

## II.

NOTES ON THE MALE REPRESENTATION OF THE MORAYS OF  
BOTHWELL, DUFFUS, &c. By JOSEPH BAIN, F.S.A. Scot.

This surname was taken from the province of Moray, where a Fleming named Freskin settled in the reign of David I. (1123-52) at Duffus near Elgin, obtaining also lands in Linlithgowshire called Strathbrock. His immediate descendants styled themselves "De Moravia," and were long great landowners in the district. The name Freskin was perpetuated in this family for some generations, and is found also in that branch of the Douglasses which settled in Linlithgow, from which, and similarity of armorial bearings, some have inferred their common origin. By the close of the thirteenth century Freskin's descendants were widely spread over Scotland, there being twelve Morays who did homage to Edward I. in 1296, six of whom were of knightly rank. One of the most important of the surname at that time was Sir William de Moravia "dominus de Bothwell," from the extent of his possessions, in one place called "le riche." Besides this great barony, to which many detached estates in Roxburgh and elsewhere were annexed, which had come into the family, it is believed, by the marriage of his father, Walter de Moravia, to the heiress of the Olifards, Sir William owned the lands of Petty, a part of the original Morayshire possessions of Freskin, which had by this time been subdivided, as the two co-heiresses of Freskin de Moravia of Duffus, a collateral branch, had carried that possession into the families of Chen and Federeth about this period (1290). These Chens and Federeths also owned part of Strathbrock so late as 1335, which most probably came with these co-heiresses.

From the deeds printed in the *Chartulary of Moray*,<sup>1</sup> it appears that Freskin had three sons—Hugh, William, and Andrew. Hugh is the undoubted ancestor of the Earls of Sutherland. In a grant by him of Scelbol (Skibo) to Gilbert, archdeacon of Moray, his two brothers William and Andrew, simply styled "fratres ejus," are witnesses. The

<sup>1</sup> *Bann. Club*, 1837.

late Mr Cosmo Innes, editor of this *Chartulary*, placed Hugh as eldest brother and head of the chief branch of the Moravia family. Mr Riddell<sup>1</sup> controverted this, basing his argument on the fact that William succeeded Freskin in Strathbrock, Duffus, and his other lands in Moray, none of which devolved on Hugh; whence he inferred that William was the eldest brother. These two learned gentlemen disputed some other points in the Moray representation, which can now be settled through the better knowledge we possess.

But the difficulty as to the seniority of Hugh and William remains, for it has not yet been shown whether Sutherland was acquired by Freskin or his son Hugh. If by the father, then, as the most extensive domain, the eldest son would naturally succeed to it; if the son acquired it after his father's death by "conquest" (to use a Scottish law term), then the presumption is rather in favour of William, as successor in the original grants to his father, being the eldest. As the Sutherland family has long failed in the main line, the point is now immaterial. On the only occasion, however, on which I have seen the Sutherland and Bothwell arms together,<sup>2</sup> the former exhibits the three mullets plain, the latter shows them surrounded by a bordure charged with eight roundels. I have never seen the Bothwell arms with the tressure except on a stone in the east window of Bothwell choir, where they are impaled with another shield, also bearing three mullets, but without the tressure. Who this last shield commemorates is unknown, unless it is that of Sir Thomas Moray, last lord of Bothwell, and his wife, whose surname is unknown.<sup>3</sup>

This same bordure of roundels (in this instance, eleven in number) occurs on the detached seal of Sir Andrew Moray, grandfather of Sir Thomas, probably once appended to his homage to Edward I. in 1296.<sup>4</sup>

<sup>1</sup> *Stewartiana*, 1843, pp. 86-88.

<sup>2</sup> Viz., attached to the ratification by the magnates of Scotland of the treaty for the ransom of David II. in 1357. The seals are those of the Earl of Sutherland and Sir Thomas Moray of Bothwell (*Cal. of Scottish Documents*, vol. iii. no. 1660).

<sup>3</sup> Many years ago I submitted this shield to the late lamented Lyon Herald, but he could not solve the question of ownership then, nor on our subsequent discussions of the point.

<sup>4</sup> *Cal. of Scottish Documents*, vol. ii., plate i., no. 5.

Mr Seton, whose authority is entitled to the highest respect,<sup>1</sup> calls them "roses," which it is possible they are, though the seal is rather worn. If so, then they may have been carried as a mark of vassalage to the Earls of Dunbar or March, under whom the Morays of Bothwell held Wedderburn and Kelloe in the Merse. But the charges on the later seal of Sir Thomas Moray, which I examined very carefully when describing it, are roundels or bezants, to the best of my judgment.

Mr Innes gave two sheet pedigrees of Freskin and his descendants,<sup>2</sup> showing (1) the respective lines of Sutherland and Bothwell (the latter including Drumsargard), and (2) the line of Tulibardyn, which he then assumed to represent Drumsargard by failure of issue from an elder brother, Sir John Moray. But his researches ten years later in the *Register of Inchaffray*<sup>3</sup> must have altered his views of this latter point, for this Sir John Moray is shown there to be the father of a Sir William Moray of Drumsargard, who appears on the *Ragman Roll*, whose immediate descendants also owned Abercairney, and were in possession of Drumsargard so late as 1392. This Sir William Moray of Drumsargard was overlooked by Mr Riddell, but he was a distinct personage, though contemporary, from Sir William Moray of Bothwell, Sir Andrew his brother, the latter's son Andrew (killed or mortally wounded at Stirling in 1297), Sir William Moray of Tulybardin, and others, who all appear on the *Ragman Roll*, except the young (a third) Andrew Moray, the future regent, then unborn, as I have shown elsewhere.<sup>4</sup> The seals of Drumsargard and Tulibardyn are also extant in the Chapter House collection. The former (which I consider as my own discovery) exhibits three mullets, two and one, with a rose at either side, not within the shield, while the latter has the three mullets differenced by a chevron.<sup>5</sup>

The concluding portion of the Moray of Bothwell sheet pedigree,<sup>6</sup>—

<sup>1</sup> *Scottish Heraldry*, 1863, p. 196 and plate vi., 10.

<sup>2</sup> *Chart. of Moray*, pp. xxxviii. and xl.

<sup>3</sup> *Bann. Club* (1847).

<sup>4</sup> *Cal. Scot. Doc.* ii., pp. xxix.—xxx.

<sup>5</sup> *Cal.*, *ut supra*, ii., App. iii., No. 205, and plate i., No. 18, and Seton's *Heraldry*, p. 196, plate vi., 12.

<sup>6</sup> *Chart. of Moray*, p. xxxviii.

from Walter de Moray (1278)—is erroneous in several respects, but has been closely followed by Dr John Stuart in his report on the Abercainrey papers.<sup>1</sup> From the corrected version now given at the end of this paper,<sup>2</sup> it will be evident that the Morays of Drumsargard were an independent family long before the date of the *Ragman Roll*, their ancestor being Sir Malcolm de Moravia, who flourished 1250–60, whose father, according to Mr Innes, was John de Murreve, Sheriff of Perth. Sir John de Moray of Drumsargard (great-grandson of the above Sir Malcolm) acquired Abercainrey by marriage with a daughter of Malise, Earl of Stratherne (between 1312–19), and it still remains with his lineal descendants, the Drummond-Moray-Stirlings. Tulibardyn, as shown in the corrected pedigree, was unquestionably junior to Abercainrey, but at what time both came off the Strathbrock and Duffus (or Bothwell) line does not appear. I found in the Public Record office a document, unfortunately very imperfect, perhaps indicating near relationship<sup>3</sup>—an inquisition concerning the Roxburgh lands of probably the above Sir Malcolm de Moravia, 1250–60. The Morays of Bothwell certainly owned the lands of Crailing in that county later in that century.

It is not at all clear how the barony of Drumsargard came into the hands of the Earls of Douglas. In 1392 it belonged to Walter Moray, and in 1402 or thereby, to the Douglasses. It was a perfectly independent barony, though often confounded with Bothwell, which closely adjoins it. The latter barony is always said to have been acquired by Archibald, Lord of Galloway (afterwards third Earl of Douglas), on his marriage to Johanna, daughter and heiress of Sir Thomas Moray, last lord, who died in 1361.<sup>4</sup>

It is odd, however, that in the papal dispensation for their marriage<sup>5</sup> she is twice called *widow* of Sir Thomas Moray. The Papal clerks made strange mistakes in Scottish *names*, but as a rule gave the relationship of the parties correctly. This circumstance materially strengthens Mr Riddell's arguments on behalf of the Murrays of Polmaise, to be the

<sup>1</sup> *Hist. MSS. Comm.*, Third Report, App.

<sup>2</sup> Appendix B.

<sup>3</sup> *Cal.*, *ut supra*, iv., App. i. 3.

<sup>4</sup> Not in 1366, as sometimes stated, in the face of the Dispensation dated 1361.

<sup>5</sup> On 23rd July 1361 (*Theiner*, p. 318).

male representatives of Bothwell, now to be noticed. Besides the discovery already referred to regarding the comparatively early age of Sir Andrew Moray, the Regent, at his death in 1337-8, I am strongly inclined to think that his sons, Sir John and Sir Thomas, were not the sons of Christian Bruce (who, when married to Sir Andrew about 1326, was certainly old enough to be his mother), but by an earlier marriage yet unknown.<sup>1</sup> Being born in 1298, Sir Andrew Moray was of age in 1319, and might have had several sons between that date and 1326.

Mr Riddell<sup>2</sup> founded on the epithet "consanguineus" given by David II. to Andrew Moray of Manuel, the Polmaise ancestor (in the grant of Tulchadam in 1368), as indicating descent from Christian Bruce. But this is disposed of by the dispensation he quotes for the marriage of Sir Andrew of Bothwell and Christian Bruce, where they are said to be related in the fourth degree of consanguinity. Therefore Andrew Moray of Manuel, *if a son of the Regent*, was already a cousin of David II., even if not the son of the latter's aunt, Christian Bruce. If it be the case that the present Murrays of Touchadam and Polmaise are direct male descendants of this Andrew of Manuel, then their claim to represent the de Moravia family is much stronger than Mr Riddell supposed. For Sutherland, even if senior to Bothwell, only represents Freskin in the female line, while Drumsargard, Abercairney, Tullibardine, &c., are all junior to Bothwell, and have also failed in the male line.

There is one point, however, founded on by Mr Riddell, which is untenable, viz., that because the Murrays of Polmaise held Wicketshaw (which he said was in the barony of Bothwell), this afforded a presumption that it had been originally the appanage of a younger son of Bothwell. For Wicketshaw on the Clyde (originally "Wygoteslaw") was crown property in 1303,<sup>3</sup> not then in the barony of Bothwell. In 1475, however, it appears in the records as annexed to the barony of Touchadam in Stirlingshire.<sup>4</sup> I have not seen the evidence that Sir Andrew of Manuel held Wicketshaw as mentioned by Riddell. It is probably in the Polmaise charter-chest, though he does not say so. There must have been some reason for including this detached estate on the Clyde in the distant barony of

<sup>1</sup> Mr Burnett also held this opinion.

<sup>2</sup> *Stewartiana*, pp. 92-94.

<sup>3</sup> *Cal. of Docs.*, ii. p. 427.

<sup>4</sup> *Reg. Mag. Sig.*, vol. ii., No. 1195.

Touchadam. As David II. erected this barony out of Stirlingshire crown lands in 1368, in favour of Sir Andrew of Manuel,<sup>1</sup> it is very possible that he added Wicketshaw out of his crown lands elsewhere, to make up the value.

Besides these various branches of the Moray family, there were in the south of Scotland, Cokpule, Blackbarony, Philiphaugh, and others—perhaps nearly related to the original northern stock. They had come off at some date before 1296, for in that year Archibald de Morref of Peeblesshire appears on the *Ragman Roll*—in all likelihood the common ancestor of these southern Morays, though the precise steps of descent seem unknown.<sup>2</sup>

There is an original charter in the British Museum,<sup>3</sup> by James II., on 10th September 1441, confirming another by Archibald, Duke of Touraine, Earl of Douglas, &c., granting to William of Cranstoun, son and heir of Thomas of Cranstoun of that Ilk, the lands of Nether Craling in Roxburghshire, in his barony of Bothwell. This charter is dated 29th November 1434, and executed by the Duke at "Edibretschelis."<sup>4</sup> There are four Morays among the witnesses—Alexander of Moray of Cranstoun, David of Moray, captain of Douglas, John of Moray, and William of Moray. From the place of execution it would seem not unlikely that these Morays were of the Selkirkshire family, though Cranstoun is in Roxburghshire to all appearance, probably near Craling.

Putting all things together, it would appear from what has been gathered above, that Murray of Touchadam or Polmaise has probably the best claim to the male representation of the Morays of Bothwell, and therefore to that of the early lords of Petty and Duffus.

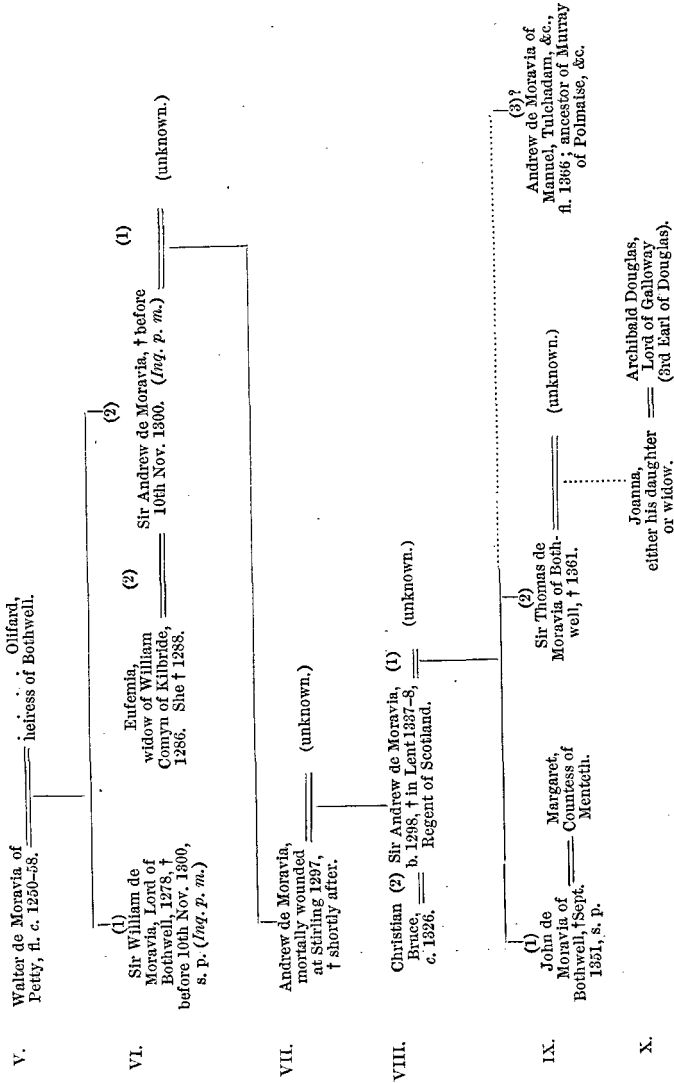
<sup>1</sup> *Stewartiana*, pp. 92-93.

<sup>2</sup> Mr Craig Brown, in his *History of Selkirkshire*, gives some account of the Philiphaugh family, but goes no farther back than this Archibald of the *Ragman Roll*, though he appears to have had access to their charters.

<sup>3</sup> Add. MSS., No. 19,560.

<sup>4</sup> Considered by Sir William Fraser to be the same as Newark Castle on the Yarrow (*Douglas Book*).

(A) PEDIGREE OF MORAY OF PETTY AND BOTHWELL FROM CHARTULARY OF MORAY (p. xxxviii, corrected from No. V.)



(B) PEDIGREE OF MORAY OF DRUMSARGARD, ABERCAIRNEY, TULBARDINE, &c.

