

Fother-dun. Logie-Pert, like Perth, derived its name from "feart," which was the usual name for a small round fort, while a larger erection was, it would seem, called "fother." In Glenlyon, which had twelve of these round forts, the people called them generally "The Castles of the Feinne," but they had particular names for some of them. It appeared that Kenneth Macalpin advanced his southern defence line to Strathearn. Forteviot and Dundurn were the two chief strengths of the new line. Another Kenneth, he who was reigning when "the Pictish Chronicle" was written, about 990 fortified the banks of the Forth. Then, by degrees, the old importance and true history of the old Pictish chain of forts were forgotten. Mr Campbell referred to the dedications of the churches of the district, in proof of his argument that the line he described was that on which the men of Fortrenn, and at times the men of all Alba, mustered in days of old. Most of the region of the southern forts continued to be crown lands until the death of Alexander III. He had no doubt it would be found, on due investigation, that the northern chain also stretched through territories which belonged to the Crown until a comparatively late period. In conclusion, he urged strongly, that the Gaelic Societies should co-operate to bring out a Gaelic map, that is a map giving the old Gaelic names of districts and place as correctly and completely as possible.

10TH APRIL 1885.

On this date, Mr John Whyte, librarian, Inverness, read an interesting and suggestive paper on "the Principles of Gaelic Translation." The paper was an introductory one, and will be given in its amplified and extended form in next year's Volume of Transactions.

---

On this same date the Secretary, on behalf of Mr Alexander Mackintosh Shaw, London, author of the History of Clan Chattan, read a paper on Mackintosh's Cairn, Glentilt. Mr Mackintosh Shaw's paper was as follows:—

### MACKINTOSH'S CAIRN IN GLENTILT, AND ITS LEGEND.

This paper has been written with a double object, in addition to the primary one of helping *Comunn Gailig Inbhirnis* to wile away part of an evening. On the one hand, I desire to show how

easily a tradition of some ancient event may have been disseminated and have become localised in various districts, and, therefore, how necessary it is for any person wishing to use such a tradition for historical purposes to satisfy himself, by careful examination of all its conditions, that it is genuine, and even then to take it *cum grano salis*. On the other hand, I wish to draw the attention of members of the Society to the subject of Highland tradition and legend generally, with a view of inducing them to aid in this field of research. The excellent paper of the Rev. Mr Watson, Kiltearn, on "The collecting of Highland legends, and the necessity for collecting them now," printed in Vol. VI. of the Society's Transactions, has had some result, certainly, but none commensurate with the quantity of material or the importance of the subject. There must still be many traditionary stories which have not yet appeared in print, and unless these are placed on record now, they may be for ever lost; for newspapers and cheap literature have as withering an effect on them as the east wind has on the early fruit-blossom. Losing them, we should undoubtedly lose some help, greater or less, towards obtaining a knowledge of past times and manners, and probably, in addition, some means of verifying the better known stories which have been made public property. In the following remarks, I will first "say the tale as 'twas said to me," and then endeavour to indicate some possible standing-ground of history for it. I do not claim to have succeeded; to a great extent my endeavours are only by way of conjecture, for, except the facts of its existence and of its being applied to two different districts, the story has nothing certain in connection with it. Possibly this paper may elicit further information.

About a mile to the north-east of Loch-Loch, among the hills of Ben-y-Gloe, in Perthshire, is a cairn known generally as Mackintosh's Cairn, sometimes as Comyn's Cairn (Carn a' Chuimeinich). It is said by tradition to mark the spot where, some centuries ago, a great chief of the Comyns was killed by a certain Mackintosh, who raised the stones as a monument of his act.

The story of the feud which culminated in the erection of this cairn has been told more than once. The main incidents, as narrated on the authority of local tradition by Colonel J. A. Robertson (author of *Gaelic Topography* and other works) in a little volume entitled *The Earldom of Atholl*, privately printed in 1860, are as follows:—The Comyns, on obtaining a footing in Atholl, at once commenced their usual practice of attacking their neighbours. Among these were the Mackintoshachs, or Mack-

intoshes, descendants of the old Tosachs or Thanes of Glentilt, who were attacked by the Comyns at a feast and all murdered, except a young child in a cradle. This child, Ewen, also called "Sherigan," grew up, and some fifteen years after the massacre attacked the Comyns at a place called Toldamph (Toldamh, near Blair Atholl) and defeated them. The Comyns fled up Glentilt, and turned in at the stream which issues from Loch-Loch, but Ewen, taking a near way through the Hills of Ben-Gloe, by a stream called Cromaldun, met their leader at Loch-na-diold, and shot him. Colonel Robertson says that these events are supposed to have taken place about or soon after 1260, and that Ewen had a son named Angus, who obtained a "bounding charter" to his lands.

In *Legends of the Braes o' Mar*, by John Grant (Aberdeen, 1876), the story is given in more detail. According to the generally accepted version, Comyn, Lord of Atholl, coveting the lands of Tiriny, the heritage of Mackintosh, surprised the latter's house in the night, and put all its inmates to the sword except a child, Mackintosh's son, whose cradle, being overturned in the scuffle, was overlooked. The child was discovered next morning by one of Tiriny's tenants, called Croit-a'-bhoineid (or Bonnet-croft, from his paying a yearly rent of a new bonnet), and was by him secretly conveyed to the relatives of the murdered mother, Campbells in Argyll. Comyn followed up his cruel act by adding the lands of Tiriny to his own, and continued to "go on still in his wickedness."

The boy thus saved was well brought up by his Argyllshire relations, and was once a-year visited by the faithful Croit-a'-bhoineid, who passed for his father. As he grew up he became an expert archer, and on one occasion, when he had reached the age of eighteen years, the worthy crofter, seeing his skill at the bull's-eye, exclaimed, "Bravo! Tiriny, broader far than the round on that target is the brow of your father's murderer." "Are not you, then, my father?" asked the youth; and then Croit-a'-bhoineid related his sad tale. Young Mackintosh was as eager for revenge as his old friend could desire, and plans for obtaining it were speedily matured between them. With a band of picked men—given by the Campbells, according to some, by the Mackintoshes of Inverness-shire, according to others—the two went to Tiriny, in Atholl. Their followers lay concealed while they applied for shelter at the house of an old woman who had fostered the murdered Tiriny. She at first would not believe their story, and refused them admittance; but on being repeatedly assured that the son of her foster child was really there, she said, "Let him breathe through the key-hole, for I would know the breath of a Mackin-

tosh." The youth did as she desired, and was immediately welcomed as a true Mackintosh.

Our authority continues—"Some have it that the nurse had learned the Big Cumming was honouring by his presence the marriage of one of his retainers; that the Mackintosh partisans got between him and the castle; that the alarm was given, and that Cumming rushed to his stronghold, but finding himself intercepted, directed his flight up Glen-Tilt. Others say that an ambush was led near the castle; that a party of Mackintoshes came forward to make a feint assault, and afterwards fled, drawing out the Cummings in pursuit; that the ambush intercepted their retreat; and that those who escaped from the short combat which ensued fled with their leader up Glen-Tilt. The streams that join the Tilt, all the way to its source, recall, by their names, the places where some of the fugitives fell. Thus we have Allt na Maraig (pudding burn), Allt na Stroine (nose burn), Allt Iurg na Smeara (the burn of the shin of marrow), and so forth.\* Alone at last, Cumming the Big turned away by Loch-Loching, east of Ben-y-Gloe nan Eag. But young Mackintosh and Croit-bhoineide still pursued. They kept on one side of the loch, the murderer on the other. As he sat down to rest on a large stone, raising his hand to wipe away the perspiration, an arrow from the bow of Tiriny pinned that hand to his brow, and the Big Cumming fell dead. Carn a' Chuimeinich still marks the spot." (*Legends of the Braes o' Mar*, p. 29.)

This story, in its main features, is so true to the wild spirit of the times in which its incidents are supposed to have happened—times when right often had to give way to might, and when men were accustomed to measure out justice for themselves—that we can scarcely refuse to believe that it had some foundation in fact. It is quite possible, of course, that it is nothing more than an ancient mythological story, handed down from the remote ancestors of our branch of mankind, to which local colouring and surroundings have been given and additions made by successive story-tellers to suit the taste of their audiences. There are many popular stories, some even finding a place in grave histories, which modern research has traced back to this source—notably the story of William Tell and the apple, which figures, *mutato nomine*, among the legends of England and Scandinavia as well as of Switzerland, and is given as a legend of Braemar in the book

\* These names do not necessarily indicate connection of the places bearing them with such events as those of the legend.

already quoted. The principal incidents of the story before us would fit in closely with such a theory, and the story might be taken as representing the destruction of summer by winter, and the subsequent overthrow of the destroyer by a new summer; or it might be a myth of the ever recurring conflict between the sun and night. In the latter case the prowess of the youthful hero as an archer would lend probability to the theory. If, however, the story were such a myth, we should doubtless find it elsewhere than in the Highlands, among other nations descended from the great Aryan stock; but there is no trace of it in this direction.

On the whole, then, we are perhaps justified in regarding it as historical rather than mythological. There can be no doubt as to its being an old story, for the names of the actors in it are names which have ceased for some centuries to have any connection with the district, and the country people through whom the story has come could have had no knowledge of such connection otherwise than by tradition. In any tradition of more than two or three generations it is vain to expect correctness in more than principal facts, still more vain to expect dates and individual names; and in this case we have to be content for the purpose of historical enquiry with knowing that the parties concerned were the Comyns on the one hand and the Mackintoshes of Glentilt on the other. The name given to the saviour of the infant Mackintosh, and the conversation between the two, according to the foregoing detailed story, have no doubt been added during the steps of the tradition.

It is not necessary here to trace the origin and history of the Comyns; their deeds, good and bad, and their accessions of wealth and power in various parts of Scotland, are well known to every reader of Scottish history, although their early history, as given in the Peerages, is somewhat meagre and contradictory. The Mackintoshes of Glentilt, or of Tiriny, are less widely known; in fact, very little is known of them even by the best informed. Mr Skene, in *Celtic Scotland* (vol. iii., p. 274) says that "no doubt" [an expression, by the way, which does not always imply certainty] they proceeded from the family which held the office of Thane or Toshach of Glentilt, one of the thanages held under the Earl of Atholl, and that this family was descended from Eugenius or John, brother of Reginald of the Isles, who acquired the thanage from Robert, Steward of Scotland (afterwards Robert II.), before 1371.\*

\* By a misprint, 1471 is the date given in Mr Skene's book. An Alexander Mackintosh of Tiriny appears in the Privy Council Records in 1590, but the thanage of Glentilt had been disposed of by the descendants of Eugenius in the beginning of the century.

Thus they would be of the same line as the Macdonalds. But there appear to have been other Mackintoshes in Atholl for some time about the 15th century, the Clan Chattan of Inverness-shire having had a colony there. The MS. history compiled by Lachlan of Kinrara about 1670, from three MSS. of the previous century, says that the posterity of Angus Og, third son of Angus 6th of Mackintosh and his wife Eva, settled in Glentilt in Atholl. The 6th chief of Mackintosh died in 1345, and the children of his third son would probably come into the 15th century; but there are reasonable grounds (which will be advanced in due course) for supposing that the removal of Angus Og's descendants to Atholl did not take place until nearly the end of that century. But at whatever period the removal took place, in 1595 we find Duncan, who then represented Angus Og's posterity, and who (or his immediate predecessors) had acquired Dalmunzie, giving a heritable bond of manrent to the 16th chief of Mackintosh, and promising in it to defend him as his "naturall cheiff," thus acknowledging his descent from the Clan Chattan Mackintoshes. Assuming that Mr Skene's account of the origin of the Tiriny Mackintoshes is correct, there would be in the 16th century two sets of Mackintoshes in Atholl—those of Tiriny, Macdonalds by extraction, springing from the thanes of Glentilt, and those belonging to the Clan Chattan; and the question now is, which of these has the greater interest in the cairn and its legend? The Atholl tradition, as gathered by Colonel Robertson—a native of the district—and by the writer of the Braemar Legends, would appear to give the honour to the former; but, as has already been suggested, local tradition cannot always be depended upon for accuracy in the names of persons, and, supposing that the story was really connected with the Clan Chattan Mackintoshes settled for a time in Atholl, it would be but natural to expect that after their removal across the hills to Dalmunzie, the incidents would in the course of a few generations come to be applied to the other Mackintoshes who remained in the district. Tradition always has a tendency to localise events, and no doubt this tendency has been a powerful help towards the preservation of old stories such as that of Mackintosh's Cairn. How many of us, even now, in reading or hearing of a stirring or romantic incident, unconsciously lay the scene in some locality which we know, and which is promptly conjured up before our mental vision. Such mental portrayal of events seems to be particularly a gift of the young, whose world is usually a small one. I well remember that in my first youthful reading of "The Last of the Mohicans," all the inci-

dents of that captivating story were presented to my mind as taking place within and about a certain well-known wood of not more than twenty acres in extent; and that, similarly, John Bunyan's famous "Pilgrim" made his "Progress" along roads and paths trodden by my feet, and received entertainment at houses where I was a frequent guest. And so deep were these first impressions that even now, after a lapse of more than thirty years, when reading the story of Fenimore Cooper or the allegory of Bunyan, I find myself once more in imagination among the well-known banks and glades where I first knew La Longue Carabine, or accompanying Christian along a miry ditch-bordered country lane, overshadowed by sombre trees, which to me was the Valley of the Shadow of Death. Nearly every reading boy of imaginative mood, unless his tongue is tied by the reserve which usually accompanies that mood, will acknowledge similar experiences.

The Atholl youth of two or three centuries ago, on being told a thrilling tale of Mackintoshes slaughtered by Comyns, would almost as a matter of course associate the victims with the only Mackintoshes known to him, those living in his own neighbourhood; on hearing of the young Mackintosh's revenge, he would mentally pursue the Comyns through the defiles and over the hills which he best knew, and as the tale of the pursuit went forward he would have no difficulty in imagining that several of the pursued were brought to bay at such and such a pass or crag, that the blood of others dyed such and such a burn, and that the crowning event, the slaughter of the great Comyn himself, took place at a similarly appropriate spot. As he grew up, the story and his own mental picture of its incidents would become fused; we can even imagine him, while both were fresh in his memory, giving his version to his playmates, and with their assistance, acting the pursuit over again; or, in his mature years, telling his story, localised according to the ideas of his youth for the sake of impressiveness, to his descendants. In this way the story, though originally told of some far distant locality, would gradually and easily become identified with his own district.

All this supposing, as I said, that the story really belongs to the Clan Chattan Mackintoshes, and not to the other Mackintoshes in Atholl. Now for the grounds for such a supposition. In the first place, there is no distinct evidence that the Comyns were at any time powerful in Atholl, or even that they had possessions there. Nisbet in his "Heraldry" (part iv. p. 71) mentions a "David de Cumine, Comes de Atholiæ, Dominus de

Strathbolgie," as giving a grant of land, confirmed by Alexander II. in 1239; but no such person appears in the Peerages, and it seems clear that there is some mistake on Nisbet's part. In 1239, according to Douglas, the Earl of Atholl was Patrick. He in 1242, was succeeded by David de Hastings, who became 7th earl in right of his wife, Patrick's aunt, and was succeeded about 1269 by John de Strathbogie, of the Macduff family, who likewise acquired through his wife. He held the earldom until 1283. Although the Cumyns had thus no right in Atholl, it is fair to mention the *possibility* of their having seized and occupied it for a time during the unsettled state of the kingdom in the 13th century—a period about which there is little detailed information. There is, however, no actual evidence of such an occupation. Another possible connection of the Comyns with Atholl may perhaps be found in the marriage in 1152 of Richard Comyn, the first of his name holding lands in Scotland, to Hexilda, alleged grand-daughter of Malcolm Ceanmor's brother Donaldbane; but all the author of *Family Records of the Bruces and Comyns* (p. 395) can say of this lady is, "Why Countess of Etheletela we have not been able to discover, but Hexilda, being of the royal house of Ethel or Atholl, probably succeeded to the appanage of her grandfather, Donaldbain, who appears to have been chief of Atholl;" and if Hexilda was Countess of Atholl, it is strange that her right was not transmitted to her husband or family. In the next century there is a connection which is quite distinct, though distant. David, Earl of Atholl, grandson of the John de Strathbogie (a Macduff) already mentioned, married one of two grand-daughters of that John Comyn, Lord of Badenoch, who was killed by Bruce at Dumfries in 1306. On these ladies devolved the representation of the Badenoch-Comyn family; and Earl David may have given hospitality to some of the dispossessed followers of his wife's family.

Enough has been said, however, to show that the domination of Atholl by the Comyns, in the manner and to the extent pointed at in the traditionary story, is without foundation in history.

In the next place, almost the identical story told in the *Mar Legends*, with the exception of the part taken by Croit-a'-bhoineid, is told of the Shaws in Rothiemurchus, originally Mackintoshes of the Clan Chattan,\* and for the story, as applied to them, there

\* A somewhat similar story is told of the Macaulays and the Morrisons in the Lews; the alleged period being about the 15th or 16th century.



is historical foundation. For a great part of the 14th and 15th centuries, the Comyns and Mackintoshes were at deadly feud, in both Moray and Badenoch. The origin of the feud is unknown, but may perhaps be referred to the Comyns' jealousy of a rising clan living near them and yet remaining independent of them. In 1230 one of the Comyns (a Norman family, be it remembered) was made Lord of Badenoch; and six years afterwards a right to the adjoining district of Rothiemurchus was acquired by the 4th chief of Mackintosh, who sent his warrior son Ferquhard to occupy the lands. We may be sure that the Comyns would regard this occupation with disfavour, and would not be disposed to leave the newcomers in peace; no doubt cause of quarrel was easily found or made, and before the close of the century the Comyns and Mackintoshes were in arms against each other. The breach was widened in the War of Independence, the Mackintoshes taking the patriotic side with Robert Bruce, the great foe and rival of the Comyns, and the destroyer of their once immense power. The feud continued, though apparently with intermissions, until about the middle of the fifteenth century.

The traditionary story of Rothiemurchus was obtained in that district some twenty years ago, by my friend and fellow-clansman the late Rev. W. G. Shaw. It is given, somewhat briefly, at page 139 of the account of Elginshire in the *New Statistical Account of Scotland* (Edinburgh, 1845), and more fully in vol. i., page 333, of the *Celtic Magazine* (1876), where, however, the hero, Shaw of Rothiemurchus, is wrongly reported as in after life murdering his step-father, Dallas, and thereby forfeiting his property.

The Rothiemurchus story, as has been observed, closely resembles that told of the Mackintoshes of Atholl. The chieftain of the Shaws is murdered, with most of his supporters, by the Comyns, who seize on his possessions; his son, an infant, is saved by a nurse, who takes him to the Baron of Strathardle (according to one account, to his mother's relations), and then returns to her home; the child grows up into a strong, brave young man, and, with a band of followers, visits Rothiemurchus, with the object of recovering his patrimony. He goes at night to the house of his nurse, who at first will not believe that it is he who seeks admittance, but on his breathing through the key-hole at her request, is at length satisfied, and admits him joyfully. An attempt on the part of one of the youth's followers to deceive her by the breathing process had failed. Young Shaw finds that his arrival is well-timed, the chief men of the Comyns being expected back on the following day from a raid in the low

country; he lies in ambush, in a pass which they must traverse, the nurse standing on the Callort Hill, and giving warning of the enemy's approach by calling "Tha na gobhair anns a Challort" (The goats are in the Callort); and, as the unsuspecting Comyns arrive in detached parties, driving the cattle they had "lifted," he falls upon them, and cuts them to pieces. The scene of the massacre is still known as *Lag-nan-Cuimeineach*—the Comyns' hollow.

All this story of the Shaws is as circumstantial and as probable as that told of the Mackintoshes of Tiriny, and the evidence for its being a story of events which took place in Rothiemurchus is quite as strong as that for its relating to Atholl—perhaps stronger, having regard to the considerations already advanced as to the connection of the Comyns with the two districts.

Assuming that the Shaws of Rothiemurchus—or, to speak correctly, the branch of the Mackintoshes afterwards known as Shaws—were the actors in this drama, it is not difficult to fix the period at which the events occurred. To begin with, an important clue is furnished by the Rev. Lachlan Shaw at p. 42 of his *History of Moray* (Edin. 1775), where he gives the name of the murdered chieftain of the Shaws as *James*. The historian of Moray, however, makes this James live some eighty years too early, and it is interesting, as bearing on the study of tradition generally, to enquire into the reason for his so doing. It is a well known fact that traditionary stories, besides their liability to become localised, have a tendency to crystallise round the name of some distinguished individual. The great hero of Rothiemurchus history and tradition was that Shaw Mor (the *Scha Ferqwharisone*" of Wynthoun's "Cronykil") who in 1396 led the Clan Chattan champions to victory in the battle of thirties at Perth, who received as a reward from the chief of Mackintosh the *duchus* of Rothiemurchus, and whose grave is still to be seen in the parish church-yard; and it is extremely likely that in the time of the Rev. Lachlan Shaw—that is, about the middle of the 18th century—the people of the district had come to regard him as the youth who had so gallantly recovered his own. At any rate, the reverend historian appears to have understood from the tradition he heard that Shaw Mor himself was the youth, and that the name of the murdered father was *James*; so that, not knowing the pedigree of the Shaws, he sets down James as their first chief and the father of Shaw Mor, and the date of the seizure by the Comyns as "about 1350."

The account of the Shaws in the *History of Moray* is full of errors. Its author was to a great extent dependent on tradition

for his information concerning ancient times, and was so ignorant concerning the history of the Shaws—now clear as to its main features from extant deeds and other documents—as to be unaware that they were known as Mackintoshes until the middle of the sixteenth century, or that Rothiemurchus passed from them by sale, and not, as he relates, by forfeiture on account of a murder. The James Shaw of “about 1350,” whom he makes their first chief, never existed; but Shaw Mor’s son and successor was named *James*, and was killed at Harlaw in 1411, fighting on the side of Donald of the Isles. He left two young sons—Alasdair, or Alexander “Ciar,” who, first of his line, acquired a right to Rothiemurchus; and Adam, who became ancestor of the Shaws of Tordarroch in Strathnairn. Both brothers are mentioned in bonds and deeds of various descriptions.

With the clue afforded by the name *James* in the *History of Moray*—a work, be it remembered, now more than a century old—we may reasonably assume that, if the Comyns ever seized and held Rothiemurchus, and if they were ever massacred by the young ancestor of the Shaws, who had been an infant at the time of the seizure, it must have been soon after 1411. In that year the head of the Mackintoshes in Rothiemurchus, *James*, son of Shaw Mor, was killed at the “red Harlaw,” no doubt with many of his followers; his two sons were infants (the elder appears, from a deed of 1499, to have been actively engaged in 1492), and Rothiemurchus would thus be left in a comparatively unprotected state. Where the Comyns who seized upon it came from cannot now be stated, but it is not too much to suppose that some of them had remained, as outlaws or “broken men,” in and about Badenoch, after that district had been wrested from their heads by Robert Bruce. Wherever they came from, Comyns appear to have settled themselves in the district; tradition is positive as to this; and it is highly probable that the island castle or fort in Loch-an-Eilan—traditionally ascribed to the Comyns, but said by some to have been the work of Alexander Stewart, Wolf of Badenoch—owes its existence to them. It is difficult to imagine a motive for the Wolf’s building such a fort in Rothiemurchus, on Church land, and outside his own lordship; but on the other hand, a band of outlaws, such as the Comyns probably were, would actually need a stronghold to which they could retire when hard pressed, and doubtless one of their first acts, after seizing the district, would be to provide such a refuge.

To go further, if the scene of the events described by tradi-

tion was really Rothiemurchus, and if the time was soon after 1411, as I have endeavoured to show must have been the case, there can be little or no doubt that the young hero of the tradition was Alexander "Ciar," son of James, son of Shaw Mor. There is one circumstance in Alexander's history which possibly points to him as the recoverer of the lands of Rothiemurchus, and that is that he was the first of his line who possessed a right to them. These lands were Church lands, the property of the Bishops of Moray, from whom the Mackintosh chiefs held them in feu. Alexander Ciar's father and grandfather had held them from their kinsman, the chief of Mackintosh, only as *duchus*—that is, they had had the occupation and use of them as tenants at will. But in 1464, says the Kinrara MS., Duncan, 11th of Mackintosh, "disponed his right of possession and tack to his cousin Alister Keir Mackintosh, *alias* Shaw, the third from Shaw, *alias* Gilchrist vic Ian." The Episcopal Register of Moray, under date 4th September 1464, confirms the MS., for it records the terms of the charter to the new tenant:—"Carta feodifirmæ ab Episcopo cum consensu capituli facta Alexandro Keyr Makyntosy, terrarum ecclesiasticarum de Rothymurchos, in vice com. de Innernes; Reddendo 24 mercas annuatim," &c., &c. The MS. gives no reason for the chief's thus transferring his right to his relative; but may not the explanation be that he did it out of a feeling of gratitude to Alexander Ciar for winning back the lands and destroying the troublesome enemies who had seized them? Viewed thus, his act was one of simple justice; and Duncan, if we may judge by the character given of him by the family chronicler, was a man from whom such an act might reasonably be expected.

On the whole, we have sufficient weight of probability to justify the conclusion that the incidents of the legend, if they ever took place at all, took place in Rothiemurchus and not in Atholl. How then did the story of them find its way to Atholl and become a part of the traditionary history of that district? This is a question which, like most questions connected with our subject, cannot be answered with certainty; we are still thrown back on probabilities, and must be content if we can discover any circumstances in which the story *might* have travelled southwards to Atholl. Such circumstances are found in the statement of the MS. History of the Mackintoshes, already referred to, that descendants of Angus Og, a younger son of the 6th chief, settled in Atholl. When this settlement took place, or by which of Angus Og's descendants it was made, is not stated; but there are sufficient grounds for a reasonable conjecture on the point. On the

15th May 1482, "Donald M<sup>o</sup>Intosche Angusson" entered into an agreement with Lachlan "Badenoch," brother of the 11th chief of Mackintosh, that he (Donald) should take "in all possibill hast" the castle or tower of Kilravock, and hold it as constable under Lachlan—who, by the way, was brother-in-law of the baron of Kilravock, Hucheon Rose. Donald performed his part of the agreement, surprising the castle, killing the constable and watch, and doing great damage. How long he held the castle does not appear, but in 1498 a royal summons was issued against Donald, at the instance of the next baron of Kilravock, for "the wranguis distructioun of the hede hous of his tour of Kilravock, the grete hall of the samyn place, with kichin, baikhous, &c., &c." The circumstances are mentioned in the Rev. Hugh Rose's *Geneological Deduction of the Family of Kilravock*, written in 1683-4, and both the agreement between the two Mackintoshes and the royal summons are printed in full in *The Family of Kilravock* (pp. 146-166), edited by Cosmo Innes for the Spalding Club—the agreement being particularly interesting and instructive in regard to the manners and customs of the period.

There can be little doubt that this Donald Mackintosh, son of Angus, was either grandson or great-grandson of the Angus Og mentioned in the Kinrara MS. No other Angus from whom Donald could have sprung appears in the Mackintosh genealogy, and it is evident from the terms of the agreement that Donald was a person of some standing in the clan. Thus part of his reward for the capture of Kilravock Castle was the hand of Lachlan Badenoch's daughter Margaret, with 40 merks of tocher, and it is not likely that Lachlan, the brother of the chief of Mackintosh, would have given his daughter to an obscure person; moreover, Donald and Margaret appear to have been within the degree of consanguinity which required a Papal dispensation for their marrying, for under the agreement the bride's father is to bring "the dispensacione owt off Rome on his expens." Further, Donald, having no seal of his own, is of credit sufficient to procure the seal of no less a person than William, Thane of Calder.

The fact of his being summoned by royal mandate to answer for such acts as the capture and destruction of Kilravock Tower and the murder of its defenders under trust—particularly at a time when the Mackintoshes were in anything but pleasant relations with the governing powers, their chief being at the date of the summons imprisoned in Dunbar Castle—would, as we can readily imagine, cause Donald to quit a neighbourhood where he was well known and within reach of the law; and he in all pro-

bability was the Mackintosh descended from Angus Og who moved to Glentilt, as stated in the MS. History.\* He and those who accompanied him would doubtless carry with them the stories of events in which their clan, and perhaps some of their own immediate progenitors, had taken part, and not the least memorable of these would be the story of the Mackintoshes and Comyns in Rothiemurchus.†

If this was really the way in which the story was introduced into Atholl, it is interesting to note that in its new home the story has always kept to the old name of the people who were for a time so overridden by the Comyns, while in the district in which (as assumed) the events occurred the name has been changed. In Atholl the story has always been told of Mackintoshes; in Rothiemurchus, for at least a century and a half, it has been told of Shaws. As has already been observed, the Shaws of Rothiemurchus were originally

\* The family of MacRitchie, connected with the parishes of Clunie and Caputh in Perthshire for at least two centuries (they have documentary evidence as far back as 1683), have a tradition that the first of their name was a Mackintosh, who, with his brother, fled *south* to Dunkeld after a family quarrel in which a chief was killed; and that one of the brothers was of great bodily strength, being able to hold a stag by the horns. In the course of a long and interesting correspondence with one of this family a few years ago, I was led to the conclusion that the MacRitchies are an offshoot from the Mackintoshes of Dalmonzie. This being so, they are descendants of the Mackintosh or Mackintoshes who founded the colony of that name in Glentilt, and their tradition, instead of referring to the first of their name of MacRitchie, may really refer to the founder of the colony. A tradition of the circumstances of Donald Angusson's flight from Inverness-shire to Atholl might easily become distorted in the course of more than three hundred years into that held by my correspondent's family.

The following remarks in one of the later letters of my correspondent have no particular bearing on the subject of this paper, but their suggestiveness to the mind of a tradition hunter, will perhaps be deemed a sufficient excuse for my quoting them:—"This Dalmonzie research has proved, to all but the most fastidious, that we are descended from Mackintosh stock, and that the fact has been revealed through a tradition 200 years old . . . . As my father died before I was old enough to care much for research of that kind, I cannot say how much of my tradition came directly from him, or how much I heard repeated by my brothers; but I *know* that we used to have a vague belief that we shared the blood of Mackintosh of Mackintosh. . . . An unimportant part of the tradition is one that I think stamps the whole with a certain amount of authenticity, namely, that which accords to my ancestor (or his brother) such great personal strength that he could hold a deer by the horns. This is one of those small details that could never be corroborated, but it is just the kind of thing that makes one feel that the brother from whom we descend, directly or collaterally, was 'a real man,' and not a myth."

† The presence of the name *Angus* in the local tradition, as told by Colonel Robertson, is perhaps worthy of note.

Mackintoshes; their great eponymus, Shaw Mor, was a Mackintosh, being great-grandson of the 6th chief; and his descendants used and were known by the name of Mackintosh for several generations after his time. Thus his grandson, Alexander Ciar, the assumed hero of the story under consideration, appears as Alexander Ciar Mackintosh in nearly a dozen extant deeds and documents dated at various times between 1464 and 1499, while Alexander's grandson, fourth in descent from Shaw Mor, is similarly called Mackintosh—"Alanus Keyr Makyntosh"—in the charter by which he sold his family's rights to Rothiemurchus to Lord George Gordon, and in its confirmation by the Bishop of Moray, both deeds being dated as late as 1539. This alienation of their inheritance may have been the occasion of the family's change of name from Mackintosh to Shaw, but it is not until the 17th century that we begin to find mention of the latter name in Rothiemurchus, where, it should be mentioned, most of the family remained down to the early part of the last century. The writer of the MS. Mackintosh History, writing about 1660-70, speaks of Alexander and his grandson as Alexander and Allan Kiar "Mackintosh *alias* Shaw," showing that in his time the change of name was of such recent date as to be remembered, or even that it was still not fully established. But whenever the change took place, it would of course involve a corresponding change in the traditionary story.

These considerations with regard to the name of the old occupiers of Rothiemurchus lead naturally to a summing up of the whole question, for it would be a most remarkable coincidence if precisely similar events had occurred both in Rothiemurchus and Atholl, and if the actors in these events had been in both cases Comyns and Mackintoshes. Such a coincidence, however, is scarcely probable, and we may reasonably assume that the events of our story occurred in only one of the two districts. That this district was Rothiemurchus is testified to by local tradition, which is not less strong than the tradition in favour of Atholl, and which is to a considerable extent corroborated by the history of a Rothiemurchus family; while the localisation of the story in Atholl can be accounted for, though not with certainty, yet with a large measure of probability, by the migration to that district of some Mackintoshes (assuming that Donald Angusson and his family are pointed at in the MS. History) at the close of the 15th century, a time when the occupiers of Rothiemurchus were still known as Mackintoshes. Unless, indeed, the improbable coincidence above suggested took place, the fact that the story has become localised in Atholl with the *Mackintoshes* as actors in it

proves that it must have been told there for at least three hundred years.

If, then, the events described in our story never occurred in Atholl, what is the meaning of the cairn among the hills near the head of Glentilt? What event or personage does it commemorate? No certain answer can now be given to these questions. One of its names, that of Comyn's Cairn, has in all probability been given to it merely on account of a supposed connection with the story, and may be of comparatively recent date. The better known name, Mackintosh's Cairn, is most likely the correct and original name. It probably denotes that the spot is the place of death or burial of some Mackintosh in the olden time—it may be of the Donald Angusson who was driven from his clan and friends in Inverness-shire for his share in the "Raid of Kilravock," or it may be of some descendant of the ancient Toshachs or Thanes of Glentilt. But whoever the individual so distinguished was, the facts and considerations which have been advanced are perhaps sufficient to show at least that there are good reasons for doubting whether the cairn has any connection with the story or legend so often told concerning it.

15TH APRIL 1885.

On this date, Dr Morrison, West Bow, Edinburgh, was elected an ordinary, and John Macgregor, 100 Castle Street, Inverness, an apprentice member of the Society. Thereafter, the Rev. Alex. Bisset, Stratherrick, read an introductory paper on "The Gael, his Characteristics and Social History." It was as follows:—

## THE GAEL—HIS CHARACTERISTICS AND SOCIAL HISTORY.

### PART I.

The branch of the human family designated "The Gael" possesses an interest which for remoteness of origin and continuity of a special type of character, far surpasses that of any other people of Europe. Two great families spring from the "cradle of the human race," known to the student of History as the Celtæ and the Goths. The Celtæ appear to have taken the lead, and to be the first inhabitants of Europe. The Goths followed, and in the advancing stages of civilisation gradually supplanted the