

CHAPTER 8

THE COVENANT

“God send us a good end of this troublesome business for to my apprehension no foreign enemies could threaten us so much danger to this kingdom as doth now this beggarly nation.”
Duke of Northumberland

The history of the Highlands of Scotland and its clans up to this point of time is a lengthy narrative of feuding families in a perpetual struggle for power and property. To a large extent the Highlands led a separate existence from the rest of Scotland due to wild nature of the geology, the impenetrable mountain barriers acting as natural castle walls to areas of land jealously guarded against unwanted intruders. The Highlanders spoke Gaelic while their Scottish brethren in the Lowlands tended more and more to speak English or “broad Scots”. If these wished to visit the Highlands there were few roads and the mountain passes would have been defended by clansmen highly suspicious of strangers.

At the head of the clan was the chief, who owned the land on behalf of his clan and on which his clan lived and worked. In the case of the Mackenzies, many of the chief's own family also owned land in their own right from the King. These Mackenzie families, or cadets, were unusually numerous. In 1600 there were five cadet families of Mackenzies from which many other land owing families subsequently descended. (See Appendix 2)

The landowners granted long term feus or tacks to tacksmen, who were frequently members of their clan or their own family. The tacksmen was an important person in the hierarchy. He in turn would grant leases of his tack of land to a number of tenants who would farm the land and in many cases create sub-tenancies to smallholders of tiny areas of land just sufficient to keep a cow and plant some crops to feed a family. Through intermarriage over the generations between the families of the chief, cadets, tacksmen and tenants, clan loyalty and interdependence developed. The devotion of the clansmen to their chief was strongly felt. In times of battle the chief would require his tacksmen to provide men for service from the families of the tenants. These men would drop their tools, take up their claymores, targes and pistols and report for duty. That was the system of the clan. Tradition and honour and pride in their family, their chief, their clan and their country required that this be done and resistance to the will of the chief was rare. In any case the clan system was based on land as well as family allegiance and if the rights to that land were withdrawn the reluctant warrior and his family who relied upon him for food would be doomed to starvation if he abandoned the system.

In the same way that the chief could call on the devoted support of his clansmen, these men required that their chief be a brave and dignified leader in battle. The story is told of Sir Ewen Cameron of Lochiel (1629—1719) being

snowbound on the open hills at night where it was necessary for him and his followers to sleep in the open. When he saw his son shaping a pillow for his head from the snow, the angry chief kicked the snowball away demanding of him whether he had become so soft that he could not sleep without a pillow!

The chief was also expected to show his importance as the leader of the clan by having a retinue of followers, known as a “tail”. These would include an armed body of men and other important followers such as his piper, his personal bodyguard, his tatter (or mouthpiece), and a well built Highlander to carry the chief over fords and rivers. In addition, any chief worthy of that title would certainly have been accompanied by his bard or seanachaidh (historian). In battle the bard would sit on the hillside and compose in verse and song the details of the battle and the bravery of his chief as well as the redoubtable actions of his men. If the chief was not as brave as the bard thought was proper there was a danger that those sentiments would find their way into his verses also.

The harsh environment and the constant shortage of food often led the clans to raid neighbouring territory to steal cattle. This was accepted procedure in the Highlands and any clan foolish enough to leave cattle unguarded deserved all they got. Frequently, however, the serious shortages of food necessitated raids being made into the fertile Lowlands of Scotland where rich hauls of cattle could be taken. Needless to say the Lowland Scots came to regard the Highlanders as wild barbarians whose near nakedness, (the Highlanders always stripped themselves of their plaids when charging into battle), and fierce raids with claymores while screaming their war cries did not exactly endear them to their neighbours. Neither the Lowland Scots nor the English regarded the Highlander with any admiration. This rabble with their strange tongue, their stranger costume and their fierce and savage ways were greatly feared. It was not until the beginning of the 19th century when Sir Walter Scott produced his Waverley novels that an interest was aroused in these people. They had high standards of loyalty, devotion and integrity. People began to take an interest in their lives, their music, their history and their tartans.

The proud spirit and the abilities of the Highland clansmen as warriors were to be recognised and utilised by the British army even sooner.

On 28 February 1638, in the city of Edinburgh, the National Covenant was signed. From that moment in time the Highlands of Scotland and the Highland clans became parties to the politics of Scotland and later of Great Britain. From the start the Mackenzie clan was involved through the active part played in the proceedings by their chief, George Mackenzie, 2nd Earl of Seaforth. But first we must bring ourselves up to date with the status of the chiefship.

Colin Mackenzie, 2nd Lord of Kintail, 1st Earl of Seaforth Chief 1611—1633

When Kenneth Mackenzie, 1st Lord of Kintail, died in February 1611, he

was succeeded as chief by his eldest son Colin. Colin was still a minor and during his minority, his uncle, Sir Roderick Mackenzie of Castle Leod, Coigach and Tarbat, was the Tutor of Kintail.

The Mackenzie clan was fortunate to have so strong a person as Roderick to act as tutor. He comes across as one of the great leaders of the clan, who also played a prominent part in the history of Scotland. He established the house of Cromartie and from him descend the Earls of Cromartie and the present chiefs of the clan. Roderick was the second son of Colin "Cam", by Barbara Grant.

It was Roderick who seized the noted pirate MacNeil of Barra in his fort of Kisemull and brought him before King James at Holyrood. Queen Elizabeth I of England had complained about this man's actions and now here he was before his King. MacNeil was not at all what was expected. He was tall and of imposing appearance with a long grey beard. He was asked what had caused him to become a robber and pirate, causing so much inconvenience to the subjects of the English crown. MacNeil replied that he considered he was doing the King a favour by troubling "a woman who had murdered his mother." He was, of course referring to Queen Elizabeth having signed the warrant that led to the execution of King James' mother, Mary, Queen of Scots. King James was outraged by this reply and exploded, "the devil take the carle! Rorie, take him with you again and dispose of him and his fortune as you please." Roderick, now possessed of the Barra lands, restored them back to MacNeil in consideration of his expenses.

There is another story about Roderick which demonstrates his assertiveness and tenacity. He was passing through Atholl with his ward, when he was stopped by men of Atholl for travelling through their country without the leave of their lord. Roderick dismounted and started to sharpen his claymore on a stone. When asked what he was doing he told them he was "going to make a road." The men replied he would make no road here. Roderick told them he did not seek to do so, "but I shall make it between your lord's head and shoulders if I am hindered from pursuing my lawful business." At this the men withdrew and reported back to their lord of the stranger's remarks. His response was, "It was either the Deil or the Tutor of Kintail. Let him have a free path by here for ever." Clearly, Roderick's reputation went before him.

It was Roderick also who managed to pacify the people of Lewis. We have already seen something of the part he played in gaining Lewis for the Mackenzies. But pacifying the population was something the men of Fife had been unable to do despite their exhaustive efforts made over several years. Roderick established his unquestioned authority in a matter of months. Firstly he banished those whom he thought might be troublesome. Some of these were executed as has been noted in an earlier chapter. The land was then settled to the tenants, who looked upon Roderick's son as the only remaining and rightful heir to the lordship of Lewis, through Roderick's wife, Margaret Macleod.

Roderick then proceeded to settle finally the long standing grievances with

the Macdonells of Glengarry. With his clan he invaded Glengarry where the people fled. He pursued and captured Glengarry himself in Moray. He then took hostages to ensure that when Glengarry contracted for the reversion of the wadsets which Colin of Kintail had acquired and ratification of the lands formerly sold by Glengarry to Colin of Kintail, he would not go back on his word. However, Roderick was also capable of great generosity and he paid Glengarry 30,000 merks for the contracts and in addition gave him the title to Lagganachindrom. In this way was Roderick seen as a just and sensible leader.

Roderick then turned his attention to his pupil's estates, which were heavily burdened with debts, due to the long-continued wars with the Macdonells of Glengarry. By the time the chief was of age, Roderick had successfully freed the estate of these debts and left the chief a wealthy man. In addition he acquired for the chief the superiority of Troternish with the heritable stewardry of the Isle of Skye and Raasay.

Sir Roderick, as he now was, acknowledged Macdonald's cause as an injured neighbour. Macleod had possessed Sleat and Troternish and these were recovered by the simple expedient of marrying his niece, Lord Colin's sister to Sir Donald Macdonald. Macdonald recovered Sleat and Mackenzie gained Troternish.

There is a proverb which was current in Ross-shire even in the late 19th century. "There are but two things worse than the Tutor of Kintail - frost in spring and mist in the dog days." His stern reputation was well known in the Highlands. His marriage to Margaret Macleod, the daughter and co-heiress of Torquil Macleod of Lewis, brought him the mainland properties of Coigach and Assynt. He later purchased Milton and Tarbatness from the Munros, thereby establishing his own family as mighty landowners. This was later to translate into the Earldom of Cromartie for his grandson, Sir George Mackenzie, who became Lord-Justice-General and Clerk-Register of Scotland. George also acquired the titles of Viscount Tarbat and, Lord Macleod and Castlehaven.

Sir Roderick Mackenzie of Coigach died at the age of forty-eight, in September 1626. His death was a blow to the Mackenzie clan. He was succeeded by his son, Sir John Mackenzie of Tarbat.

Colin continued to add lands to augment his power. In particular he established his father's claim to the superiority of Moidart and Arisaig. As a result most of the Highlands and Islands from Ardnamurchan to Strathnaver were under the control of the Mackenzies or their vassals.

Sir Robert Gordon, who was alive at this time, and was a close kin of the Earl of Sutherland wrote this of the Mackenzies, referring to the year 1477:

From the ruins of the family of Clandonald and some of the neighbouring Highlanders and also by their own virtue, the surname of Mackenzie, from small beginnings, began to flourish in these bounds; and by the favour and friendship of the House of Sutherland,

chiefly John, 5th Earl of Sutherland (Whose chamberlains they were in receiving the rents of the Earldom of Ross to his use) their estate afterwards came to a great height, yea above divers of their more ancient neighbours.

Alexander Mackenzie in his *History of the Mackenzies*, quoted this passage and took great issue with Sir Robert that the Mackenzies ever received anything from the Earls of Sutherland worthy of note. But then Alexander Mackenzie did tend to let his partisanship for the glories of the Mackenzies show. In the last resort one must, without partiality, state that the growth of the power of the Mackenzie clan was indeed remarkable. And Sir Robert Gordon was correct that the Mackenzies did substantially exceed the power of their “ancient neighbours.”

Colin was “beloved by all good men, especially his Prince”. His Prince was King James VI, and although he did frequent the court from time to time, he eventually gave this up because of the cost. The Mackenzie clan was honoured on 3 December 1623, when Colin was raised to the dignity of Earl of Seaforth in the peerage of Scotland. He is said to have built the castle of Brahan and in each of his baronies he had a church built. He left a donation to the town of Chanonry (now Fortrose) to hold up a grammar—school. Colin was also a member of the Privy Council.

Colin lived most of the time in Chanonry. He kept a well stocked wine cellar and lived in great style and luxury. He is said to have toured his vast estates at least once every two years, taking with him a great body of servants and followers. During a visit to Eilean Donan Castle to see the Constable of the castle, Farquhar MacRa, he is said to have had between three and five hundred men with him.

His only son and heir, Alexander, died of smallpox at Chanonry, on the 3rd June, 1629, to the great grief of his parents. His wife died not long afterwards in February 1631. Earl Colin became sick and he died 15 April 1633, aged thirty-five. He was buried at Chanonry.

Colin married Lady Margaret Seton, daughter to Alexander, Earl of Dunfermline, High Chancellor of Scotland on 5 June 1614. They are believed to have had many children who died young. The following are known:

1. Alexander Mackenzie, Lord of Kintail. Baptised 1621. Died at Fortrose 1629.
2. Jane, wife of 1. John Sinclair, Master of Berridale, 2. Alexander Sutherland, 1st Lord Duffus.
3. Anne, wife of 1. Alexander, Lord Lindsay of Balcarres, created Lord Lindsay of Balneil and Earl of Balcarres, and 2. Archibald Campbell, 9th Earl of Argyll (executed, June 1685). There is an

interesting book written about this lady's unhappy life. It is entitled, *A Memoir of Lady Anna Mackenzie, Countess of Balcarres and Afterwards of Argyll 1621—1706*, by Alexander Lord Lindsay, published in Edinburgh 1868.

George Mackenzie, 3rd Lord Mackenzie of Kintail, 2nd Earl of Seaforth Chief 1633—1651

George Mackenzie succeeded his half-brother to the Earldom of Seaforth and chiefship of the Mackenzie clan on Colin's death in 1633. As will be seen, he was active in the affairs of Scotland during the period of the Covenanting wars which led to the execution of King Charles I. His actions were not always understandable and his loyalties frequently wavered. He died in exile in Holland in 1651.

He married Barbara, daughter of Arthur, 10th Lord Forbes. They had six sons and three daughters:

1. Kenneth Mackenzie, 3rd Earl of Seaforth and 4th Lord Mackenzie of Kintail.
 2. George Mackenzie of Kildun.
 3. Colin Mackenzie, Governor of Eilean Donan.
 4. Robert Mackenzie - dead before 1664.
 5. Arthur Mackenzie - dead before 1664
 6. Rory Mackenzie of Kinchulladrum
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1. Mary, wife of 1. John, 4th Earl of Mar and 2. Andrew, 3rd Lord Fraser.
 2. Margaret, wife of Sir William Sinclair of Mey.
 3. Barbara, wife of John Urquhart of Cromarty.

Much of the Highlands followed the Catholic religion while the remainder of Scotland had become presbyterian with strict Calvinist doctrines. The ministers of the kirk ruled by a form of dictatorship. This humourless and harsh religion inflicted punishments on those who broke its rules and it was fiercely anti-Catholic. It also asserted the independence of the church from the state. Minister Andrew Melville (1545-1622) told the protestant King James VI of Scotland:

There are twa kings and twa kingdoms in Scotland, there is Christ Jesus and His Kingdom of the Kirk whose subjects King James VI is, and of whose Kingdom not a king, nor a head, nor a lord, but a member.

King James for his part was indignantly opposed to this view, believing, as he did, in the Divine Right of Kings.

King James VI of Scotland had become King James I of England on the death of Queen Elizabeth on 24 March 1603. He moved to London and henceforth Scotland was ruled from a distance of 400 miles. He also tried to persuade the Highlanders to accept the peaceful lifestyle of the southern Scots and to abandon their Catholicism in favour of the reformed religion. He further tried to impose the episcopacy of the Church of England into the Scottish kirk but he had limited success since the Scots were suspicious of his motives and the changes to communion and other practices were resisted. In 1609 were passed the Statutes of Iona, which among other things forced the sons of Highland chiefs to be educated in the south of Scotland. The south spoke old Scots, a language close to English. This helped to drive a wedge between the clansmen, who for the most part spoke only Gaelic and subsequent chiefs who moved in a society that spoke only English.

James VI died in 1625 and was succeeded by his son Charles I. Charles dogmatically followed his father's extreme beliefs in the Divine Right of Kings. He too attempted to introduce English episcopacy and the English church service into Scotland against the wishes of the Scottish people. The General Assembly of the Church of Scotland was not permitted to meet and the presbyteries were abolished. A new prayer book was introduced and by this time resistance to Charles' reforms had become organized through a committee known as "the Tables," under the leadership of the Earl of Rothes and the Earl of Montrose. Charles responded by demanding that all those Scottish nobles who had resisted the new prayer book were to immediately submit to his will.

On 28 February 1638, 150 Scottish nobles met at Greyfriars Kirk, Edinburgh and signed the National Covenant. The Covenant pledged to "labour by all means lawful to recover the purity and liberty of the Gospel as it was established and professed".

Charles was outraged at this disrespect to the crown and advised his followers that he would have to use force against the Scots. His inflexible attitude resulted in all of Scotland uniting against him. The Duke of Northumberland's view is an interesting reflection of the times and how the English nobility viewed the Scottish resistance to the reforms:

God send us a good end of this troublesome business for to my apprehension no foreign enemies could threaten us so much danger to this kingdom as doth now this beggarly nation.

Civil war became an assured certainty and the Covenanters' leader, James Graham, Earl of Montrose, was to prove to be one of Scotland's greatest military commanders. Experienced officers who had spent most of their lives in military service in Sweden and Germany returned to Scotland to aid the Covenanters and lead them into battle.

However, not all Scots supported the Covenant. The Marquis of Huntly and the Marquis of Hamilton in particular were royalist supporters, and, as was to happen frequently, the largely Catholic Highland clans were often in opposite camps to one another. The clan sympathies were frequently decided for cynical reasons; the hopes of obtaining further land and power through supporting the winning side.

A number of clans took the side of the Covenanters against Charles I. George Mackenzie, the 2nd Earl of Seaforth with his Mackenzie clan was joined by the Earl of Sutherland, the Master of Berridale, Lord Lovat and his clan Fraser, Lord Reay, the laird of Balnagowan, clan Ross, clan Grant, clan Mackintosh and others. They gathered on the banks of the river Spey in preparation for a battle against the royalists. The Marquis of Huntly made preparations to attack the clans but intelligence of these plans caused Montrose to hurry to the aid of Seaforth and the others. Huntly voluntarily gave himself up to Montrose and was imprisoned together with his son, Lord Gordon, in Edinburgh castle.