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Electric Scotland's Weekly Newsletter for April 3rd, 2015

To see what we've added to the Electric Scotland site view our What's New page at:

<http://www.electricscotland.com/whatsnew.htm>

To see what we've added to the Electric Canadian site view our What's New page at:

<http://www.electriccanadian.com/whatsnew.htm>

For the latest news from Scotland see our ScotNews feed at:

<http://www.electricscotland.com/>

Electric Scotland News

Our thanks to Joan Morris for sending us in a copy of this article...

Google Books Reduces its Digitizing and Preservation of old Books while Internet Archive Increases its Efforts at the Same Thing

An article in The Message states that Google is reducing its efforts at digitizing old books. That certainly is a loss for genealogists, historians, and many others. In what appears to be an unrelated move, the Internet Archive is INCREASING its efforts at digitizing old books, adding 1,000 books to the online collection EACH DAY. Perhaps there is hope for genealogists after all.

In 2004, Google Books signaled the company's intention to scan every known book, partnering with libraries and developing its own book scanner capable of digitizing 1,000 pages per hour. Since then, the company has digitized millions of old books, creating a valuable archive. Google Books is still online, but has curtailed its scanning efforts in recent years, likely discouraged by a decade of legal wrangling still in appeal. The Google Books Blog stopped updating in 2012 and the Twitter account has been dormant since February 2013.

In contrast, the Internet Archive, a non-profit organization, has created one of the world's largest open collections of digitized books, over 6 million public domain books, and an open library catalog. The digitized books available from the Internet Archive also are available in many more formats than those from any other online service, including PDF, Kindle, EPUB, and more. Of course, you can also read any book simply by displaying it on your screen in a web browser.

The Internet Archive has also digitized 1.9 million videos, home movies, and 4,000 public-domain feature films. It has also added 2.3 million audio recordings, including over 74,000 radio broadcasts, 13,000 78rpm records, and 1.7 million Creative Commons-licensed audio recordings, more than 137,000 concert recordings, nearly 10,000 from the Grateful Dead alone. Other items added to the FREE online archives include more than 10,000 audiobooks from LibriVox, 668,000 news broadcasts with full-text search, and the largest collection of historical software in the world.

The Internet Archive also offers scanning services. The non-profit offers FREE and open access to scan complete print collections in 33 scanning centers, with 1,500 books scanned daily. Best of all, the scanning of books is performed in a non-destructive manner. That means there is no need to cut the bindings off the books before scanning. The Internet Archive either operates or partners with 33 scanning centers on 5 continents.

You can read more about the demise of Google Books and the rise of the Internet Archive at <http://goo.gl/DFYq7W>. The Internet Archive may be found at <http://archive.org>. Information about the Internet Archive book digitization efforts may be found at <http://archive.org/scanning>.

Given the amount of audio recordings they do I wondered if any of you knew who produced the Brickie story? The story can be found at <http://www.electricscotland.com/humour/h29.htm> but there was an old 78rpm record of it and I'd love to find an audio recording of it. It's just that while the story is funny enough the audio recording was even better.

Tartan Week

Tons of events on over the next couple of weeks headed up by the special events in New York City but plenty of events on all over the world. To celebrate Tartan Day you are encouraged to wear some item of tartan. So while you could wear a kilt or tartan skirt you could also wear a tartan tie or tartan scarf.

Research on Names

I am embarking on a longer term project to go through our list of Septs. If you take a look at our clan and family pages you'll note some claim a list of Septs and others claim a list of names associated with their name. The list of Sept names can only be added by the clan chief. Often these are historical associations and the current clan chief is often not aware why his or her ancestor listed the name as a Sept.

My idea is to gradually work through all our clan and family pages and where they claim Septs I will endeavor to find out why they are listed as a Sept and add a link to where further information can be found. Once I have completed this task I will then embark on the much larger number of names that are "associated" with the clan.

The problem is that with some clans claiming loads of names it's important that people know that just because you share that name it doesn't mean you are associated with the clan. Also most clans do not give any reason why they claim that name as associated with the clan. In my opinion there is a huge lack of transparency on this and we need to examine their claims. I would be happy to receive any information on names that are associated with the clan but will be doing what research I can to provide more information.

And so in the coming weeks you will see me focusing on names.

Electric Canadian

Historic Halifax

Pocket Guide Book which you can read at:

<http://www.electriccanadian.com/history/novascotia/historichalifax.pdf>

Hudson's Bay Exploring Expedition 1912

By J. B. Tyrrell

Considering this exploration was just over 100 years ago it shows how we were still surveying parts of Canada. You can read this book at <http://www.electriccanadian.com/history/ontario/hudsonbay1912.pdf>

Electric Scotland

George Douglas, Eighth Duke of Argyll K.G., K.T. (1823 - 1900)

Autobiography and Memoirs edited by the Dowager Duchess of Argyll with Portraits and Illustrations in two volumes.

We've now added the final chapters to this book which you can read at:

<http://www.electricscotland.com/history/argyll/argyllndx.htm>

Northern Lights

Pen and Pencil Sketches of Modern Scottish Worthies by Rev. Jabez Marrat (1877).

The biographies added this week complete this book.

Chapter XIII. Norman Macleod, D.D.

Chapter XIV. Duncan Matheson

Chapter XV. Hugh Miller

Chapter XVI. Dr. Moffat

Chapter XVII. David Sandeman

Chapter XVIII. Sir James Young Simpson

Chapter XIX. Professor George Wilson

You can view these at <http://www.electricscotland.com/history/northernlights/index.htm>

"Select Writings of Robert Chamber's Popular Rhymes of Scotland" (1847). I'm starting to add this book to his page and have now added the first ten sections. The chapters added this week are Rhymes appropriate to Children's Amusements and Miscellaneous Purile Rhymes.

You can read this towards the foot of the page at
http://www.electricscotland.com/history/other/chambers_robert.htm

Renfrewshire
By Frederick Mort (1912).

Added another two chapters...

Chapter 8. The Coast Line
Chapter 9. Weather and Climate

You can find this book on our current Renfrew page at:
<http://www.electricscotland.com/history/renfrew/>

Robert Burns Lives!
Edited by Frank Shaw

Today we'll talk about sermons and church life and a refreshing contribution to our website by Gerry Carruthers. I've read countless sermons in my life and listened to more than I care to remember. Same goes for Robert Burns who has had so many books written about him that various scholars think the majority of the books on Burns didn't deserve to be written, much less printed.

One story told long ago reminds us of ministers who would put the cart before the mule. One such pastor had gone to visit one of his parishioners and, as he stood by her hospital bed, he said in a high-pitched voice but with deep authority, "I hope you don't let this keep you away from our prayer meeting tonight", as the mother lovingly holds in her arms the wee baby delivered just a few hours before. Burns could have written a great story about him!

I read somewhere that the secret of a good sermon is to have a good beginning and a good ending, and to have the two as close together as possible. Thus, Gerry has met the criteria for an excellent sermon!

If you cannot or do not enjoy Professor Carruthers' sermon below, there is the possibility there is something wrong with you. Here is one guy's sermon I would chase up to the church house to listen to. Maybe it should be named "Tap Roots for Tall Souls". (FRS: 4.2.15)

You can read the article, "A Sermon... By Professor Gerard Carruthers" at:
http://www.electricscotland.com/familytree/frank/burns_lives216.htm

A Tour in Sutherlandshire
With extracts from the field-books of a Sportsman and Naturalist by Charles St. John, Esq. in two volumes 2nd Edition (1884). A new book we're starting.

RECOLLECTIONS OF THE AUTHOR.
By Captain H. C. St. John

I have been asked to jot down some few reminiscences of my father. I was only eighteen when he died, and as I had been to sea for four years, my recollections of him are almost those of a child.

I remember him — a slight, active man, of middle height, wiry and strong, with a handsome, animated face, blue eyes, and a singularly sweet smile. He became bald early, which showed to advantage the intellectually-formed head. In disposition he was calm and collected, and I never remember him violently excited about anything. When young, I have always heard he was gay, mixing a great deal in society; but my own recollections of him are as a thoroughly domestic man, devoted to his children, natural history, and sport. Perhaps he was rather too indulgent a father, for we boys had little difficulty in getting extra holidays, and this rather too frequently for our progress up the ladder of learning. In one way these holidays were not wasted; they were almost always spent with him on some long wild ramble, or shooting excursion, which he made valuable and instructive by his conversation, teaching us to observe carefully all we saw in nature. In the winter evenings he taught us drawing and chess, so graphically described by Mr. Lunes in his memoir of my father. A first-rate sportsman, an excellent shot, and fond of making a good hag for home use or for friends, yet he had no delight in killing, and thoroughly disliked battue-shooting. His chief pleasure was in watching and noting the habits of all creatures ferce nacturcc—as his hooks show.

I shall never forget those happy young days, when trotting in my kilt by his side, or left in the path or track by which the roe-deer would leave the wood, while he went round with the dogs to drive them to where he had placed me. In this way I killed my first deer—a feat my father was as proud of as I was.

The love of natural history fostered in us has always been of good service to my brothers and myself; never have I visited any part of the world, however wanting in general amusements, without being able to find continual interest and pleasure.

Of all our many Scotch homes, Invererne was, I think, my father's favourite; it was charmingly situated, close to the river Findhorn and the lame bay of that name. The wild sandhills, and the equally wild stretch of coast, made an excellent locality for the naturalist and sportsman. About a mile and a half from the mouth of the river it divides (or did so in those days), forming an island in the fork, the habitat of rabbits and all kinds of wild-fowl. Here an almost fatal accident occurred. One day, after refusing to let my brother and myself fish in the river, he took us to the island ferreting. In the course of the afternoon, without the least warning, we saw the river "coming down," like a great brown wall, ten feet high, sweeping everything before it. We had barely time to reach the highest point, for in a few seconds the island, barring a dozen square yards on which we stood, was a seething mass of water several feet deep. If we boys had been fishing nothing could have saved us. My father often spoke of this providential escape, as he did not anticipate the rise of the river, and had no reason for refusing our request. At all our homes we had a varied menagerie of the tamest and most intelligent of pets. He had great power and influence over animals; and his dogs, from being his constant companions, were remarkable for their sagacity. The "College," our Elgin home, rejoiced in a great walled garden of about four acres. In one part was a grass plot, where my father kept trained Peregrine falcons, which he used to fly after the fashion of bygone days, and much amusement it afforded him and us boys. The art of training and flying hawks was taught us by our dear old friend Mr. John Hancock, the celebrated naturalist.

My father was fond of flowers, and the lighter kinds of gardening, budding, pruning, etc. He must have been a very even-tempered man. I cannot remember a single instance of his being angry or irritable. When out shooting with him once, he caught sight of a poacher, who, on being run down, threatened to shoot my father. Giving me his gun to hold, he very quickly took the gun from the poacher, whom he simply made promise not to trespass again, and allowed him to go home. This was all done in the coolest manner, without anger, and with very few words.

When at Invererne he was often warned by Dr. Allan (then at Forres, since well known in London) that he was ruining his constitution by over-exposure to cold and wet, particularly in duck-shooting during the winter; but no one anticipated that fatal results were so soon to be developed.

At the time of his seizure my father was alone at the "College" (the rest of the family being at the sea-side). He then occupied an unused room—the proverbial haunted room which belongs to most Scotch houses. Something very strange seems to have happened to him in this room, hut what I know not, as he never would speak of it. The next day he went out shooting in company with Major Campbell, and was suddenly seized with loss of power in the left side—paralysis. Strange to say, the only other time my father was in company with that gentleman he met with a very nasty accident: A dying roe-deer kicked the hunting-knife into his foot, inflicting a deep wound, severing the tendon of the big toe, which was stiff ever after.

My poor father never regained power after his first attack, and became a confirmed invalid. He bore this terrible affliction for two long years with wonderful resignation and patience. The enforced idleness was particularly trying to one so active in mind and body; and yet, I believe, he never lost his cheerfulness.

I left England for China in January 1855; and in October 1856 my father died, at the early age of forty-six.

March 10, 1884.

You can read this book at <http://www.electricscotland.com/history/sutherland/index.htm>

Beth's Newfangled Family Tree

Got up the April edition at <http://www.electricscotland.com/bnft/index.htm>

Freemasonry Arms and Great Seal by Robert Scot

A one page document on the Great Seal comparison discovery by Gary Gianotti. You can read this at:

<http://www.electricscotland.com/history/freemasonry/>

The Arniston Memoirs

Three centuries of a Scottish House 1571-1838, Edited from the Family Papers by George W. T. Omond (1887). You can read this at

<http://www.electricscotland.com/webclans/dtog/dundas.html>

Book of Bruce

Being an Historical and Genealogical Survey of the Kingly and Noble Scottish House of Bruce and a Full Account of Its Principal Collateral Families. With Special Reference to the Bruces of Clackmannan, Cultmalindie, Caithness, and the Shetland Islands.

You can read this book at <http://www.electricscotland.com/webclans/atoc/bruce.html>

Clan Leslie

Got in their newsletter for April 2015 which you can read at:

<http://www.electricscotland.com/familytree/newsletters/leslieint/index.htm>

Book of Record

A Diary written by Patrick, First Earl of Strathmore which I've added to the foot of the Strathmore page at:

<http://www.electricscotland.com/history/nation/strathmore.htm>

Poems from John Henderson

John sent us in two poems, The Glasgow Smog In January 1959 and Glasgow's Penny Trams to the foot of his page at:

<http://www.electricscotland.com/poetry/doggerels.htm>

THE STORY

I thought this week I'd bring you the story of the most ancient title in Europe which is part of the series on the Great Historic Families of Scotland.

The Ancient Earldom of Mar

THE original earldom of Mar has been pronounced by the Ulster King-of-Arms, the most ancient title in Great Britain, perhaps in Europe. The learned and accurate Lord Hailes remarks that 'this is one of the earldoms whose history is lost in antiquity. It existed before our records and before the era of genuine history.' It has been held in succession by members of the great historic houses of Douglas and Stewart, Drummond and Erskine; has been borne by the hero of Otterburn and by the victor in the critical battle of Harlaw, which finally decided the protracted struggle for supremacy in the Highlands between the Saxon and the Gael; by the sons of two of the Scottish kings, and by three rulers who governed Scotland with vice-regal authority, one of the three being the most sagacious and energetic statesman that ever held the reins of government in our country.

The province of Mar, from which the title is taken, lies between the rivers Don and Dee, and is the most extensive and interesting district in Aberdeenshire. The Highland portion of the earldom, termed Braemar, is noted for its wild and majestic scenery. It contains Macdhui, the highest mountain in Scotland, Cairntoul, Ben Avon, and Cairngorm, which are little inferior in height, and 'dark Lochnagar,' celebrated in the poetry of Byron. The Garioch, which in the olden time was connected with Mar and furnished a second title to the earldom, is an extensive and fertile valley, and used to be termed the granary of Aberdeen.

The ancient title borne by the governors of the province of Mar was 'mormaor,' a Pictish dignity inferior only to that of king. About the beginning of the tenth century this designation was exchanged for the Saxon title of earl. Tradition has preserved a curious story of a remarkable incident connected with the death of one of the mormaors of Mar, named Melbrigda, about the close of the ninth century. He fell in battle with Sigurd, the first Scandinavian Earl of Orkney, who had conquered the greater part of the northern counties of Scotland and invaded the province of Mar; but his death was revenged upon the victor in a most singular manner. Melbrigda was noted for a large and very prominent tooth, and Sigurd, having cut off the head of the fallen mormaor, suspended it to his saddle-bow and galloped in triumph across the battlefield. The rapidity of the motion caused the head of Melbrigda to strike violently about the saddle, and his prominent tooth inflicted a wound on Sigurd's thigh which festered and mortified and caused his death.

The first mormaor of Mar whose name has come down to our day in a written document was Martachus, who in 1065 was witness to a charter of Malcolm Canmore in favour of the Culdees of Lochleven. His son, Gratnach, who about fifty years later witnessed the foundation charter of the monastery of Scone by Alexander I., appears to have been the first of the great hereditary rulers of Mar who bore the title of earl. From this period downward the heads of the house of Mar filled a most influential position at the Court and in the national councils; they held the highest offices in the royal household, and took a prominent part in most of the great events in the history of the country. They were connected by a double marriage with the illustrious line of Bruce; the restorer of Scottish independence having taken to wife a daughter of David, sixth Earl of Mar, while Gratney, seventh earl, married Christiana, sister of King Robert, and received as part of her dowry the strong castle of Kildrummie, in Aberdeenshire, which was long the chief seat of the family. His son Donald, eighth earl, was taken prisoner in 1306, at the battle of Methven, in which his royal uncle was defeated, and did not regain his liberty till after the crowning victory of Bannockburn. On the death of Randolph, the famous Earl of Moray, Earl Donald was chosen Regent in his stead, August 2nd, 1332. But only two days thereafter he was killed, at the battle of Dupplin, in which the Scots were surprised and defeated with great slaughter by the 'Disinherited Barons.'

Thomas, the ninth earl, or, according to another mode of reckoning, the thirteenth who enjoyed that dignity, was one of the most powerful nobles of his day. He held the office of Great Chamberlain of Scotland, and was repeatedly sent as ambassador to England. He died in 1377, leaving no issue, and in him ended the direct male line of the Earls of Mar. His sister Margaret was, at the time of Earl Thomas's death, the wife of William, Earl of Douglas, nephew and heir of the 'Good Sir James,' the friend of Robert Bruce. On the death of his brother-in-law he obtained possession of the historical earldom of Mar and transmitted it, along with his own hereditary titles and estates, to his son James, the hero of Otterburn, 'the dead man that won a fight'—one of the most renowned in Scottish history. The Douglas estates were inherited by Archibald 'the Grim,' the kinsman of Earl James, while the earldom of Mar

passed to his sister, Isabella, wife of Sir Malcolm Drummond, brother of Annabella, Queen of Scotland, wife of Robert III. About the year 1403, Sir Malcolm was suddenly surprised by a band of ruffians, who treated him with such barbarity that he soon after died, leaving no issue. This outrage was universally ascribed to Alexander Stewart, natural son of the Earl of Buchan, the 'Wolf of Badenoch,' fourth son of Robert II. After the death of her husband the Countess was residing quietly and in fancied security at her castle of Kildrummie, when it was suddenly attacked and stormed by Stewart at the head of a formidable band of Highland freebooters and outlaws, and either by violence or persuasion the young Countess was induced to become the wife of the redoubted cateran, and to make over to him, on the 12th of August, 1404, her earldom of Mar and Garioch, with all her other castles. In order, however, to give a legal aspect to the transaction, Stewart presented himself, on the 19th of September, at the gate of the castle of Kildrummie, and surrendered to the Countess 'the castle and all within it, and the title-deeds therein kept; in testimony thereof he delivered to her the keys to dispose of as she pleased.' The Countess, holding the keys in her hand, declared that deliberately and of her own free will she chose Stewart for her husband, and conferred upon him the castle, pertinents, &c., as a free marriage gift, of which he took instruments. It appears that even this formal transaction was not deemed sufficient to give validity to the transaction, for on the 9th December following, the Countess, taking her station in the fields outside her castle, in the presence of the Bishop of Ross, and the sheriff and posse cornitatus of the county, along with the tenantry on the estate, that it might appear that she was really acting without force on Stewart's part or fear on hers, granted a charter to him of her castle and estates duly signed and sealed.

Strange to say, this lawless freebooter afterwards rendered most important services to his country by repressing the disorders of the northern counties and repelling the attacks of English invaders; and he obtained high renown, both in England and on the Continent, on account of his valour and skill in the exercises of chivalry. He was repeatedly sent on embassies to the English Court, and, at one time, held the office of Warden of the Marches. His restless spirit and love of fame carried him abroad in quest of distinction; and Wyntoun states that, during a residence of three months in Paris he kept open house, and was highly honoured for his wit, virtue, and bravery. From the Court of France he proceeded to Bruges, and joined the army which the Duke of Burgundy was leading to the assistance of his brother, John of Bavaria, the bishop-elect of Liege, 'a clerk not of clerk-like appearing,' who was in danger from the rebellion of the people of his diocese. The subsequent victory at Liege was mainly owing to the skill and courage of Mar, who slew in single combat Sir Henry Horn, the leader of the insurgents. He was the 'stout and mighty Earl of Mar' who gained the battle of Harlaw, in the year 1411, defeating Donald of the Isles with terrible slaughter, though outnumbered by ten to one, and thus terminating the protracted contest for superiority between the Celtic and the Saxon races. The ostensible and immediate cause of this sanguinary conflict was the claim to the earldom of Ross, which had been held by the Earl of Buchan, Mar's father, in right of his wife. Alexander, Earl of Ross, the son of the Countess by her first husband, married Lady Isabel Stewart, eldest daughter of the Regent Albany. The only issue of this marriage was a daughter, named Euphemia, who became Countess of Ross at her father's death. She afterwards entered a convent, and entrusted the management of her estate to her grandfather, the Regent, with the intention, it was supposed, of resigning it in favour of her mother's brother, the Earl of Buchan, Albany's second son. Donald, Lord of the Isles, who had married Euphemia's aunt, Margaret, the only sister of the deceased Earl Alexander, insisted that Euphemia, by becoming a nun, must be regarded as dead in law, and demanded that his wife should be put in possession of the earldom. The Regent, however, refused to accede to the claim, and Donald took up arms to enforce it. At the head of ten thousand men, he suddenly invaded and took possession of the district. He was encountered at Dingwall by Angus Dow Mackay of Farr, at the head of a large body of men from Sutherland. The Mackays were routed with great slaughter, their leader was taken prisoner, and his brother was killed. Elated with his success, Donald pressed on through Moray, laying waste the country with fire and sword, and penetrated into Aberdeenshire, for the purpose of executing his threat to burn the town of Aberdeen. He was encountered at a place called Harlaw, in the Garioch, about fifteen miles from that city, by the Earl of Mar, at the head of the chivalry of Angus and Mearns—the Ogilvies, Maules, Lyons, Lindsays, Carnegies, Leslies, Leiths, Arbuthnots, Burnets, &c., who, though few in number, were better armed and disciplined than the Highlanders of whom Donald's host was composed. In the words of old Elspeth's ballad, in the 'Antiquary'—

'If they hae twenty thousand blades
And we twice ten times ten,
Yet they hae but their tartan plaids
And we are mail-clad men.'

The battle, which was fought on the 24th of July, 1411, was long and fiercely contested, and night alone separated the combatants. The Earl of Mar lost one half of his force, and among the slain were Sir James Scrymgeour, Constable of Dundee; Sir Alexander Ogilvie, the Sheriff of Angus, with his eldest son; Sir Thomas Murray; Sir Robert Maule of Panmure; Sir Alexander Irvine of Drum; Leslie of Balquhain, with six of his sons; Sir Alexander Straiton of Lauriston, and Sir Robert Davidson, Provost of Aberdeen. The Earl of Mar and the survivors of his little army were so exhausted with fatigue that they passed the night on the battlefield, expecting the contest to be renewed next morning; but when the day broke they found that Donald and the remains of his force had retired during the night, leaving a thousand men, with the chiefs of Macintosh and Maclean, on the battlefield, and, retreating through Ross, they gained the shelter of their native fastnesses. 'It was a singular chance,' says Sir Walter Scott, 'that brought against Donald, who might be called the King of the Gaels, one whose youth had been distinguished as a leader of these plundering bands; and no less strange that the Islander's claim to the earldom of Ross should be traversed by one whose title to that of Mar was so much more challengeable.'

After the death of the Countess of Mar, the title and estates should have devolved on the heir of line, Janet Keith, wife of Sir Thomas Erskine, and great-granddaughter of Earl Gratney, but Earl Alexander, who had only a life interest in the earldom, resigned it in 1426

into the hands of the King, James I., and received a grant of the titles and estates to himself for life, and after him to his natural son, Sir Thomas Stewart, and his lawful heirs male. Earl Alexander died in 1435, and his son having predeceased him without issue, the earldom, in terms of the recent charter, reverted to the Crown. Sir Robert Erskine, the son of Sir Thomas and Lady Janet, claimed the earldom in right of his mother, as second heir to the Countess Isabel, 22nd April, 1438, before the Sheriff of Aberdeen, and, in the following November, was invested in the estates. He assumed the title of Earl of Mar, and granted various charters to vassals of the earldom; but, in 1449, James II. obtained a reduction of his service before an assize of error, and took possession of the estates, no doubt in order to carry out the favourite policy of himself and his father, of weakening the dangerous power of the barons. It was subsequently conferred on John, second son of James II., who was put to death in 1449 for alleged treason against his brother, James III. The next possessor of the earldom was Cochrane, one of the favourites of that monarch, who was hanged over the bridge at Lauder in 1482. It was then granted, in 1486, to Alexander Stewart, Duke of Ross, a younger son of James III. On his death it reverted to the Crown, and in February, 1561-2, it was conferred by Queen Mary on her natural brother, Lord James Stewart, afterwards the celebrated Regent; but he speedily resigned it, preferring the dignity of Earl of Moray. The Queen then, in 1565, bestowed the title on John, fifth Lord Erskine, the descendant and heir male of Sir Robert Erskine, who had unsuccessfully claimed it a hundred and thirty years before. From that period downwards the Mar honours have followed the varying fortunes of the family of Erskine, one of the most illustrious of the historic houses of Scotland. The greater part of the extensive estates which in ancient times belonged to the earldom had, by this time, passed into various hands, and could not be recovered; but the remnant which still remained in the possession of the Crown was gifted to the new earl.

On the death of John Francis, sixteenth Earl of Mar and eleventh Earl of Kellie, in 1866, his cousin, Walter Coningsby Erskine, inherited the family estates along with the earldom of Kellie, which were entailed on heirs male; while the ancient earldom of Mar was claimed by John Francis Goodeve, the only son of the late earl's sister, who thereupon assumed the name of Erskine. His claim was at first universally admitted. He was presented at Court as Earl of Mar, his vote was repeatedly received at the election of representative peers, and his right to the title was conceded even by his cousin, Walter Coningsby Erskine, the new Earl of Kellie. By-and-by, however, Lord Kellie laid claim also to the earldom of Mar, but he died before his petition could be considered by the House of Lords. It was renewed by his son, and was in due course referred to the Committee for Privileges. In support of the claim it was pleaded that the title of Earl of Mar, conferred by Queen Mary on John, Lord Erskine, in 1565, was not the restoration of an ancient peerage, but the creation of a new one; that the original earldom of Mar was purely territorial, one of the seven ancient earldoms of Scotland, and was therefore indivisible; that this dignity terminated at the death of Earl Thomas in 1377; that William, first Earl of Douglas, his sister's husband, must have obtained the earldom by charter and not by right of his wife, as at his death the title and estates descended to their son James, second Earl of Douglas, while his mother was still living; that her daughter, Isabella, became the wife of Sir Malcolm Drummond, who was styled Lord of Mar and of the Garioch, not earl; that her second husband, Alexander Stewart, obtained possession of the territorial earldom of Mar in right of his wife, but did not become earl until he obtained seizen under the Crown; that he survived the Countess for many years, and acted, and was treated by the Crown, as the owner in fee of the earldom, and that on his death the Crown entered into possession of the estates in terms of the charter granted to the earl by King James I.; that from this period downwards the lands had been broken up and disposed of by the Sovereign at his pleasure, different portions of them having been granted at various times to royal favourites, and that the title had been conferred in succession upon several persons who had no connection with its original possessors. The territorial earldom, it was asserted, was indivisible, and could not be separated from the title, and as the former had ceased to exist, the ancient dignity could not be revived. It was, therefore, contended that Queen Mary must have created a new dignity when on her marriage to Darnley in 1565 she raised Lord Erskine to the rank of an earl; that the fact that throughout Queen Mary's reign he ranked as the junior and not the premier earl, as must have been the case if the title had been the old dignity revived in his person, shows that his earldom was a new creation, and that as there is no charter in existence describing the dignity conferred upon Lord Erskine, the prima-facie presumption is that it descended to heirs male.

On the other hand, it was pleaded by Mr. Goodeve Erskine, who opposed Lord Kellie's claim, that inasmuch as the earldom of Mar was enjoyed by two countesses, mother and daughter, it could not be a male fief; and that as Sir Robert Erskine is admitted to have been second heir 'of line and blood' to the Countess Isabel through his mother, Janet Keith, great-granddaughter of Donald, third earl, he was de jure Earl of Mar, though excluded from the title and estates by an act of tyranny and oppression on the part of James I., who was at this time bent on breaking down the power of the nobles, and for that reason illegally seized the land and suppressed the dignity of this great earldom; that the Erskines never relinquished their claim to the earldom, while it remained 'in the simple and naked possession of the Crown without any right of property therein,' and made repeated though unsuccessful efforts to recover their rights; that Queen Mary had in express terms recognised the right of Sir Robert Erskine's descendant, John, Lord Erskine, to the earldom of which his ancestor had been unjustly deprived, as she said, through 'the troubles of the times and the influence of corrupt advisers,' and had declared that, 'moved by conscience, as it was her duty to restore just heritages to their lawful heirs, she restored to John, Lord Erskine, the earldom of Mar and the lordship and regality of Garioch, with all the usual privileges incident and belonging thereto, together with the lands of Strathdon, Braemar, Cromar, and Strathdee.' Queen Mary, therefore, it was contended, did not create a new peerage but restored an old one; and even if the title conferred upon Lord Erskine had been a new creation, the presumption is that, like the original dignity, it would have descended to heirs female as well as male. With regard to the assumption that Queen Mary must have granted a patent or charter conferring the 'peerage earldom.' on Lord Erskine, it was pointed out that there is no proof that any such document ever existed, that there is not the remotest allusion to it in any contemporary history, and that Lord Redesdale's suggestion that the deed may have been accidentally destroyed, or that the Earl of Mar may have destroyed it to serve some sinister purpose, is a mere conjecture, wholly unsupported by evidence. When it was proposed to restore the forfeited title, in 1824, to John Erskine of Mar, it was remitted to the law officers of the Crown, one of whom was Sir John Copley, afterwards Lord Chancellor

Lyndhurst, to investigate whether he had proved himself to be heir to his grandfather, the attainted earl. They reported in the affirmative, and the attainder was reversed in his favour. It was noted as an important fact that John Erskine was declared in the Act to be the grandson and lineal heir of his grandfather through his mother—a striking proof, it was said, that the earldom restored by Queen Mary was not limited to heirs male. Mr. Goodeve Erskine rests his claim to be the heir of his uncle on the very same ground on which his grandfather based his claim to be the heir of the Jacobite earl, viz., through his mother; and it was argued that, since the claim was regarded as valid in the one case, it ought to be so held in the other also. Great stress was laid on the position which the earldom occupies in the Union Roll, as showing that it has all along been regarded as the original dignity, and not a new creation. In 1606 commissioners were appointed by James VI. to prepare a roll of the Scottish peers, according to their precedence, and the document prepared by them, which was corrected by the Court of Session, is known in Scottish history as the 'Decreet of Ranking'—the official register of the peerage of Scotland—the basis, in fact, of the Union Roll. Now in this nearly contemporary document the earldom of Mar has a much higher antiquity assigned to it than the date of 1565, the earl being placed above several earls whose titles were conferred in the fifteenth century. On the Union Roll it has the date of 1457 prefixed to it.

These arguments, however, failed to satisfy the Committee for Privileges, consisting of Lords Redesdale, Chelmsford, and Cairns, who decided that the dignity conferred by Queen Mary on Lord Erskine was a new and personal honour, and is held on the same tenure as the other peerages possessed by the Erskine family, all of which are limited to heirs male. This decision has not given universal satisfaction. A considerable number of influential Scottish peers, including the Earls of Crawford and Balcarres, Stair, Galloway, and Mansfield, the Marquis of Huntly, Viscounts Strathallan and Arbuthnot, and Lord Napier of Ettrick, have repeatedly protested against the Earl of Kellie's claim to vote as the Earl of Mar, whose name stands fifth on the Union Roll. An elaborate work in two volumes octavo was prepared by the late Earl of Crawford and Balcarres to prove that a miscarriage of justice has taken place in consequence of the decision of the Committee for Privileges on the Mar peerage case. Mr. Goodeve Erskine, who continues to assume the title of Earl of Mar and Baron Garioch, asserts that though the Committee for Privileges have unwarrantably authorised the Earl of Kellie to assume a title which never had an existence, and is a mere figment of their own imagination, their decision has no bearing on his right to the ancient earldom of Mar, which is claimed by no one but himself, and of which he is the undoubted lineal heir.

The feeling that injustice was done to Mr. Goodeve Erskine by the decision of the Committee is so strong that a Bill, entitled 'Earldom of Mar Restitution Bill,' has been brought into the House of Lords, with the signature and under the authority of the Queen, for the purpose of restoring the ancient earldom to Mr. Erskine. It was read a second time on the 20th of May, 1885, and referred to a Select Committee, who reported that the preamble had been proved. The Bill passed through both Houses of Parliament without opposition, and became law before the close of the session.

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And that's it for this week and hope you all enjoy your Easter weekend.

Alastair