

## CHAPTER 6

### **Kenneth Mackenzie, First Lord of Kintail. Chief 1594—1611**

Kenneth Mackenzie of Kintail succeeded his father as his eldest son and heir on 19 June 1594. He was to become an important and influential clan chief and he added even more property to the now extensive lands under the control of the Mackenzies. Included among these was the Isle of Lewis. The story of how the historical home and lands of the Macleods of Lewis (or Lewes) came into the hands of the Mackenzies is an incredible one and a separate chapter is devoted to this amazing piece of clan history. Suffice it to say that if Colin Cam exercised a little sharp practice, he would surely have been proud of his son Kenneth. It must be said in defence of Kenneth, if indeed defence is needed, that he lived in most lawless times. It was necessary to look out closely for oneself or there was the danger that opposing clans would seize the initiative and establish a power base to overrun their enemies. Kenneth was in no such danger.

Apart from the Isle of Lewis, Kenneth and his family also gained other lands including Kildun, in the parish of Dingwall (1606), the lands and barony of Coigach and of Assynt (1606). Kenneth acquired other honours and privileges. He became constable of the Castle of Dingwall, and a Privy Councillor to James VI from 1596. But it was on the 19 November 1609, that the power of the clan Mackenzie was finally recognised by the crown when Kenneth was created Lord Mackenzie of Kintail in the peerage of Scotland. At the same time his brother, Roderick Mackenzie of Coigach, was knighted.

In 1597 a disturbance took place at Loggiewreid in Ross-shire which almost put the whole of Ross-shire and adjoining territories in a civil war. The quarrel was between John Mac-Gille-Calum, the brother of the Laird of Rathsay and Alexander Bane, a brother of Duncan Bane of Tulloch in Ross. The Munros took the side of the Banes while the Mackenzies sided with Mac-Gille-Calum. Fighting took place between the factions and as a result John Mac-Gille-Calum and a gentleman of the Mackenzie clan, John Mac-Murthow-Mac-William and three other Mackenzies were killed. On the Munro side John Munro of Culcraigie, his brother Houcheon Munro and John Munro Robertson were also killed. This incident did much to revive old animosities between the Mackenzies and Munros. Both sides assembled their allies and for a time there was real danger of the situation getting out of control and developing into a major war. However the successful mediation of mutual friends of both clans helped cool matters down sufficiently and the problem died.

Meanwhile, the feud between the Mackenzies and Macdonell of Glengarry erupted once more around the year 1602. According to Sir Robert Gordon, Glengarry was “unexpert and unskilfull in the lawes of the realme”. Because of the Mackenzies' increasing abilities in the use of the legal processes, Glengarry found himself “easalie intrapped within the compas thereof”. The Mackenzies obtained a

warrant requiring him to appear in court at Edinburgh and they took great care to ensure he never received the summons personally. Thus, Glengarry, unaware of the warrant, went on a raid of revenge against the Mackenzies for having killed two of his men. The failure of Glengarry to appear in Edinburgh resulted in him being outlawed.

Kenneth Mackenzie, 1st Lord of Kintail maintained close relations with the Earl of Dunfermline, the Lord Chancellor of Scotland. In fact Kenneth's son, Colin, later to become the 1st Earl of Seaforth, was to marry Dunfermline's daughter. It was not surprising that with such powerful connections, Kenneth was able to extract a commission of fire and sword against Glengarry and his people. This he used to great effect. Kenneth was supported by the Earl of Sutherland, who, as a token of his family's ancient friendship with the Mackenzies sent 240 men under the command of John Gordon of Embo.

Bloodshed followed with losses on both sides. Glengarry's son and sixty of his followers were killed and the Mackenzies besieged the castle of Strome which was compelled to surrender.

Peace was eventually restored when Glengarry and Mackenzie reached an agreement whereby Glengarry renounced his title to the castle of Strome and the adjacent lands in favour of Kenneth.

Kenneth died on 27 February 1611, a little over one year after his creation as baron. He was buried at Chanonry in Fortrose Cathedral.

He married firstly, Jean, daughter of George Ross of Balnagown, by whom he had three sons and two daughters. Jean died 9 May 1604. Kenneth then married Isobel, daughter of Sir Gilbert Ogilvie of Powrie. By this marriage he had four sons and a daughter. Isobel survived her husband and eventually died in September 1617.

To Kenneth's marriage with Jean Ross were born:

1. Colin "Ruadh" Mackenzie. Second Lord Mackenzie of Kintail and 1st Earl of Seaforth. Chief of the clan.

2. John Mackenzie of Applecross and later of Lochslin. He married Isobel, daughter of Alexander Mackenzie of Gairloch by whom he had one daughter, Margaret, who married Norman Macleod of Bernera in 1648. In 1630 he granted a charter of Easter Achilty to Alexander Mackenzie of Coul. He died before 1633.

3. Kenneth Mackenzie. Probably died without issue before 1633.

1. Barbara. Married Donald Mackay, created Lord Reay.

2. Janet. Married Sir Donald Macdonald of Sleat.

To Kenneth's second marriage with Isobel Ogilvie were born:

4. Alexander Mackenzie. Died without issue in 1614.
  5. George Mackenzie. Second Earl of Seaforth and third Lord of Kintail. He succeeded as clan chief on the death of his half brother in 1629 but did not receive official recognition of the succession until 1633.
  6. Thomas Mackenzie. Ancestor of Pluscardine and Earnside. He married firstly, Jean, daughter of John Grant of Freuchie and secondly, Jean, daughter of Sir William Cockburn of Langton. Thomas Mackenzie of Pluscardine played a lively part in support of Charles II against the Covenanters.
  7. Simon Mackenzie of Lochslin. Ancestor of Allangrange, Rosehaugh, Inchcoulter and Dundonell. He married firstly Elizabeth Bruce, daughter of Peter Bruce, principal of St Leonard's College, St Andrews. His eldest son was the famous Sir George Mackenzie of Rosehaugh, King's Advocate. Simon married secondly, Agnes, daughter of Hugh Fraser of Culbokie.
1. Sybella. Married:
    1. John Macdonald of Dunvegan,
    2. Alexander Fraser, Master of Lovat,
    3. Patrick Grant, Tutor of Grant.

### **The Mackenzies Gain the Isle of Lewis.**

An incredible family dispute among the powerful Macleods of Lewis led, over a period of time, to the Mackenzies gaining possession of the Isle of Lewis and adding to their vast and growing empire. The complex series of events starts with Roderick Macleod of Lewis who married Agnes Mackenzie, a daughter of Kenneth-a-Bhlair. Agnes gave birth to a son, Torquil-Connaldagh. Roderick Macleod of Lewis refused to recognize the baby as his son and divorced his wife on the grounds of adultery with the brieve of Lewis. A brieve was an official position comparable to a judge who had power among the islanders of Lewis to settle any matters in dispute. In *The Book of the Lews*, by W.C.Mackenzie, published in 1919, the author states that Agnes' son was known as Torquil "Cononach" since he was brought up by his mother's people in Strathconon. This is an attractive reasoning, but for the sake of consistency we shall refer to this Torquil as Torquil-Connaldagh.

Roderick Macleod next married Barbara Stewart, a daughter of Lord Methven. She gave birth to a son and heir, Torquil-Ire, or “the heir”. This latter Torquil received a letter from no less than Mary Queen of Scots, who told him not to marry without her advice, “because you have that honour to be by Stewart blood”.

Roderick Macleod took a third wife, a daughter of Hector Oig Maclean of Duart and they had two further sons, Torquil-Dubh and Tormaid. Despite Roderick's outrage at his first wife Agnes' supposed adultery, Roderick himself had no apparent qualms in taking mistresses as it pleased him for he also had numerous bastard sons, somewhat quaintly referred to as “natural” sons in the parlance of the times. Some reports state that the energetic Roderick had no less than forty such natural children.

The problem started to raise its head when the son and “heir” of the Macleod fortunes, Torquil-Ire, who had all the signs of being the great leader to lead his clan, was drowned during a violent storm while sailing across to Skye. Torquil-Connaldagh naturally enough recognized his own position as the eldest son and heir if only he could persuade his father Roderick Macleod to do the same. By this time Torquil-Connaldagh had married a sister of MacDonell of Glengarry. He approached three of the bastard sons and by some means or another he persuaded them to support him in his claim as heir by taking up arms against their father, Roderick Macleod and imprisoning him. Old Roderick put up with imprisonment for four years before reluctantly acknowledging Torquil-Connaldagh as his rightful son and heir. Roderick was, as a result, released from his enforced captivity.

Among the numerous natural sons of Roderick was one Donald Macleod who took it upon himself to kill one of the three bastard sons who had supported Torquil-Connaldagh in his venture. Torquil-Connaldagh was not pleased with this and with the help of Murthow Macleod, one of his natural half-brothers, he captured Donald and threw him in prison. Donald managed to escape and fled back to his father who, on hearing of this capture, took offence with both Torquil and Murthow. Donald then plotted with his father and came up with a scheme for Donald to capture Murthow. Donald was successful in this enterprise and Roderick Macleod had his son Murthow thrown into the castle of Stornoway as a prisoner.

It was now the turn of Torquil-Connaldagh to feel aggrieved at the treatment handed out to his dear brother Murthow. He and a group of his followers of his followers laid seige to Stornoway castle until it surrendered. Murthow was duly released from his prison and Torquil seized all of the charters and title deeds of the Isle of Lewis which he turned over to his mother's family, the Mackenzies of Kintail for safe keeping! Torquil, now in possession of Stornoway castle, at once imprisoned his father Roderick once again and left his own son, John Macleod to keep an eye on his captive grandfather.

John Macleod quickly established himself as master of Lewis and in the process seized and expelled two other natural and loyal sons of Roderick. One of

these, Rorie-Og, soon returned with vengeance on his mind and killed young nephew John, released Roderick Macleod of Lewis, who, once more being in possession of his beloved isle is said to have lived there in peace until the end of his life. Meanwhile Torquil-Connaldagh sought the assistance of his Mackenzie relations and they successfully captured the luckless Donald and hauled him off to Dingwall. There he was duly executed.

Despite the promises made under duress to Torquil-Connaldagh, it was not he who succeeded as chief of the Macleods of Lewis on the death of his father in 1595. It was Torquil-Dubh, the third son, who inherited the properties of Lewis. Torquil-Dubh had married a sister of Sir Roderick Macleod of Harris and the previous behaviour of Torquil-Connaldagh had virtually excluded him from any opportunity to achieve what he regarded as his by right of birth. In fact it was against this complex family background of infighting that the shrewd Kenneth Mackenzie, 1st Lord of Kintail, saw a window of opportunity to perhaps spread his empire rather further than was apparently obvious. After all, Torquil-Connaldagh was his kin by marriage and he was being denied his rightful heritage. Furthermore Torquil-Connaldagh's daughter, Margaret MacLeod, had married Kenneth's brother, Sir Roderick Mackenzie, (later of Coigach), further strengthening the family ties! With these factors in mind Kintail decided to support Torquil in his claim to Lewis, and Coigach.

Kenneth, although shrewd, was also a careful man and he was cautious enough to let King James VI know that Torquil-Dubh was the real instigator of all the problems in His Majesty's realm in Lewis. He wrote to the King in 1596 as follows:

Please your Majesty, - Torquil Dow of the Lews, not contenting himself with the avowit misknowledging of your Hieness authority wherebe he has violat the promises and compromit made before your Majesty, now lately the 25th day of December last, has ta'n upon him being accompanied w 7 or 800 men, not only his own by ylands neist adjacent, to prosecute with fire and sword by all kind of gud order, the hail bounds of the Strath Coigach pertaining to M'Leod his eldest brother, likewise my Strath of Lochbroom, quhilks [which] Straths, to your Majesty's great dishonour, but any fear of God ourselves, hurt and skaith that he hath wasted w fire and sword, in such barbarous and cruel manner, that neither man, wife, bairn, horse, cattle, corns nor bigging has been spared, but all barbarously slain, burnt, and destroyit, quhilk barbarity and cruelty, seeing he was not able to perform it, but by the assistance and furderance of his neighbouring Ylesmen [Islesmen], therefore beseeches your Majesty by advice of Council to find some sure remeid [remedy] wherebe sick cruel tyrannie may be resisted in the

beginning. Otherway nothing to be expectit for but dailly increasing of his malicious forces to our utter ruin, quha possesses your Majesty's obedience, the consideration quharof and inconveniences quhilk may thereon ensue. I remit to your Highness guid consideration of whom taking my leif with maist humble commendations of service, I commit your Majesty to holy protection of God eternal.

At the Canonry of Ross, the 3d day, Jany. 1596.

Your Majesty's most humble and obt.  
subject,

[Signed] Kenneth Mackenzie of  
Kintail

King James was sufficiently impressed with this powerful argument from his humble subject that he granted Kenneth a commission of fire and sword against Torquil-Dubh. That put the seal of doom on Torquil-Dubh.

Torquil-Connaldagh was merely a tool for Kenneth's ambitious and secret plans. The Mackenzie clan's advancement and the expansion of their possessions had made the Mackenzie chief as important in Scotland as the giants Argyll and Huntly. However, in 1596 following the death of Roderick Macleod of Lewis, there was still much to be done before Kenneth could claim the Isle of Lewis for his clan. The chief obstacle standing in the way was, of course, Torquil-Dubh, both the inheritor and possessor of Lewis.

A secret meeting took place between Kenneth Mackenzie of Kintail, Torquil-Connaldagh, the brieve of Lewis and the natural brother, Murthow Macleod. They agreed that Torquil-Connaldagh could not claim his inheritance and obtain possession of Lewis while Torquil-Dubh was still alive. Kenneth, however, was now armed with a commission of fire and sword against Torquil-Dubh, which gave him whatever power he wanted, including killing anyone who stood in his way. The brieve of Lewis agreed to undertake the barbarous task of eliminating Torquil-Dubh after having received promise of great rewards. There is no doubt that as far as Kenneth was concerned he had little respect for the ambitious and self serving brieve. He was just another pawn in the game, to be disposed of when the time came.

In July 1597, the brieve held a banquet on board a Dutch ship laden with wine. He successfully enticed Torquil-Dubh and some of his supporters to come aboard and join the festivities. After getting his guests suitably drunk, they were tied up and transported to Kenneth. In Kenneth's presence, Torquil-Dubh and his followers were beheaded. Tradition has it that at the time of this gory execution an

earthquake occurred which struck terror into the hearts of the executioners.

The brieve of Lewis was disliked and not trusted by the Mackenzies who felt, rightfully, that he had acted dishonourably in his conduct with his own people, the Macleods. He quickly came to realise that he was now in a weak position being generally detested by everyone for the part he had played in the death of Torquil-Dubh. He made the decision to return to Lewis as fast as possible with his own supporters and having arrived there he locked himself up in a fortress to protect himself from his many enemies. Neill Macleod, yet another natural son of the late Roderick, drove the brieve out of this stronghold and the brieve lost many of his men in the process. Years later the brieve and his few supporters met their just deserts when they were said to have been hunted down and killed.

Before we leave the matter of the brieve of Lewis, a most interesting confession was said to have been given by him before he died. It so happened that Donald Macdonald of Sleat, son of Donald Gorme, also claimed to be the rightful heir of Lewis on the ground that his mother, Margaret Macleod, belonged to an older branch of the family. Thus Donald was just as interested as anyone in proving that Torquil-Connaldagh was not the son of old Roderick so that he could advance his claim to Lewis. Donald therefore came up with the following declaration, dated 22 August 1566, sworn before a notary public and given by a priest, one Sr Patrick McMaister Martin. The fact that confessions given to priests are supposed not to be made public leads one to suspect that a little bribery was involved. Here then is the brieve's dying confession given by the priest:

...The which day Sr Patrick McMaister Mairtin, person of Barvas, deponed upon his oath that he being in Lewis visiting Hucheoun, Brieve of Lewis, that was then on the point of death, and in those days was the confessor to the said Hucheoun attending to the customary visit in those times. That he required of the said Hucheoun concerning this son Torquil, born by Mackenzie's sister, as was alleged, to Macleod of Lewis, her husband, what the said Hucheoun's judgement was concerning him and to whom the said Torquil, as he believed, pertained. Who answered to the said Sr Patrick that he could not deny but that he had carnal copulation with the said ne v'Kenzie in her husband's time in due time and season before the said Torquil's birth and that the said Hucheoun's father before him took with the said Torquil to be the said Hucheoun's son before his death. And in respect that the said Hucheoun was to depart of this world in peril of deed, he could not do otherwise, nor his father before him had taken with the said Torquil. That is that the said Hucheoun was his father natural and that he could not refuse him to be son to him in times coming. And this the said Hucheoun granted and confessed to the said Sr Patrick in his confession being

in danger of death. Upon the which confession of the said Sr Patrick and Vidimus of his Testification, an honourable man, Donald Macdonald Gorme of Sleat, appeared and acclaimed right to be heir of Lewis required from me, the notary underwritten, acts and instruments before the witnesses, one right reverend man Mr John Carswell, Bishop of the Isles, Hector Makclane Allansoun with various divers etc, etc.

Ita est Patricius Miller  
Notarius Publicus, etc.