clan are not obliged to obey their chief unless he bears a royal commission,—when matters are so, 'tis my opinion that questions about chieftainrie and debates about precedency of that kind, are equally idle and unprofitable,[201] and that gentlemen should live in strict friendship as they are connected by blood, by affinity, or by the vicinity of their dwellings and the interest of their families."

The clan Chattan of history, according to Mr Fraser-Mackintosh of Drummond,[185] was composed of the following clans, who were either allied to the Mackintoshes and Macphersons by genealogy, or who, for their own protection or other reasons, had joined the confederacy:—The Mackintoshes, Macphersons, Macgillivrays, Shaws, Farquharsons, Macbeans, Macphails, clan Tarril, Gows (said to be descended from Henry the Smith, of North Inch fame), Clarks, Macqueens, Davidsons, Cattanachs, clan Ay, Nobles, Gillespies. "In addition to the above sixteen tribes, the Macleans of Dochgarroch or clan Tearleach, the Dallases of Cantray, and others, generally followed the captain of clan Chattan as his friends." Of some of these little or nothing is known except the name; but others, as the Mackintoshes, Macphersons, Shaws, Farquharsons, &c., have on the whole a complete and well-detailed history.