

cross as the Market Cross of Stirling, and it has since been regularly used for all royal proclamations, and military and other announcements. Mr Small maintains the opinion that the steps of the old cross must have been octagonal to harmonise with the shaft, and if, as is recorded, the cross occupied a large space in the street, and was a great incumbrance, or obstruction, the number of steps must have been six, and not three as at present. We think Mr Small is probably right, and certainly the cross would look much better if it were raised a little higher.

There is much else that is suggestive in Mr Hutcheson's admirable Introduction, but to discuss all the points raised would lead us too far afield. He has rendered excellent service by his disquisition on this interesting branch of Scottish antiquities. The publisher has also performed his part well, the issue of this splendid volume conferring upon him a distinction which will be generally recognised. We are indebted to Mr Mackay for the plate illustrating Mr Small's artistic workmanship.

Ed.

THE CHIEFSHIP OF THE CLAN MURRAY.*

WITH NOTICES OF THE MORAYS OF BOTHWELL,
MURRAYS OF TOUCHADAM AND POLMAISE,
MORAYS OF ABERCAIRNEY, AND MURRAYS
OF TULLIBARDINE (DUKES OF ATHOLL).

On the second day after the funeral of the late Earl of Mansfield in August, 1898, a letter, signed "Moravia," appeared in the *Scotsman*, contradicting a statement made in that newspaper that the Earl's funeral was attended by his Grace the Duke of Atholl, "as Chief of the Clan Murray," and adding that the writer was sure his Grace would be the first to acknowledge that the Chief of the Clan Murray was another gentleman, who was also present at the funeral—namely, Colonel Murray of Polmaise. I am not aware who the writer of this letter was, nor is his personality of any consequence. The subject interested me

* This article, by the Editor, appeared in the *Scottish Antiquary* for October, 1900.

because it lay in the line of certain studies of my own, and, although aware of the difficulty of dealing with competing claims to the chiefship of Scottish clans, I have made an effort to arrive at the truth of this matter, with the results here set forth. The male representation of the historic house of Bothwell, a subject which involves the question of the Chiefship of the Clan Murray, has engaged the attention of men no less eminent than the late Mr John Riddell, the ablest genealogical antiquary of his time, and Mr Joseph Bain, F.S.A. Scot., one of our foremost living genealogists. Mr Riddell's views and arguments, stated with his customary force and fire, will be found in a volume entitled *Stewartiana*, published in 1843, while Mr Bain has expressed his opinions, in the light of further information resulting from his own researches, in his Preface to Vol. II. of the *Calendar of Documents relating to Scotland*, and in two excellent papers contributed to the Proceedings of the Society of Scottish Antiquaries.¹ Anyone who follows men like those I have mentioned, need not expect to glean much in a field they have made their own; still I fancy I have not been altogether unsuccessful in further elucidating an exceedingly obscure subject. I am afraid I shall have to try the reader's patience not a little by a necessarily tortuous course of argument in order to make clear the points upon which the decision of the question under consideration depends. The authorities quoted from are not always cited—a circumstance which I regret²—but it may be premised that I have consulted every source of information known to me, and, by the kindness of Colonel Murray, I have had the privilege of perusing an inventory of the Polmaise writs.

The latest and fullest pedigree of the Murrays of Polmaise is to be found in a work published in 1892, and entitled *Nisbet's Heraldic Plates*, with

¹ Vols. XII. and XIX., new series. A later paper by Mr Bain, based on a number of deeds in the *Lairg Charters*, will be found in *The Genealogist* for January, 1900.

² It may be explained that this paper was originally written for a local Archaeological Society, and the authorities were all given at the end, according to custom. The narration of much that is familiar to readers of the *Scottish Antiquary* is due to the same cause, but it could not be eliminated without the sacrifice of clearness.

Genealogies by Messrs Ross, Marchmont Herald, and Grant, Carrick Pursuivant. I shall have something to say by-and-bye about this pedigree, but at present I merely wish to mention that it begins with a certain Sir William Moravia, who is said to have been taken prisoner by the English in 1306, and released after the battle of Bannockburn. I go back a full century and a-half to Freskin of Moray, a Fleming who came to Scotland in the reign of David I., and settled in the north. This Freskin possessed the extensive lands of Duffus and Petty in Morayshire, and Strathbrock in Linlithgowshire. He left three sons—William, Hugh, and Andrew. Hugh was ancestor of the Earls of Sutherland, and it is still undetermined whether he or his brother William was the eldest of the sons of Freskin. Mr Riddell was of opinion that William must have been the senior, because he heired his father in the estates above-mentioned, and if the large domain of Sutherland was not also transmitted by Freskin to his posterity, there would be no doubt that such was the case. But there is some evidence to the contrary. The arms of descendants of both William and Hugh, sons of Freskin, are to be seen on seals appended to an important instrument, dated 1357, and there, while the shield of the Sutherland ancestor shows the three mullets of Moray plain, in the Bothwell shield they are surrounded by a bordure charged with eight roundels or bezants. The occurrence of the bordure indicates the juniority of the branch descended from William, and the bezants the performance by one of its members, the head of the house for the time, of a pilgrimage to the Holy Sepulchre, a bezant being a gold coin of Byzantium in circulation among the Crusaders. On the other hand, Burke, in his *Peerage*, gives the arms of the ancient Earls of Sutherland as three mullets within a bordure, so that heraldry, after all, leaves the question of seniority undecided. As Mr Bain remarks, however, this question of seniority does not affect the position of the male representative of William, because the Sutherland family has long failed in the male line. Of the youngest of the three brothers, Andrew, nothing seems to be known; but, as we shall see, his name became a favourite one in the family.

William, who was the first to take the name *de Moravia*, had also three sons, William, Hugh, and Andrew. Hugh inherited Duffus and Strathbrock, and founded a family. Andrew was a churchman. He was parson of Duffus, and is said to have refused the Bishopric of Ross. William, who carried on the main line, had the exceptional honour of being father to a real live saint. This was Gilbert Moray, Bishop of Caithness from 1223 to 1245. Of course, St Gilbert was not behind other saints in performing miracles. He not only restored speech to a dumb man by prayer and the sign of the cross, but on one occasion, when a certain lessee of salmon-fishings had had such a bad season that he was unable to pay his rent, and came praying for the good bishop's intervention on his behalf, he washed his hands in the river, which attracted so many salmon that the poor fisherman was soon relieved of all anxiety. He built the cathedral of Dornoch, from which circumstance he is known as St Gilbert of Dornoch. He is said to have been the last Scotsman canonised by the Roman Catholic Church, and his relics continued to be held in veneration till the eve of the Reformation. The eldest brother of St Gilbert was called Walter, the other brothers being John and Richard. Walter of Moray had a son and heir of the same name who, by marriage with the daughter and heiress of Olifard of Bothwell, added that barony to the family possessions. This Walter had two sons, William and Andrew. Both of them were Knights, then the highest dignity except that of an Earl, and Sir William Moray, Lord of Bothwell, was so wealthy that in one place he is called, for the sake of distinction, "*le Riche*." He was one of twelve Morays, six of them Knights, who did homage to Edward I. in 1292. He held an office which has caused some speculation among antiquaries. In the Latin tongue this office was called *Panctarius Scocie*, and there are various interpretations of the term. The late Sir W. Fraser, in his courtly style, gives the meaning as "Chief Butler;" Mr Riddell prefers "Master of the Household;" the editor of the "Papal Petitions" translates by the archaic word, "Pantler;" while a homely old chronicler calls it "Pantrieman." Whatever the office was, it

was undoubtedly regarded as a highly honourable one, and like that of armour-bearer in the family of Seton, it became hereditary in the Moray family. As *Panetarius Scotiae*, William, Lord Bothwell, granted charters of church patronage and annual rents to the Cathedral of Glasgow in 1292 and 1293. He is mentioned as holder of the office as early as 1284.¹ Probably the extent of his holding in Scotland, and the powerful influence he could exercise under the feudal system, marked Sir William Moray out for specially severe treatment by the English monarch, who took occasion to deprive him of his Scottish estates, and when he retired to his manor in Lincolnshire, subjected him to further distraint, so much so that the once wealthy Baron of Bothwell had to get an allowance for his bare sustenance out of the Crown revenues accounted for by the Sheriff of Lincoln. This cruel usage no doubt intensified the family feeling against the oppressor, and Edward and his successors had good cause to fear the wrath of the Morays. Sir William's brother, Sir Andrew Moray, took an active part in the resistance made by the Scots to the English rule, and having been taken prisoner, along with his son, Andrew, at the surrender of the Castle of Dunbar,² in April, 1296, he was committed to the Tower of London, and his son to Chester Castle, so that three members of the family were now in Edward's power.

Whether the victorious monarch thought that so long as he kept the two elder Morays in England he was secure against another rising in Scotland, or whether he had a deep purpose to serve with the younger Moray, it is impossible to say, but for some reason or other, Andrew was permitted to return to Scotland after a few months' detention. Edward never committed a greater mistake, and this he realised when it was too late. Inheriting all the courage and spirit of his ancestors, Andrew Moray soon showed that he intended to resist the powerful family foe to the death.

¹ Rymer's *Fœdera*, cited by Nisbet in his *Heraldry* (1723), p. 253.

² The Cottonian MS. says Sir William de Murreff and his son were among the prisoners taken at Dunbar, and it appears from the *Rotuli Scotiae* that a Knight of that name was imprisoned in the Castle of Rockingham, but it could not be the Lord of Bothwell, who was not at Dunbar, being detained in England, and, moreover, he had no son.

Joining William Wallace of Elderslie, soon to prove himself the champion and guardian of his country, he carried on a vigorous campaign in the north against the English enemy and their Scottish adherents. It appears from the official records of England that on 28th August, 1297, a safe-conduct was issued by Edward to enable Andrew to visit his father in the Tower, but surely in vain is the net spread in the sight of any bird. The eaglet of Moray was not to be trapped. Staunch to the national cause betrayed by so many of the Scottish barons, he bravely followed the banner of Wallace, and at the battle of Stirling Bridge, he was the heroic patriot's chief supporter. Our historians have got sadly confused in regard to the personality of the Andrew Moray who fought so gallantly at Stirling Bridge. The common account is that it was Sir Andrew Moray who was the compatriot of Wallace, and that, being slain in the battle, his son, Andrew, afterwards Regent of Scotland, was assumed by Wallace as joint-governor of the kingdom. Mr Joseph Bain has satisfactorily proved that it was the son of Sir Andrew Moray who behaved so nobly at Stirling, and that the Regent, who was the son of this younger Andrew, was not born till the following year, being a posthumous child. Sir Herbert Maxwell, who, in his *Life of Robert Bruce*, slanders Wallace and belittles his followers, is careful to point out that it was Andrew the Esquire, not Sir Andrew the Knight, who backed the popular leader so effectively at Stirling. Sheriff Rampini, on the other hand, maintains, in his *History of Moray and Nairn*, that it was Sir Andrew the Knight who distinguished himself upon that memorable occasion. Both may be right. It was certainly Sir Andrew's son who was in the battle, but it is not improbable he was also a Knight. There is also some obscurity in regard to Andrew Moray's death. The historians who say he was killed in the fight have to face the awkward fact that, immediately after the battle, proclamations were issued in the joint names of Andrew Moray and William Wallace as leaders of the Scottish army. They get out of the difficulty by giving Andrew a son, who, as I have said, was still in his mother's womb, and I am surprised to find Professor Muri-son, in his recent *Life of Sir William Wallace*,

slide out of the dilemma by stating that it was probably another Sir Andrew Moray altogether who was slain. Mr Andrew Lang, in his new *History of Scotland*, with characteristic *insouciance*, kills Sir Andrew Moray at the battle of Falkirk in 1298, for which there is not the slightest authority. The suggestion that Moray was killed outright at Stirling Bridge has been supposed to receive confirmation from the record of an inquisition at Berwick in November, 1300, in which the jury record as heir to Sir William Moray of Bothwell, who had died in England, Andrew de Moray, an infant who is described as the son of Andrew de Moray, "*interfectus apud Strivelyn contra dominum regem*"—that is, slain at Stirling fighting against the King. But the apparent confusion is cleared up if we accept the statement of the most credible of our Scottish chroniclers, namely, Fordun, who wrote in the following century, and who distinctly states that Andrew Moray was mortally wounded. There are three manuscripts of Fordun's history which are regarded as authoritative, and in none of these is it stated that Moray died on the battle-field. One has *vulneratur occubuit*, another *cecidit vulneratur*, and the third, *gladio occubuit*, so that the probable explanation is, that although mortally wounded, Moray survived for about three months, and then succumbed to his wounds. Fordun calls him *pater Andreae nobilis*, and Abercromby no doubt bases upon this expression the statement, in his *Martial Achievements*, that Andrew Moray was the founder of a family called Noble. It is, however, worthy of note that, in the charter-chest of the Duke of Montrose, there are two deeds referring to a family of that name, but at an earlier period.

We are now free to resume our pedigree of the Morays. We have seen that Sir William, Lord of Bothwell, died before November, 1300, leaving no issue, and that his grand-nephew, the two-year-old Andrew, became his heir. Only sixteen years of age at the date of the battle of Bannockburn, Andrew, *tertius*, was of course too young to take any share in assisting Robert the Bruce in crushing the son of Edward the Oppressor, *Malleus Scotorum*, the hammer of the Scots, as he is called

on his tombstone.¹ He was, in fact, at the time detained in England as hostage, and was afterwards one of three persons who were exchanged for an English prisoner, Sir John de Segrave.² But it was not long before King Robert had the advantage of Andrew Moray's services, and so highly were these esteemed that after an important convention in Cambuskenneth Abbey, in 1326, he received in marriage the hand of Christian Bruce, the King's sister, widow of Sir Christopher Seton, one of King Robert's old comrades-in-arms. It is almost certain that at this time Sir Andrew Moray was himself a widower, with a family, because Lady Christian, as Mr. Bain remarks, was old enough to be his mother, and moreover was past child-bearing. Of course, this little circumstance does not prevent the peerage-writers from giving her two sons by Sir Andrew. She survived her third husband, however, dying in 1357 at an advanced age.

The career of the Regent Moray may be briefly sketched.

After the death of King Robert, which left the kingdom at the mercy of the contending nobles, Sir Andrew Moray faithfully guarded the interests of the infant King David, and after the battle of Dupplin, where the treachery of a namesake of his own, Sir Andrew Moray of Tullibardine, led to the defeat of the Scots army, he was chosen Regent. Our historians are not agreed as to the period of Sir Andrew's regency. Bruce's nephew, the Earl of Moray, who was appointed Regent on the King's death, survived until July, 1332, when the Earl of Mar was elected his successor (2d August), and the latter being slain at Dupplin ten days afterwards, Sir Andrew Moray was chosen to succeed him. In 1333 the Regent, while attacking Roxburgh Castle, fell into the hands of the English, and was detained a prisoner in England for two years, when Edward III. repeated the blunder of his grandfather, and released his most dangerous foe. When the fortunes of Scotland seemed at their lowest, when none but

¹ If a tombstone had been erected in memory of Sir William Wallace he might have been justly described as the terror of the English, *terror Anglorum*, as the author of the *Liber Pluscardensis* has it.

² Hailes' *Annals*, vol. ii. p. 68.

children in their games dared to call David Bruce their King, Sir Andrew came gallantly to the rescue, and having defeated the treacherous Athole at Kilblain, he relieved his own Castle of Kildummy, which his brave wife, Christian Bruce, had held against the enemy, and was again chosen Regent of the kingdom at a Parliament held at Dunfermline in December, 1335. Edward returned to Scotland with a large army, but the Scottish knight judiciously kept out of his way, his retreat in close column, without losing a single man, being a masterpiece of generalship; and when the English King was compelled to leave a country where every hillock seemed to shelter a foe, Sir Andrew came forth from his fastnesses, and made himself master of many of the fortresses garrisoned by the enemy, including his own Castle of Bothwell. He also invaded England to get provisions for his army, and on his return laid siege to Stirling Castle, which, however, he did not succeed in taking, Edward hastening back to the assistance of the Governor. In the struggle which ensued, the Regent more than held his own, and had the satisfaction of seeing the enemy retire, beaten by the resources of an heroic woman, Black Agnes of Dunbar. He did not live long after this event, dying in 1338 amid universal lamentation. The *Chronicle of Lanercost* says there were two accounts of his death, one that it resulted from dysentery, and the other that falling off his horse (an unbroken beast) his foot caught in the stirrup, and he was dragged along the ground sustaining fatal injuries. It is said in his honour that he never swore fealty to the English King, and by his intrepidity and public spirit he did his country splendid service. Wynton says of him—

Schir Andrew Muref guid and wight,
That was a stout and bald Knight,
That nane better was in his day,
Frae guid King Robert was away.

He was buried in the chapel of Rosemartin, but his body was afterwards raised and carried to Dunfermline Abbey, where, says Tytler, it now mingles with the heroic dust of Bruce and Randolph. The anniversary of his death was observed with due ceremony at the altar of the Holy Cross in the Church of the Holy Trinity of

Elgin, where a chaplainship was founded in 1351 by Chancellor John of Inverness, for the good of his own soul, the souls of his father and mother, the soul of Lord Andrew de Moravia of good memory, and the souls of all the faithful dead. The Chancellor also gave to John of Moravia, Sir Andrew's eldest son and heir, the sum of 100 merks, so as to furnish an endowment of eight merks annually. The Chancellor's deed, providing for the distribution of the money, contains the following clauses:—

Item,—I ordain and assign ten shillings of annual rent to be distributed yearly, on the day of the anniversary of Lord Andrew de Moravia, among the chaplains and vicars who, with distinction, are personally engaged in performing the duties of his funeral rites—the absent and unpunctual are totally excluded.

Item,—I ordain two shillings to be paid yearly for ever for the lighting of the Holy Cross, and two shillings sterling for the lighting of the Blessed Virgin Mary, so that the church and the holders of said lights may be able yearly, on the day of the anniversary of the foresaid Lord Andrew, when they are performing the offices of the dead for him, to serve four wax lights burning round his tomb. May the grace of God Omnipotent now visit and protect the conservers of this my present ordination, but let Divine justice strike the violators. Amen! ¹

Sir Andrew Moray left at least two sons by his first wife. The elder son, John, does not seem to have possessed his father's military talents; at least, the chronicles of the times do not take notice of him in this connection. His chief distinction was making a great marriage with the heiress to the Earldom of Menteith, a girl of fourteen years of age. Sir W. Fraser, in his *Red Book of Menteith*, adduces as proof that it was the Lord of Bothwell the heiress married, a charter granted by the widow of Sir William Rose of Kilravock, which mentions as her overlord John of Moray, Lord of Bothwell and of Avoch, who, in a duplicate of this charter, is styled "Earl of Menteith and Panetarius of Scotland." But Sir William might have found the proof he wan-

¹ *Invernessiana*, p. 54.

ted in the petition of Queen Joanna to the Pope for a dispensation for this marriage. In this document, John of Moray is called "Pantler of Scotland." The dispensation itself sets forth that through descent from the same family, he was related in the fourth degree to his bride, Margaret Graham, but how this affinity arose is not known. The marriage took place in 1348, and three years later John of Moray was in the hands of the English King as a hostage for King David, who had been taken prisoner at the Battle of Durham. He died in exile, leaving no children, and his brother and heir, Sir Thomas, took his place as hostage, as was the custom of the time. The *Rotuli Scotie* contain, under date 5th September, 1351, a safe conduct to Berwick or Newcastle-upon-Tyne, for Thomas de Murreff, brother and heir of John de Murreff, as hostage for King David Bruce. Between 1355 and 1357 Sir Thomas seems to have been relieved, but there is another safe conduct for him to Berwick on the 13th August of the latter year, and on the 3rd October following he was one of the great lords of Scotland who placed themselves in the English monarch's hands as security for payment of King David's ransom. For this service, it is presumed, he obtained a gift of the lands of Airthrey, which was Crown property, during the pleasure of the King. The Sheriff of Stirlingshire, in his account for the period between Martinmas 1357 and 1359, takes no note of the rent of Airthrey for the first year of his account, because these lands were in the hands of Thomas of Moray by permission of the King. During 1358 Sir Thomas twice got license to go to Scotland about his affairs, and in 1359 (4th July) there is a safe conduct for several horsemen coming to him in England, while there is a similar protection to himself on the 10th November of the same year. On the 28th January, 1360, the King grants a safe conduct for Walter de Moray, probably Sir Thomas's wife's uncle, with an attendant, to come to Thomas de Moray, hostage for David Bruce, and this is the last we hear of him until his death (of the plague, it is said) in 1361. He left a widow, Joanna. The chroniclers and peerage-writers say she was his daughter and heiress, but the Papal registers twice call her Sir Thomas's widow. According to

one chronicler,¹ there was great rivalry for her hand among the *preux chevaliers* of the period, and Archibald Douglas (the Grim) only carried her off after defeating five Englishmen in successive duels.² Who this much sought-after lady was remained a mystery until the publication of the Laing Charters, a most valuable collection, carefully edited by the Rev. Mr Anderson, assistant curator of the Historical Department in the General Register House, Edinburgh. From a number of charters in this collection, it appears that the wife of Sir Thomas Moray was the daughter and heiress of Sir Maurice Moray of Drumsargard, Earl of Strathern, by Johanna de Menteith. She was a distant relative of her husband.

Thus far all has been plain sailing with our pedigree, but now we have to tackle a series of difficulties of no ordinary kind. If the Regent Moray had no other sons than Sir John and Sir Thomas, the direct male representation of the House of Bothwell came to an end in 1361 with the death of Sir Thomas, and we must look to some collateral branch for the chief of the Clan Murray. It is upon this point that the whole matter turns. Had the Regent a third son, and was that son the progenitor of the Murrays of Touchadam and Polmaise? These are the questions to which we have to address ourselves. Mr Riddell and Mr Bain are both of opinion that it is very probable Sir Andrew Moray of Manuel, who is referred to in charters dated 1364 and 1368 or 1369, and who was unquestionably Laird of Touchadam at the latter date, was the youngest son of Sir Andrew, the Regent. But let us first examine the evidence against such a probability. Sir Andrew is not found in possession of any part of the property which belonged to his father. We have already shown that the Regent's wife, Lady Christian Bruce, could scarcely have had any family to him, and the fact that at her death in 1357, no part of the Garioch, which she had received from the King on her marriage, descended to her husband's second son, Sir Thomas, who survived her three or four years, proves that he

¹ Gray.

² Mr Bain shows this to be mere romancing.—*Genealogist*, vol. xvi. p. 187.

was not her son. There is, therefore, nothing strange in the fact that the later Sir Andrew Moray is not known to have had possession of any of Lady Christian's lands. But we should naturally expect him to have had a portion of his father's if he were a lawful son of the Regent. Mr Riddell attempts to prove that Wicketshaw, on the Clyde, which formed part of the Barony of Touchadam at a later date, was previously comprehended in the Barony of Bothwell, but Mr Bain points out that this position is untenable, because Wicketshaw was Crown land in 1303. The only feasible explanation is that Archibald the Grim, when he got possession of Sir Thomas Moray's widow, also seized the whole of the family estates, to which she had no legal right, an outrage which the lawlessness of the times made it possible for such a powerful baron to commit. Mr Bain says it is certain that Douglas obtained the Barony of Bothwell in an irregular way, and that the carrying away by his wife of the great Barony of Bothwell, with many detached members in other parts of Scotland, from the rightful male line of the Morays to the Douglasses, who kept hold of it till their forfeiture in 1455, is a unique occurrence in Scottish conveyancing. He adds that, of course, it is just possible that Sir Thomas Moray put his wife in the fee of his estate, but without direct evidence this cannot be assumed, and in those days was a most unlikely act.¹

There is the further difficulty that the hereditary office of *Panetarius*, which had descended from Sir William Moray, Lord of Bothwell, first to his brother Andrew, and afterwards to his grand-nephew, the Regent, and from him to his two sons in succession, was not held by Sir Andrew Moray of Manuel. The rapacious Douglas seems to have taken the pantrieman's place along with the Bothwell estates, for although he is nowhere described as *Panetarius Scotiæ*, the cups sculptured on the tomb of his daughter-in-law in Lincluden College,² favour the supposition that he considered his wife had brought him that office along with the rest of the Bothwell plunder. It appears to have been afterwards granted to Henry St Clair,

¹ *The Genealogist*, loc. cit.

² *Fraser's House of Douglas*, vol. I. p. 353.

Earl of Orkney, who had married the granddaughter of Sir William Douglas, Lord of Nitthdale, a natural son of Johanna Moray's husband.¹

That is the evidence against the Polmaise descent from Bothwell, and it is clear that it must be met by arguments of some weight, and not merely by suppositions. It seems hopeless to expect any direct proof that Sir Andrew Moray of Manuel was a son of the Regent. Such proof has been diligently searched for, but without success.² Of indirect proof, however, there is a good deal. There is first the fact that the later Sir Andrew was of kin to King David II. This is proved by an expression used by the King in the original charter of Touchadam and Touchmaler, dated 1368, in which the grant is to Sir Andrew Moray, *dilecto consanguineo nostro*, our beloved cousin. Mr Riddell states that such style of relationship was was not then given in charters to parties unwarily, or without due cause, so that Andrew was assuredly the King's blood kinsman, and he goes on to say the connection could only have been through Lady Christian, the sister of King Robert, mother, as he assumed (wrongly, I think), of the Regent Moray's children. But Mr Riddell overlooked the fact that the Papal dispensation for the marriage of the Regent with Christian Bruce, which he cites twice in the same volume, proves that they were related in the fourth degree of consanguinity, so that, as Mr Bain remarks, if Sir Andrew Moray of Manuel was the son of the Regent, he was a relative of David Bruce, whoever his mother might be, and, of course, he was as nearly related to his father's wife, Lady Christian, as he was to her brother, King Robert. It may be from this older connection with the Bruces that the Morays of Touchadam derive the royal treasure on their coat of arms, of

¹ *Ibid.* p. 356.

² Macfarlane quotes an extract from the Kilravock MSS., stating that in addition to John and Thomas, the Regent had another son, Maurice, "but, as I conceive, died without succession" (*Gen. Coll.* ii. 505). It is possible Sir Andrew Moray of Manuel may have been the son of this Maurice, in which case, if he was an orphan of tender years at the death of his uncle, Sir Thomas, Lord Bothwell, the usurpation of his rights by Douglas would be all the more easy. There is a charter by David II. to Maurice Moray of the lands of Atheren (Airthrey), in Stirlingshire (*Rob. Index*, p. 67, No. 8), and Maurice de Moray witnesses a charter in 1342 (*Morris Book*, p. 68), but this may have been Maurice, Earl of Strathern.

which something will be said later. Secondly, there is the grant to Sir Andrew Moray, designed in 1364 as *armigero nostro*, the King's armour-bearer, of lands in Stirlingshire, these lands lying near Airthrey, which was in the hands of Sir Thomas Moray of Bothwell in 1357, by concession of the King, while Sir Thomas was detained in England as a hostage for David's ransom. I am not inclined to attach much importance to this argument, which is one of Mr Riddell's. The lands of Kepmad, Sir Andrew Moray's earliest acquisition in the county of Stirling, were the gift to him of Agnes Keloch, or Kelour, who had a charter from David II. of Kepmad and the new park of Stirling, and if we could only discover who this lady was, some light might be thrown on the parentage of Sir Andrew.¹ She may have been a relative of the Regent's first wife, whose name, unfortunately, is unknown. Our ancient chroniclers took as little care to preserve the names of women in pedigrees as they did to hand down the names of younger sons who were either unmarried or had no issue. From this inexcusable neglect of the fair sex has arisen no small part of the blunders which are to be found in almost every old pedigree one examines critically. Thirdly, there is the Christian name of Sir Andrew himself. It would be strange indeed if a name so famous in the family of Bothwell had not been given to one of the Regent Moray's sons. I should not have been surprised if more than one son had been baptised Andrew in order to make the preservation of the name more assured, for it was not an uncommon practice at the period for two brothers to have the same Christian name, and instances could even be adduced of three brothers being called by the favourite name. Under the regulations of the Catholic Church, it was allowable to change the baptismal name at confirmation, and this was done when it was supposed there was no danger of the selected name dying out. I find in the Exchequer Rolls an Andrew of Moray mentioned as rendering the accounts of the Provosts of Aberdeen, and as he is not stated to be deceased in 1340, two years after the Regent's death, it is not impossible this

¹ "Kelour" was a personal name in Morayshire, as well as a place name in Forfarshire.—*A Survey of the Province of Moray, Aberdeen, 1798.*

Andrew was the son of the Regent, and identical with the Andrew who got the lands of Keppad in 1364. Fourthly, we have pretty good heraldic evidence of the descent of Polmaise in the fact that in 1463 the arms of the Murrays of Touchadam, as proved by a seal affixed to a deed of that date, are exactly the same as those of the Morays of Bothwell, three mullets within a double tressure,¹ which are to be seen to this day on a stone in the east window of the choir of Bothwell Church. These arms are impaled with another shield also bearing three mullets, but without the tressure, and if Mr Bain's conjecture that the arms commemorate Sir Thomas Moray, last Lord of Bothwell, and his wife Johanna, be correct, as no doubt it is, we have here the arms both of the Bothwell line and that of Drumsargard. A beautiful seal of Johanna de Moray is attached, along with her second husband's, to a charter in the Swinton collection, now in the Register House. It is exactly the same as the arms impaled with those of Bothwell. The fact that there is no mark of cadency or difference in the Touchadam shield of so early a date, is considered a strong proof that this family continued the old line of Bothwell. How the other claimants to the chiefship of the clan have striven to be upsides with Polmaise on this point of arms, will be explained when I come to speak of them.

My own humble contribution to the discussion of the subject comes in here. The clue I obtained from Mr Riddell's suggestion that the descent of the Murrays of Ryvale, or Ruthwell, afterwards of Cockpool, in Dumfriesshire, and ancestors of the Earl of Annandale, who, it is said, belonged to the House of Bothwell, might possibly illustrate that of other lines. He quotes a charter granted in 1411 by Archibald, Earl of Douglas, to Sir Thomas Murray of Ryvale, in which Robert, son of the deceased Sir Andrew Moray of Manuel—he must have been a younger son—is called as one of the heirs of entail, and is styled cousin—*consanguineus*—of Sir Thomas, the granter. Here is an indisputable connection between the Murrays of Touchadam and the Murrays of Ruthwell, and if we can attach the

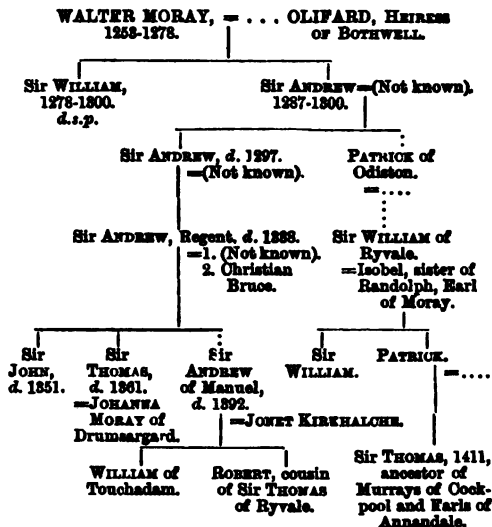
¹ Nisbet's *Heraldry*, p. 254.

latter to the Bothwell family, there is at least an indication that the former may also belong to the same branch of the Morays, which is the point that requires to be established. Mr Riddell notes the fact that the arms of the Murrays of Ryvale—a saltier engrailed with three stars on a chief—are distinct from those of Touchadam, and suggests that it may have been through his mother that Robert was related to Sir Thomas. I do not share this opinion, because Robert's mother was in all likelihood Janet Kirkhalch, who was his father's wife in 1392, and I think the difference in the arms is accounted for by the Bothwell Morays' vassalage to the Bruces, who were Lords of Annandale, and whose arms—the saltier, or St Andrew's cross, with the difference of being engrailed—were born along with the three stars of Moray. It was not uncommon for vassals to bear the arms of their superiors. At a later period, this branch of the Morays became themselves Lords of Annandale. I may mention, however, that Stodart, in his *Arms of Scotland*, gives a seal of *Le Sieur de Copal*—the Lord of Cockpool—dated 1447, which shows the arms exactly the same as those of Polmaise, with the exception that the three mullets are within a single instead of a double tressure. The charter cited by Mr Riddell supplies us with the name of Sir Thomas Murray's father. It was Patrick, who accordingly was contemporaneous with Sir Andrew Moray of Manuel, father of Robert. Patrick's father was probably the William de Moravia who is stated by Craufurd in his *Peerage*, on what appears to be satisfactory evidence, to have received a grant of Ryvale from his father-in-law, Sir Thomas Randolph, Earl of Moray. Can this line be carried farther back? I suggest that it can, through a certain Patrick of Moray, junior, who received from King Robert the Bruce a charter of the lands of Ediston in the Vale of Clyde.¹ I have not succeeded in finding the link between this Patrick and the father of the Patrick mentioned in the charter of 1411, but the identity of names is at least significant. It is of even more importance to observe that, in King Robert's charter to the earlier Patrick, he is styled *dilecto nostro*

¹ *Rob. Ind.*, p. 7, No. 78.

consanguineo, the exact words by which the undoubted progenitor of the Murrays of Touchadam and Polmaise is described in the charter of 1368, granted by King Robert's son, David Bruce. All the Morays were not sib to the King, and there can be little doubt that the Patrick Moray who was cousin to Robert Bruce, belonged to the same family as the Sir Andrew Moray who required a dispensation from the Pope to marry King Robert's sister, because they were in the fourth degree of consanguinity, and the later Sir Andrew Moray of Manuel, whom David II. called his cousin. There was also a double connection by marriage with the Bruces, if the descent supposed be correct, Sir William Moray of Ryvale, first cousin of the Regent, having married Isobel Randolph, sister of the Earl of Moray and daughter of Isobel, sister of King Robert and of Christian Bruce, wife of Sir Andrew Moray of Bothwell. There is still a little bit of evidence to strengthen the connection between the undesigned Patrick de Moravia of the reign of Robert I. and the Morays of Bothwell. The lands of Ediston, of which Patrick got a grant, are stated in King Robert's charter to belong to the deceased Walter, son of Roger. Now, I find from the *Rotuli Scotiæ* that, prior to 1296, this Walter held the lands of Odiston, which is the same place as Ediston (and in fact Odiston is just Udston, near Uddingston, which adjoins the Barony of Bothwell), from William Moray of Bothwell. It is a fair inference that the Patrick Moray who succeeded Walter, son of Roger, in the holding of Odiston, was a member of the family who were its superiors in 1296. If this be allowed, then I should say that Patrick was in all probability a younger son of the Sir Andrew Moray who died about 1299, and a nephew of Sir William, the superior of Odiston, as well as the brother of the heroic Sir Andrew who was mortally wounded at the battle of Stirling Bridge. With reference to the term "junior," which occurs in the charter of Odiston, it may be stated that at that time it was customary to apply the term to the younger of two brothers of the same name, and it is not impossible that there was a Patrick Moray, elder, who may have died prior to the date of the charter. A diagram pedigree will make the

descent a little clearer than I have been able to describe it.¹



It may be observed that Sir Andrew Murray of Manuel, who was Sheriff of Stirlingshire in 1268, describes himself in a charter dated in the year of his death as of Ballynbruch, which I have ascertained to be part of the lands of Manuel. How these lands were obtained, or when they were detached from the Murray estates, I cannot tell. The charter referred to is one confirmed by Robert III., 14th May, 1292, and bears that Andrew of Murray granted to Janet of Kirkhalche *dilectae suae* (i.e., his dear wife), for her lifetime, the lands of Tuchadam in recognition of her advice and assistance, and in full of all claims and right she might have by reason of her terce.²

¹ Of course, if Sir Andrew of Manuel were the son of Maurice, and grandson of the Regent, that would make the relationship with the Ruthwell branch a degree more distant, but would not affect the argument.

² *Reg. Mag. Sig.*

This charter reads to me as if Janet were Sir Andrew's second wife. Sir Andrew was dead before the 3rd October of the same year, when Robert III. grants a charter to his elder son and heir, William Murray, of the lands and barony of Touchadam.

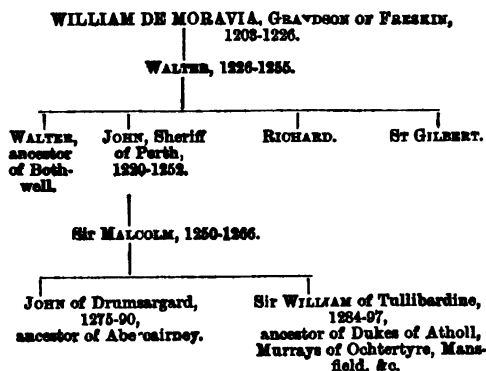
Having shown, so far as the evidence available will admit, the descent of the Murrays of Touchadam and Polmaise from the Morays of Bothwell, a descent of which any family might well be proud, and the claim founded on this descent to be head of the Clan, I proceed to notice shortly the other competitors for the Chiefship—namely, the Morays of Abercairney and the Dukes of Atholl, descending from Murray of Tullibardine.

With regard to Abercairney, it was, until recently, taken for granted that the old pedigrees correctly showed the descent to be from a Sir John de Moravia, who was said to be a younger son of Sir William Moray of Bothwell, also called of Drumsargard, an old barony now forming the parish of Cambuslang. But I have shown that this Sir William Moray had no sons, being succeeded either by his brother or his grand-nephew. Official records prove that there was a Moray of Drumsargard long before the date of the "Ragman Roll," 1296, this being John, son of Sir Malcolm, who flourished about 1250, and was the son of John de Murreve, Sheriff of Perth. Playfair, in his *Baronetage of Scotland*, identifies the Sheriff with John, brother of St Gilbert, and there is reason to believe he may be right, although, as a rule, he is not a very good authority to follow. If this be so, the family would branch off the main line of Strathbrock and Duffus about 1220, and accordingly ranks after the older branch, to which Polmaise belongs, if our pedigree be well established. The cadetship of Drumsargard is further attested by the seal of Sir William Murray—who must be distinguished from his contemporary, Sir William Moray of Bothwell—as attached to the Ragman Roll, and still to be seen. It shows the three mullets with a rose at either side for difference. This discovery is due to Mr Joseph Bain, and is most important. Sir John de Moray of Drumsargard, great-grandson of the Sir Malcolm already mentioned, acquired Abercairney by marriage with a daughter of Malise, Earl of

Strathern, between 1312 and 1319, and it can be proved that the Abercairney arms in the seventeenth century consisted of a chevron between three stars, and without the double tressure which distinguished the shield of the Morays of Bothwell.

As Moray of Abercairney only represents the Drumsargard branch in the female line, he would, in any event, have to acknowledge as the chief of the Clan the male representative of the senior branch, from which Drumsargard derives its origin.

The Tullibardine or Atholl branch is a step lower still, their ancestor being a younger brother of the founder of the Abercairney line.¹ The following sketch pedigree shows how these families branched off the main line :—



The argument of arms also tells against any pretensions to the chiefship on the part of the Atholl Murrays. The late Mr Cosmo Innes, who was inclined to favour the idea that this branch represented the oldest line, mentions a seal of Tullibardine bearing a bull passant with a solitary

¹ Mr D. Murray Rose, in an article contributed to the *Northern Chronicle*, says that the Murrays of Tullibardine and Atholl were really cadets of Moray of Culbin, whose ancestor was Sir Richard de Moravia, brother of St. Gilbert, and son of Murdao, a supposed younger brother of Frekin, grandfather of the William who appears at the head of the table given in the text. This descent would remove the Atholl Murrays still farther from the Bothwell line.

star. In 1626 the arms of William Murray of Tullibardine were the three stars, differenced by a chevron in the second and third quarters.¹ Subsequently all the Murrays, as Mr Riddell remarks, assumed that much-envied accompaniment of the royal treasure, shown, as we have seen, as early as 1463, on a seal of William Murray of Touchadam, then Constable of Stirling Castle. Moray of Abercairney, about 1730, registered his arms as three mullets within a double treasure—the arms rightly belonging to the Murrays of Polmaise. Well might Mr Stodart remark in his *Scottish Arms*, "The gradual assimilation of the arms of the different families of Murray is one of the most curious examples of changes in coat-armour in Scotland." So confident was the Tullibardine branch that they were chiefs of the clan, that one of the Dukes of Atholl, when a lad, and ignorant of the history of the arms of the Murrays, had the temerity to deface the arms of Murray of Polmaise which were emblazoned on his carriage, in the mistaken idea that they were a usurpation of the arms of his own family.² Of course the usurpation was all the other way. The arms of the Murrays of Touchadam and Polmaise have never changed. They remain the same as the Bothwell arms of 1361, so that if the question of chiefship were to be decided by the heraldic evidence alone, the family of Touchadam would, as Mr Riddell puts it, at once beat every other competitor out of the field.³ Nor could that honour more worthily rest than upon the living representative of the

¹ Laing, however (vol. II. p. 123), mentions a seal of Sir William Murray of Tullibardine, attached to a deed, dated 1601, and which shows three mullets within a double treasure, and the same arms appear on a painting of the portrait of Sir John Murray, 1st Earl of Tullibardine (1698) so that the assumption of the royal treasure must have been earlier than Mr Riddell or Mr Bain supposed.

² *Stewartiana*, p. 99.

³ The heraldic evidence would be conclusive if Laing were right in ascribing to a Sir Andrew Moray, in 1357, a seal showing three mullets within a bordure charged with bezants (*Scottish Seals*, vol. II. p. 127), because the only Sir Andrew Moray alive in 1357 was Sir Andrew of Manual, and first of Touchadam, and the arms described are those of Moray of Bothwell. I am afraid, however, this seal is identical with that ascribed by Mr Bain to Sir Thomas Moray, last Lord of Bothwell (*Cal. of Scottish Documents*, vol. III. No. 1660), who must have changed the Bothwell coat between 1357 and 1361 to three mullets within a double treasure.

good old stock which produced a succession of patriot leaders in troublous times. Five centuries have passed away since Sir Andrew Moray settled down in Touchadam, and his descendants have owned this estate without interruption (except such as arose from war) during the entire period. Few, even of our oldest Scottish families, can show an unbroken record of this kind.

My statement of the facts and arguments with reference to the chiefship of the Clan Murray, which by no means pretends to be conclusive, ends here, but I may add a few words of criticism of what I have called the latest and fullest pedigree of the Murrays of Polmaise. The Sir William de Moravia with whom it begins is no doubt the Sir William of Sandford who, according to Mr Biddell, Douglas, in his well-known *Baronage* foisted into the pedigree as the first Touchadam ancestor in the reign of Robert Bruce. There is no foundation for the assertion that he was the father of the Sir Andrew who comes next, and who, it is said, received a charter of the lands of Touchadam from King Robert the Bruce, 28th August, 1369, exactly forty years after the patriot King was in his grave. William, who follows, is said to have had a wife named Christina Cunningham, but she was in reality the wife of William's grandson. Between Alexander, who is given as the fourth Laird, and William, the fifth, there is a line drawn as if a hiatus occurred here in the pedigree, but there is ample evidence that William was the son of Alexander and his wife, Muriel Sandilands of Calder, whose name is given here for the first time. This William had at least four sons by his wife, Christina Cunningham, probably a sister of Alexander Cunningham of Leckie. Having been killed in a quarrel with the Bruces in 1473, he was succeeded by his son Alexander, who survived scarcely a year after his infertment in the estates, and dying without issue, was succeeded by his brother David. In less than a month this David, probably because he was old and a bachelor, resigned in favour of his nephew, Sir John Murray of Galwamoor, father of the Sir William Murray of Touchadam who was slain at Flodden in 1513. The latest pedigree gives John as the son and successor of this Laird, but the writs of Schaw of Sauchy and Greenock, cited in

Craufurd's MSS. in the Advocates' Library, refer to William Murray, son and heir of umquhile William Murray of Touchadam, son of John forfeited for being with King James III. at Bannockburn. I will not pursue the subject further, and I only mention these things to show how easy it is for genealogists to go wrong. Messrs Ross and Grant are perhaps to blame for following Douglas without checking the pedigree he gives, but they must be excused for not knowing particulars only recently revealed by the oldest of the Stirling Protocol Books, from which my information is mainly derived.¹ Like all old family pedigrees, that of Murray of Polmaise requires to be reviewed in the light of those researches which have made genealogy a more scientific pursuit than formerly.

¹ An account of the family, written by the Laird of Polmaise in 1648, is also imperfect in the earlier part.

STIRLING TOWN COUNCIL AND THE BATTLE OF CULLODEN.

AN OLD LOYAL ADDRESS.

At a meeting of the Stirling Town Council, the Clerk (Mr T. L. Galbraith) stated that there had been sent to him a copy of the *London Gazette* for September, 1746, containing an Address presented to the King on behalf of the Corporation of Stirling after the battle of Culloden, and as it was found that the text of the Address was not engrossed in the minutes of the Council, he was instructed to purchase the paper and insert it in the minute-book. The *Gazette*, No. 8557, which is dated from Saturday, July 26, to Tuesday, July 29, 1746, consists of four folio pages, and bears an impressed halfpenny stamp. The Council minute relative to the Address is dated 7th July, 1746, and bears that "judging it expedient that they should address the King upon the victory obtained over the rebels at Culloden, and the form of an Address