

THE HOUSE OF FORBES

PRELIMINARY CHAPTER ON THE ORIGINS.

DR. JOHN STUART, the writer of the brief "Report on the papers of the Rt. Honourable Lord Forbes," which appeared in the second issue of the Historical Manuscripts Commission in 1874, states it as his opinion that "The ancient family of Forbes derived its name from the territory of Forbes in Aberdeenshire, which has belonged to them since the middle of the 14th Century and probably from a much earlier period, although their title can only be proved by records from the date mentioned." Dr. Stuart comments on the number of documents of local and historic interest in the Charter Chest, and mentions several of the interesting letters, which will be given *in extenso* in the present work. He only, however, devotes to the Forbes papers *two* pages out of the 262 of the Report, concluding with the suggestion that a full calendar should be made and published of the charters, etc., noted in the Registrum, of the Rental of 1552 and of the letters. After the lapse of sixty years an attempt is being made to do some of this, and to combine with it a personal history of all the holders of the title of Lord Forbes, with those of their immediate ancestors who may be considered historical personages, to be followed by some account, with genealogical tables, of all the more important branches of the family.¹

The present writers would plead, with William Forbes (270 years ago), their inability to deal with every Forbes and to endorse his final comment—"Further I am to advertise you that, although all the Forbeses be descended of one root, to witt, of the Lord Forbes his house, that I dare not undertake to give a particular accompt of every private or obscure person which is called Forbes, time having worn out and obscured the lineage of many—And if any man having better information than I, shall correct or enlarge it, it shall be heartily accepted." (*Continuation of Matthew Lumsden.*)

The very early origins of this family, like those of many another, are wrapped in mystery, but there are perhaps even more quaint legends connected with Forbes than some other names can boast.

One writer traces Forbeses from the year 870, from Salvathius, who married Moravilla, daughter of Gregory the Great, King of Scotland. Others

¹ As seen in the Introduction, the New Spalding Club had proposed to deal with this subject as long ago as 1888, but the proposal was never carried out; early attempts have already been enumerated.

assign to them a descent from the blood royal of Ireland, and some passages in that classic, *The Four Masters*, are taken to give colour to this theory; but the only important points are these—"King Conon was saved from a Savage bear by a stroke of a sword by his friend O'Chonochar, who for that deed was called Forbhasach, the man of courage." (This is, perhaps, the same hero traditionally buried under the stone in Glen Urquhart, near Ochonochar's croft, still so named.)

A much earlier origin for the name is, however, claimed, since it is said that Conall, son of Comgall, King of Dalriada (sixth century) had seven sons, from one of whom Forbhasach was descended. And a number of bishops and abbots of the name of Forbhasach appear in the records of Ireland throughout this and the three following centuries, in various parts of the country.

There does not seem to be any place-name of Forbes in either Ireland or Scotland *at this early period*, which throws doubt on the theory that the family took its name from the lands.

In Scotland, Aberdeenshire was divided into two great Maories,¹ held by the Mormaers of Mar and of Buchan. Between the possessions of these "Lords of the hills" and "Lords of the valleys" were interposed the districts of Garioch and Strathbogie, which were in the hands of the Crown, and (according to one theory) "these have been held uninterruptedly by the Feribest or Forbes in right of descent." It is further stated that—

"O'chonochar, Alexander, held the Castle of Urquhart on Loch Ness against Edward I. 1302, and was buried under a stone there."

From another writer comes the statement—"The Forbes Clan came *back* to Scotland from Ireland in very early times. It is highly probable that the Scots Kings gave them lands in the North to keep the unruly Picts and Scots in order." (*Cameron*.)

The Scottish Peerage (edited by Sir James Balfour Paul) says "such traditions are only meet to be discussed in the pages of a family history," and favours the idea that Forbes' place preceded Forbes' name.

Wood's edition of Douglas' *Peerage* gave the weight of its authority to the statement that the earliest charter was granted in the reign of William the Lion by Alexander, Earl of Buchan, to Fergus, son of John de Forbes, 1236. The original charter, however (which is at Castle Forbes) shows it to be granted to Fergus de Foths, son of John de Foths, or Fiddes, and belongs to the family and lands of Fiddes, which latter Alexander Forbes acquired in 1436 (see pages 11 and 12).

These lands are in the parish of Foveran, and were sold after 1600.

An interesting early reference to the Forbes family, which must not be forgotten, is that contained in Ariosto's *Orlando Furioso*, Canto IV., where it is stated that—"When the mythical hero alights from his winged steed

¹ Or Mortuaths.

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on the banks of the Thames, he sees among the serried ranks of those Scots ready to go to the assistance of Charlemagne, a stalwart member of the Forbes clan, with a black and white banner,¹ which shows at least that the name was well known on the Continent at that date. (Ariosto flourished from 1474 to 1533.)

Passing from legend to fact; according to that excellent antiquarian, John Skene, Alexander III. made a grant of the lands and tenements of Forbes to Duncan Forbes in the year 1271-72 (*Skene's Antiquities*, IV. 372). This actual grant or charter is no longer extant (save in an early copy—see page 14, and illustration). It was, however, seen and handled by John Skene, who was clerk register in 1593,² his word being proof positive that it then existed; it was last seen and handled by the 14th Lord Forbes before he succeeded to the title and estates in 1716, for in writing to his French cousin in the year of his own death he mentions this fact, adding that his father had the misfortune to lose it; that he himself was not without hopes of finding it again, but had not done so. He describes it as a parchment of two or three fingers breadth. The wording of the charter, as given by Skene, is not decisive as to whether the man was called after the lands, or the lands after the man.

One school of antiquaries dismisses the question briefly by saying that at the period in question there were no surnames, but in the account of the family by Hector Boece, the name of Forbes appears as derived from an accidental circumstance of the slaying of a bear (as in the *Four Masters*). This early legend, and some others equally apocryphal, are given in a racy manner in an interesting old MS. in the possession of Lord Forbes (bound in leather as a book) and stated to have been brought down to the year 1527³ by the original author, and copied and enlarged by others. The handwriting is early eighteenth century, and it bears the signature and book-plate of James, 17th Lord Forbes, and the date, written by him, 1784; but from internal evidence, i.e. a reference to this "present Cardinal de Forboigne" (of the French branch of Forbes), this copy must have been written out more than forty years earlier, Cardinal Jacques de Forbin having died in 1741. The MS. is headed

"Memoirs of the House of Forbes

or

"A particular and exact Genealogie of that ancient and honourable surname, tracing the Pedegree and Lineal descent of the chiefs and respective Cadets of that family from its first rise and original, successively to the present times

¹ Appendix, page 17.

² He probably saw it at the time he was making an Inquisition into titles for his *De Verborum Significatione*. (*Voce liberum tenementum*.)

³ This date is placed at the end of the volume; the 6th Lord Forbes is the last mentioned; and the last event the slaying of Lennox, September 4th, 1526.

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Together

with a candid and unbyassed Account of the Lives and actions of the most famous and Illustrious Heros of that Name as are most remarkable in our annals

Embosoming withall

The marrow of our Scots affairs of any considerable moment since the dayes of

Bruce and Ballioll, with curious occurrences.

Methodically and succinctly digested

Sola Virtus Natalis Honor et Immortalitas."

Various extracts from this delightful volume will be given in following chapters of this work. Of the whole family it is said—

"This family of the Forbesses, since its first greatness for a long trail of time, may boldly enter into the lists and compare with those of the best quality in the Kingdom, specially in the more northern provinces thereof, And that either for its puissances and numerous Cadets, piety towards God, sincere and faithful Loyalty to the Crown and valour both at home and abroad, and Antiquity of pedegree and descent—This noble family has this peculiar to it, which is incident to all great houses of this nation, that all this surname, yea, all the Forbesses in Scotland or beyond seas are branches sprouting forth and Germinating from this only root."

The anonymous scribe of *this* copy announces in the beginning that

"the deserved respect which I owe to the present representatives of the noble house of Forbes and the Love I bear to some of the honourable relatives thereof, have obliged me to be at some paines so as to put in some better order and to enlarge a Manuscript of the Genealogie of the Honourable familie of fforbes, A work at first begun by that ancient and honest gentleman Master Matthew Lumsden of Tillieherne [*sic*] who brought it down to the year 1580, and since carryed on by the pains and industry of another very judicious and deserving Gentleman of the name of Forbes, the Laird of Leslie, to the year 1667. The Superstructure I have raised from this ground work, and Additions and Enlargements here made, being faithfully collected out of authentic records and our most creditable historians, such as Boethius, Major, Lesley, Buchanan, Spotswood, Drummond, etc."

The scribe himself was not a relative, being, as he says,

"wholly disinterested in the concerns of that family and so not under the least temptation to sway me to serve any end of my own by the present undertaking."

He is evidently anxious to justify the attitude of the Lord Forbes of 1715, since he was writing in a period when Jacobite enthusiasm was again becoming warm (as said above, probably about 1735 to 1740).¹

¹ The passage quoted in the present text (on page 7) was obviously written in 1697 by an earlier scribe, on the death of the 12th Lord (from the exact note of 425 years since the first charter).

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“ I know I have to do with a very criticall and censorious age, and it has been the ill-fate of this family of late to have its own umbrages and to goe under a very bad name in this world, so as to be generally branded by a set of violent and hot-headed people with the most base and odious imputations, as if it had always been monstrously disloyal, false and treacherous, so that I shall be presently condemned by some blustering and Intemperate spirits for the foulest Sycophant, in offering anything never so reall and demonstrative, for its vindication.¹ I have used all possible caution and circumspection to avoid all reflection or to write ought disadvantageously of other great families ; more especially I took great care to treat that other very noble family (which has oftentimes been emulous of this, and sometimes its bitter enemy), where we have occasion to discourse of it, with all possible respect. (*Obviously the Gordons !*)

“ As to the first beginning and original of ye sirname of Forbes tis hard to condescend upon the exact place and precise time of its primitive arise, neither do ye find anything in Mr. Lumsden or others who have laboured in this Theme and who have undertaken to trace things from their first source, satisfactory this way. The greatest evidences we have for its spring and originall are merely conjectural, as of many other great Families in Scotland.

“ If any credit were to be given to ye late Sir Thomas Urquhart of Cromartie his genealogie, we might commence the originall of the house of Forbes from the reign of Solvathius [*sic*], King of Scotland about ye yeir of Christ 775, above 900 years ago.² For he would have ye first founder of this family to have been ye second brother of one Ucompos and that his name was Phorbos Urquhart whose third brother was Hugh, of whom he would have the illustrious surnames of Forbes and McKay to have their beginning. A whimsy so naked and shallow, wtout the least colour or pretext from history, that *recitasse est refutare*. But altho we will not go so high as the time of Solvathius wt. it, yet 'tis somewhat probable (if the authority of Hector Boys, an historian of good erudition and no less judgement and candour, be of any weight ; followed herein by the English historian Holinshead) that the Urquharts are Cyons transplanted from the fruitfull stock of Forbes or also that they have succeeded to them in those lands about Urquhart and Cromarty. The strong castle of Alas, now Urquhart, having bene ye ancient and hereditary palace of ye Lords of Forbes which they

¹ In the course of the history given in the present book, it will be noted that the family of Forbes invariably took the most practical and least romantic side in politics.

(I.e. For young King James and the Regent Moray against the unfortunate Mary, Queen of Scots.

For the Covenant against Charles and Montrose.

For William and Mary against James II. and Dundee.

Finally for George I. against the old Chevalier and for George II. against Prince Charles Edward). That is, the *head* of the house and his immediate followers did so ; of the Cadet branches and younger sons, many were to be found supporting lost causes and leading forlorn hopes, as will be seen more particularly in the second part of this work devoted to these branches.

² This legend appears in another form when Salvathius or Salcathius Forbes married Moravilla, daughter of King Gregory or Grig, about 870, and begat all the Forbeses. (See page 1.)

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came to lose about the time King Edward Longshank, crushed wt. the disgrace of the ignominious Rout given to his Commanders at ye famous and memorable battel of Rosline fought 1302, invaded Scotland wt. a formidable army and intirely reduced the whole country and amongst other strongholds took the stately and magnificent Castle of Alas or Urquhart, of which consult the sd Boys at large in his book (fol. 308 last Ed^a.), where he gives this account.—That the Castle being taken, they put all to the sword except one woman big wt. child, who was lady to Alex. Boys Lord of the place, who fled in disguise to ye Isles and from thence to Ireland, where she was deliver of a son, who being come to manhood (Bruce having by this time expelled the English and peacably enjoying the Crown) returned to his native country and addressed King Robert to repon him to his paternall inheritance and to take into his Royall consideration his circumstances who hade lost his parents and was deprived of all his fortune for their firm and stedfast adherence to his cause and interest. The King having already bestowed his fortune as a reward to those who had done him good service in his wars, yet generously to compassionate the losses of this hopeful young gentleman ; gives him in compensatiōe of those other lands, Domaines in Marrshyre and invests him wt. ample priviledges and immunities to be decreed to his posterity whose surname, says he, was changed from Boys to Forbest,¹ having killed a Bear of a monstrous and huge bulk, that miserably infested those places, for which excellent and charitable offices done in the country he began afterwards to be surnamed—Hence the honourable family of Forbesses in Scotland took its beginning. Thus he, albeit he acknowledges else where in *Vita Mil-columbi III* (or Malcolm III) (as afterwards we are to mention,) the family to be much ancienter, tho not under the reduplication of the surname of Forbes.

“ Now tho we see noe reason to disbelieve the matter of fact it agreeing so weel wt the ancient tradition of this house (as is afterwards narrated) yet what he talks of their being first of the name of Boys, and casting their origin no higher than the Bruce days, seems to be spoken precariously and at Random ; it smells too rank of the pedant, the good man being fond (as it would appear) of so honourable a chief, thinking thus to derive honour to his oywys obscure surname. For this narrative of his is evidently contradicted by the old Evidents and Authentique records extant among the charters of the Lord Forbes, which were revised by that great lawyer and Antiquary Mr. John Skeen, his Matie’s advocat and afterwards Clerk Register, in the month of Sept. 1593 in which he found yt Alex. the 3rd K. of Scotland in ye 23rd year of his reign, which was the year of God 1272, gave and disponed to Duncan Ld. Forbes (so yt great man

¹ A still more naïve derivation of the name of Forbes is that the bear was killed by a young man in defence of his lady-love named Bess, and that the name became Forbess.

Even in the official “ account of the Peers of Scotland,” sent to Queen Elizabeth in 1577 (and now in the *Calendar of Scottish Papers*, Vol. V.) it is recorded :—

“ The Lord Forbois (Forbes) of the same surname.

“ At the beginning they were called Boys and for their good service got sundry lands in the Mearns, by the gift of King Robert Bruce. Afterwards for killing a bear they were called Forbes and got their arms, of whom this Lords (William VII. Lord, 1547-1593) descendants and many other gentlemen of that name.”

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does design his translation of that old latin Charter) ¹ Terras et Tenementum de Forbes et Kearn, together also wt another Charter wtout date, granted be Alex. Cummin, Earle of Buchan, to Fergus Lord Forbes son to John Lord Forbes, which seems to be yet some elder than the former. (This charter has since been discredited, see page 12.)

“ By all which it appears yt even then (upwards of 425 years agoe) this house was conspicuous and of good account and in the Rank of peerage, confederate and in allyance wt the potent family of the Cummins, who in those days swayed all at Court and was of greatest puissance for riches and multitude of Cadets of any in Scotland and perhaps of any other before or since.

“ To proceed therefore to the old tradition of their first originall in Scotland. Some will have ym to be of Irish extract and tell us yt they came from Ochoncar the great McDonald, Lord of the Isles who married one of the King of Ireland's daughters. This Lady being accompanied into Scotland wt a gallant retinue of Lords and Gentlemen of noble birth and parentage (bringing wt her no less than thirty of the flower of the prime nobility of Ireland, sons to the greatest peers of that kingdom who casting their affections upon Scottish ladies settled here, of whom descended severall illustrious families among others the Forbesses, and the Rosses of Kilravock.) Others pretend the Forbesses to be lineally descended of the great Ochonchar, yt so-much-renowned Lord in Ireland, for his notable achievements in war. This Ochonchar's son, who was also of ye same name, inspired with a sprightly fire, and desirous to gain honour, emulous of his father's glory and fame, came over to Scotland then infested with the Danes, proferring his service to the King who for his singular courage and dexterity in the discipline of war, gave him the Castle of Alas (afterwards called Urquhart) to keep, together wt the circumjacent vicarage. Afterwards the sd Ochonchar going to Battell wt the King, fechtng valiantly was killed, leaving behind him his lady big wt child who to avoid the fury of those insulting and merciless Barbarians who then overanne these northern provinces, took her flight into Ireland, qr she was kindly received by her noble lord's relations and there was brought to bed of a son, called after his father and Grandfather Ochonchar ye 2nd in Scotland. This Ochonchar, being now come to mans age, hasted back to Scotland and arriving at Court makes suit for his father's inheritance; the King received him graciously and told him he would have most willingly yielded to his desire were not that he had previously disponed their lands to the Church and others of his servants, which gift he could not in honour now revock, but in lieu of them he conferred upon him the lands of Logie upon the bank of the river Done, which in the Lord Forbes ancient evidents, are thus bounded between Essack, Massach, Bogie and Done. (See page 2.)

“ 'Tis storied of this Ochonchar, Knight of Logie how yt he killed a huge Bear and for ys was honoured by the King wt Knighthood and given him to his arms (which the Lords of Forbes bear to this day)—Az. three bears heads cooped Ar. muzzled Gules Their motto being *Grace me Guid*, and from thence was surnamed Ochonchar Forbear or Forbass and by contraction Forbes.

¹ Though of course Duncan was not *Lord Forbes*, only Dominus of the estate—i.e. Laird. For this charter see page 14.

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“This tradition, differing nothing in the great lines from the former relation we have given out of Boys history, their discrepancy being only in circumstance of name and time, appears the less fabulous and may be admitted *cum grano salis*. Especially wher its considered that there are yet extant ancient monuments (passing all memory except Tradition and nothing like counterfeit) in yt place, to attest the same. I mean a bear roughly cut in flinty stone, and unpolished, the figure yet clearly discernable tho much worn out by time,¹ and a well, called the Nine Maidens well, all whom the Bear slew at one time, besides *another* stone, hard by, which retains the marks of his fearful tusks² and a town and mountain conterminous now belonging to the Earle of Mar, called Archonchar³ qh seems to be denominated in memory of yt famous man, the variation being very small in a matter of so great antiquity, especially when names are so apt to be corrupted by time.

“This Ochonchar had three sons, who were called ‘the sons of him who slew the Bear,’ the oldest called Ochonchar the 3rd, they attribut to him the building of the Castle of Drumminor and that he dwelt yr still. The 2nd son went back to a part of his grandfather’s ancient Demeasings and yr gott footing and was called Urquhart, changing the name of ye Castle; of whom is descended the Laird of Cromarty, and the honourable sirname of Urquhart, who for a long series of yeirs enjoyed there a splendid and noble fortune and by hereditary right from their ancestors administered justice as Sherifs to the Sherifdom; who to transmitt to posterity the knowledge of the stock from whence they sprung and how they descended of him that killed the Bear, they caused to erect a Monument at the Castle of Urquhart parallel to that which is lying at Logie, which (*as we are told*) is yet extant. The coarseness of the work being sutable enough to those ruder times, takes away all suspicion of forgery.

“The 3rd son of Ochonchar called Walter, went to Caithness and repaired to the Bishop thereof—who being a handsome weel-accomplisht Gentleman, the Bp’s daughter (or his neice rather) became enamoured of him, whom he begat wt. child, then finding herself pregnant and fearing her father’s severity, they both fled to Strathnaver where they possessed themselves of the lands of Dormees, then belonging to the Bishop.

“The news of this coming to the Bishop’s ears and he highly resenting the affront, raised a number of his vassals and dependants, went to Strathnaver and repossessed himself of the sd lands. Walter and the Bishop’s daughter flying from the punishment they feared from the angry old man, left their little son behind them. The pretty babe being brought to the Bp. and being informed that he was his grandchild, the good old man compassionating the child’s misfortune,

¹ This very bear’s head or one equally old, is now at Castle Forbes. There is an immense amount of learned literature on the subject of bears’ heads on coats of arms, connected also with holy wells and nine maidens, but as it is not peculiar to the Forbes family, the writers of the present work on Forbes genealogy and history have thought it better not to enlarge upon it at all.

According to Bishop Forbes, the story of the nine maidens was located in the *Parish* of Forbes, and it has been held that the original chapel of this extinct parish was dedicated in their honour. Henderson’s *Epitaphs and Inscriptions*, p. 183.

² Still to be seen *in situ*.

³ Arduncart.

caused immediately a Court to be fenced in the Boy's name, who was called John Forbes, of whom is descended the illustrious family of McKay who is now called Lord Rae. This sd Lord Rae his old evidents do yet testify, and yt there first right to the Daach of Dormees does originally flow from the Court act holden by the Bp. in the Child's name, called John Forbes.

"This deduction of the originall of the house of McKay, the first Lord Rae, made be credible gentlemen of the name of Forbes, besides that there remain several letters to this purpose to the Lord Forbes, written by the Gentlemen of the sirname, acknowledging him for their chief,¹ which letters are in custody and can be produced, their subscription being McKay *alias Forbes*, not to speak of their bearing the Forbes arms. Thus we have given a compendious abstract as make this family of *Irish pedigree*, the truth of which I cannot otherways warrand than that this relation has been conveyed from father to son in successive generations from the days of Yore.

"For my own part, I incline most to be swayed be the reports of those who think this family to have come first from France, there being, at this very day, no less than four-score families in yt Kingdom (as we are told by those who have been long conversant in those pairts) who carry the Forbes arms.² Tis true we cannot positively condescend upon the precise time or yeir of God when this (might have) happened altho' I think it highly presumable to state yr arrival into Scotland at the beginning (or a little after) the reign of King Malcolm Kanmore in the yeir of God 1062 according to Buchanan from whence our historians do derive the beginning of the most of the sirnames of the great and flourishing familys that are at this day in Scotland.

"This great prince wt the assistance of McDuff, Earle of Fyfe and such assistance as he got from Edward K. of England under the command of Suivard E. of Northumberland, Malcome's grandfather on ye Mother's side, having recovered the kingdom from the insupportable tyrrany of the usurper Mcbeth, whom he defeat at Dunsinnan, being accompanied by many of the English gentry to Lundeers (Lindores), for the eminent and faithfull services done him in yt war, he nobly rewarded them wt large possessions of lands and heritages in Scotland. Amongst them, Gordon, Seaton, Locart, Calder, Lauder, Irvine, Maldrum, Schaw, Lormont, Strachan, Dundas, Cockburn, Inglis, Cargil, Mar, Menzies, Abercromby, were ye chief and principal men and laid ye foundations of those great families yt retain those sirnames to this day.

"Some yeirs after this, great revolutions happening in England by the death of Edward, Edgar Atheling the righteous heir of the crown, fearing the cruelty of the insulting and too successful Conqueror, resolved to return to Hungary wt. his mother Agatha, daughter to Solomon, King of that realm and his two sisters Margaret and Christian, but being by tempest driven upon the coast of Scotland, was courteously received and royally entertained by King Malcolme, who married his sister Margaret anno 1067.³ The Conquerour fearing trouble, banishes all the friends and favourites of Edgar out of England, a great number of which hasting

¹ See chapter, William, 14th Lord Forbes, p. 246.

² This French origin of the Forbes family receives *no* support from either real history or local tradition, see page 246 (14th Lord Forbes, chapter xiv).

³ Actually 1068-69.

to Scotland were kindly entertained by King Malcome who bestowed upon them estates and fortunes suitable to their rank and quality, and settled there ; whose posterities have since propogated into many rich and opulent families such as those of the sirnames of Sandilands, Lindsay, Ramsay, Preston, Bissat, Fowlis, Wardlaw, Maxwell and others of good quality such as ye Drummonds.

" There came also wt. Agatha from Hungary many of good extract their, who taking up their residence in Scotland first founded there families of the sirnames of Creichton, Fotheringhame, Kier, Leslie, Maule, Borthwick, etc.

" About the same time many of the illustrious and noble families of France, hearing of the princely virtues of Malcolme and taken wt. the fame of his magnificence and court and generous hospitality to strangers, came over to Scotland who being honourably welcomed by him gave a beginning to the grandeur the families some of them afterwards arrived at, of which numbers are those of the sirnames of Santelands, Montgomery, Campbell, Forbes, Boys, Beaton, Bothwell, Fraser, Menteith and others.

" This account we have from the concurrent testimonies of those two authentic historians, Hector Boethious (in *vita Milcolombi*) ¹ and Lesly, Bishop of Ross.

" It was this K. Malcome who (in a parliament holden at Forfar in Angus, anno 1057, as Major and Buchanan hath it, but according to Boethious and Lesly 1061) did abrogate those old and barbarous titles of Thane and Abthain, by which the nobility were distinguished and in lieu yrof introduced those of Earle, Baron (vulgo, my Lord) and Knight in imitation of England (where he had lived so long)—and ye other civilised nations of Europe, and ordaind yt Nobleman's titles should be differenced by their mannour, places and lands and thus gave a new face to affairs and made his court more splendid than in former times.

" He likeways by ane express law ordered the sirnames of respective families to be more heedfully regarded, to avoid the barbarous confusion of patronymicall designations which to these present times is tenaciously retained in all the highlands of Scotland among the old inhabitants, using this particle mark before the fathers name as ye Welch doe their Ap and ye old Saxon's yr Fitz.

" Much about the same time it was yt names of offices of Trust, yt were become hereditary to families, turned into sirnames, as yt of Steward, Doorward, Bennerman and others. And the proper names of those excellent personages who by some worthy exploit first enobled yr families were converted into a sirname by which all descended from them came to be designed as Hay, Keith, Graham, etc. or otherwayes from some great event had ane agnomen given them as Piercy in England, Scrimger and Turnbull, but this last happened not till the reign of K. Robert Bruce, by which means it came to pass that at this time and afterwards those new sirnames obliterated and wore out the memory of the old.

" This I thought good to mention in this place and have stood the longer upon it (tho it look something like a digression ²) because it gives us ground to believe yt this present family of Forbes, the rise and origin of which we have been endeavouring all along to trace, might have in former ages gone under *another denomination* (which the old Saxon times have now worn out) yn the present sirnames of Forbes and so Boyes, in ye relation he makes of it, the more excusable.

¹ Malcolm III.

² It does indeed, but is, in itself, most interesting.

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After this somewhat verbose introduction, there follows the history of the family of Forbes down to the 6th Lord, interspersed with frequent dissertations on the history of Scotland. At the end is—

“The old evidents of Lord Forbes were revised by Mr. John Skene, his Majestie's Clerk Register, in the month of September 1593, in which he said That Alexander III king of Scotland in the 23rd year of his reigne which is the year of God 1272, ‘gave and disponed to Duncan, Lord Forbes (Dominus de Forbes—the Laird) terras et tenementum de Forbes and the writer hereof did see a charter given without date by Alexander Earle of Buchan to Fergus, Lord Forbes,¹ and long after, King David confirmed to John, Lord Forbes a charter of ye lands of Edinbanchorie and Craiglogie, all of which charters doe preceed the first mention that Mr. Matthew Lumsden does make in his genealogie. Likewise it is clearlie at present to be made out by my Lord Forbes his evidents that from the year 1271 till Floudoune in the year 1513, the Lord Forbes had the whole guiding of his Maj. his affairs, both properties and casualties betwixt the Cairne of Mounte and the Bush of Caithness, as the several sealls, signets etc. of the severall Kings and Queens do declare, which are yet extant.

“‘Likeways they were Sheriffs of Aberdeen and Baillies to the Earle of Mar, to the Bishops of Sanct Andrews, Brechin, Aberdeen and Moray,² to the Abotts of Lindores, Aberbrothick; likewise they were heritable Colonells³ of the Shire of Aberdeen and defenders of the privileges and waters of the Dee and Don, as their evidents testifye, so that it seems they have been verie great.’”

There is then added to this MS., in a later hand—

“Ane extract of what concerns the familie and name of Forbes from the Lord Carre his memoirs of the Families and Surnames of Scotland.

“‘Forbes beareth az. three Bears heads, arg. musled. Hector Boys alledgeth the first of this name to have been Boys and in the Bruce's days to have got a piece of land for his old land, which was therefore called Forbois. The name is elder. For I am credibly informed that in the year 1272 Alex. 3 disponed to Duncan Forbes, terras et tenementa de Forbes and that Alex. Earle of Buchan gave to Fergus de Forbes (*Fiddes as before*) the lands and tenements de Forbes (Fiddes) and the Charter is without date. And King David II (Reg. 25) confirms ane Charter be the Earle of Mar to Joanni Forbes, Domino ejusdem of the Lands of Edinbanchory and Craig Logie.

“‘Gul. de Lindsay, Dominus de Rossey gives a charter of the Lands of Alford to Alex. Forbes Domino ejusdem 1423.

“‘An indenture betwixt Alex. Forbes of that Ilk and John Futhers 1423. (Fothos or Fiddes).⁴

¹ See page 2.

² See page 14, also Appendix to next chapter.

³ See the 3rd and 7th Lords.

⁴ This was probably the prelude to the purchase of the Fiddes lands by Forbes in 1436.

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“ ‘ Ane charter be Alex. Bishop of Murray to Joanni Forbes, Domino ejusdem of the Lands of Finnersie 1378.¹

“ ‘ Ane disposition be William Chalmers to ane Noble man Sir Al. Forbes of that ilk of the ward of the Air of Adam Ballormie 1419.² This Alexander was Sheriff Deput under Alex. Earle of Crawford. And the King by a precept direct to the Lords of the Exchequer remits to his Cousin Alex. Lord Forbes the rest of his last accompt. 1437.’ ”³

Although much of what is given in this amusing manuscript is pure legend, there may very probably be quite a good foundation for the Ochoncar story, and the first man to settle on the Forbes lands, whether he came from Ireland or not, may have killed a bear, which had previously made that particular district uninhabitable. In the nature of things, there would be no written record of such a first settling on the lands. The original Ochoncar, or Forbes, whichever he ought to be called, would have the same right as that which was claimed by early Halyburtons and Setons that he was “ the first man to kindle fire and boil water *on that soil*.” There were no rival claimants at the time, and the land would be held for many generations (before the rise of the feudal system) allodially or “ from God,” and the first charter from any king or Mormaer (one of the provincial sub-kings of Scotland), would be in confirmation of such immemorial rights.⁴ This theory receives confirmation from the fact that at the forced sale of the whole Forbes estates in 1770 a great point was made by the then holder of the title of buying back “ the Duchus lands,” that is, the original holding of the family, which word traditionally implies some such tenure as that outlined above.

The first accounts would thus, as Dr. Stuart says, point to a very much older position of the family in the district than 1271-72, the date of the first authentic known charter.

To recapitulate the true position as to the historic beginning of the Forbes records—

It has often been said, and printed in many older books of reference, that the first mention of the family of Forbes is in a charter of the period of King William the Lion by which Alexander, Earl of Buchan, grants to Fergus, son of John of Forbes, the lands and tenements of Forbes. It has, however, now been shown that this charter refers, not to John de Forbes, but to John de Foths or Fiddes, and is an old writ which came to Alexander, first Lord Forbes, when he bought the estate of Fiddes, in Foveran, in 1436.⁵ *The first charter in the name of Forbes* to be known is that received in the twenty-third year of the reign of King Alexander III., in 1271-72, by Duncan de Forbes, and quoted by Skene; which charter was in existence in the hands of the family as late as 1730, and now exists in the Forbes charter

¹ See page 14.

² No. 4 in Registrum.

³ No. 15.

⁴ The present writers are indebted for this suggestion to Mr. Thomas Innes of Learney, Albany Herald.

⁵ Page 136.

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chest in a quite legible, if somewhat tattered copy, in a sixteenth-century handwriting, presumed to be the one made for John, 8th Lord Forbes, and produced by him in 1593. (See page 129.) (It is reproduced facing page 36.)

It has seemed better to give all the apocryphal legends together, and having dismissed them, to begin afresh with the historical "Duncan de Forbeys," who had the charter from Alexander the 3rd in 1271-72. Unfortunately, nothing whatever is known about this interesting individual except his name. It is to be presumed that he was a Scottish patriot, since the man believed to be his son and heir, *John de Forbes*, is found as an active partisan of Robert Bruce, in consequence of which his lands were forfeited by decree of the invading King Edward I. of England, and claims were made by two of Edward's followers to take possession of them, after the siege and sack of Castle Urquhart in 1305. The claimants were Robert Chival and William Comyn, but the document in Palgrave's *Illustrative Documents*, does not state which, if either, was successful in his demand. Robertson's *Annals* gives the application, dated at Lanercost, October 13th, 1306. (See page 17 for full text.)

The son of this John *may* have been named Christian, for it has been suggested that one "Christian de Forbes" received from Robert Bruce a grant of "the third part" of lands in Skeith and Ardach, March 27th, 1326. This grant is mentioned in Vol. III. of Robertson's *Annals*, and a charter *in those terms* is at Castle Forbes.

It must, however, be noticed that the patronymic after the Cristino, is almost *completely illegible*, as will be seen from the accompanying illustration. It was the opinion of Mr. Cosmo Innes (who relegated this charter to his appendix, along with the now discredited one to John de Foths) that "whatever the name is, it cannot be Forbes," and the majority of authorities consulted by the present writers point out that after the certain particle *de* or *del* there is only room for three letters, of which the last is "d," and that none of these could be an "f," as nothing comes below the line. They agree that most probably the name is de Ard or del Ard, as in the *Reg. Mag. Sig. of Scot.* and in Robertson's *Missing Charters* there is one to Cristino de Aird, de Ard, or de Ord of *exactly* the same lands mentioned in this charter.¹ See further discussions of this point in the Appendix (pages 17-19), where the full text of the charter is given.

At the Battle of Dupplin in 1332 the Forbeses followed Mar, their Mormaer or Lord, within whose principality the "duchus" lands of Forbes lay. The Forbeses are sometimes said (but, of course, untruly), by the death

¹ This in fact may be the "missing charter" in the "Index drawn up about the year 1629 of many records of charters granted by the different Sovereigns of Scotland most of which charters have long been missing. This index is published at the desire of the Lord Clerk Register with a view to lead to their discovery," 1797.

of the head of the family (Christian or another) in the battle, to have been reduced again to a single member, who grew up to be the John de Forbes, of Forbes, whose son was the Laird of Druminnor, Kynaldie, and many other estates, the famous "Sir John of the Black Lip," Knight of Forbes; actually, there were numerous Forbes alive at that date. (See Appendix, page 20.)

In 1359 John de Forbes (father of him of the Black Lip), *dominus ejusdem*, was witness to two charters granted by Thomas, Earl of Mar—*Antiq. Aber. and Banff*, IV. 716, 717, and had received Charters of various lands, both from King Robert and King David Bruce.

In 1364 David II. confirms to John de Forbes, Lord of that Ilk, the lands of Edinbanchory and Craiglogy, granted by Thomas, Earl of Mar to John.¹ In 1374 John Forbes, then Sheriff of Aberdeenshire, makes account in the Exchequer for Sir Alex. Fraser of Philorth. (*Exchequer Rolls*, II. 426.)

In the year 1375 John Forbes was a Procurator for the Bishop of Moray, and in 1378 had a charter of the lands of Findrassie from the bishop to himself and Margaret his wife. (*Reg. Epis. Moray*) (*Ant.* IV. 374.)

In 1380 he was witness to a charter of Andrew Leslie of Kinbroom and Badechase in Rothienorman. This John Forbes died before August 20th, 1387, and the *Reg. Epis.* of Aberdeen alludes to him as "a gude man, mychty and manly."² He was *not*, apparently, a knight, since as John Forbes, he is mentioned in many charters and public documents. In his time also was known "the charter" quoted above, a copy of which forms the *first* item in the *Registrum de Forbes*, viz. the charter of 1271-72, seen by Sir John Skene in 1593 at the time of the succession of John, 8th Lord Forbes, *who produced it as follows*—

"John, Lord forbes (the 8th) for verification of ye ancientie of his house, produceis ane charter granted be King Alexander to Duncan of Forbes his predecessor of all and haill ye landis of forbes and Kern To be haldin immediatelic of ye said King Alexander and his successors. In ane frie baronie cum socco et sacca, furca et fossa, etc. The quilk charter is daited the XXIII year of the said King

¹ See next page.

² The Laird who was killed at Urquhart is sometimes called Alexander, and Peter de Forbes, founder of the Forbin family in France, who was married in Marseilles 1323 (see page 465) is then supposed to have been another son, besides the posthumous one—but it seems more probable that Peter was of the same generation as John and that Alexander his father was a brother of Duncan who had the earliest known charter of the lands of Forbes.

A mythical John, who had an estate on the Banks of the Don and called it Forbes about 1236, may be dismissed from serious consideration, but there is every probability that Duncan of 1272 was descended from a line of Celtic chiefs (one of whom was Ochoncar) who had held the land "allodially" for many generations.

See page 20 for family tree.

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Alex. his Rigne, qlk was in ye yeir of god 1272." (*Forbes Charter Chest, 16th Cent. Document.*)¹ (See illustration.)

A second charter produced in copy follows—

"And for verificatione that the said Lord Forbes and his prediceffors has been Lordis since ye dayis of Thomas erle of Mar, the said Lord produceis ane chartor grantid be ye said Erle to umquhil Johne Lord Forbes² of all and hail ye landis of Edinbanchrie and Craiglogy as ye same confermit be King David will testifie—Quilk chartor, albeit ye same want ane daite, behuifit to have been grantid befor ye deathe of ye said Thomas Earle of Mar, quhilk was in ye yeir of god 1300 and gif any will cleame to any prerogative befor him (i.e. John, 8th Lord) in parliament, be reasone of gryter antiquitie, desires that he may be haird to object aganis ye evidentis productit be zame and gif neid beis protestes that he may produce uther wreittis and evidentis as he has reasoun." (*Ibid.*)

The fifth known owner of the Forbes lands was

Sir John of the Black Lip.

He is first mentioned August 20th, 1387, in the dispute between himself and the Bishop of Aberdeen over the lands of Knockespock (see Appendix),³ when his father, John, is mentioned as "deceased," and the *status quo* is to be maintained. Sir John's wife was Elizabeth or Margaret Kennedy of Dunure, and his sons were

Sir Alexander.

Sir William of Kynaldy.

Sir John of Tolquhon.

Alistair Cam of Brux.⁴

¹ These charters were produced as a proof before Parliament in 1593, and again, curiously enough, in 1750 by James, then 15th (16th) Lord, who had succeeded his young nephew, the 14th, who had made up no title, and James was anxious to establish his rights to hold the estate and the title. The paper in which these two extracts are enclosed notes the date of the second production (1750).

² The John Lord Forbes of the 2nd charter was not a Lord, but Laird of Forbes, great-grandfather of John of the Black Lip. He died in 1304-05.

³ Page 21.

⁴ Though Mr. Cosmo Innes suggested the possibility that one at least of these supposed sons was really brother of Sir John of the Black Lip. In particular, Alistair Cam, whose name is of course synonymous with that of Alexander, the eldest son of Sir John, and points out that Nisbet in his Heraldry only mentions three sons of Sir John Forbes, viz. Alexander, William and John, and also that in the two Indentures from the Mar charter chest, Alexander, the future Lord Forbes, exhibits a warm interest for his brother William, ancestor of Lord Pitsligo, without mentioning any other brother.

The probability of Sir John of the Black Lip having had an uncle and cousins or nephews of the same name is also indicated by his cognomen, which would have been unnecessary had his father, the posthumous son of the man slain at Dupplin and he himself both been *only* sons and so themselves represented the entire family which otherwise "perished at Urquhart Castle in 1305."

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In 1394 Sir John was appointed Justiciary and Coroner of Aberdeenshire.

On November 8th, 1402, Sir John, and his son, Alexander of Forbes, had a charter granted by Isabel Douglas, Lady of Mar, of Edinbanchory and Craiglogy.

On January 2nd, 1404-05, he paid to Alex. Stewart, Earl of Mar, 40 merks of issue of court held by the Duke of Albany; he was a frequent witness of charters up to May, 1406, and died before November of that year.¹

A further note about young John Forbes, father of the Sir John of the Black Lip, comes from the MS. history already quoted.

King David II., after his return from France in 1342, asked to see all those whose parents had been slain at Dupplin.

“ Among others, being informed of the Forwardness of the young Forbes of Drumminor, being then but a youth about 10 or 12 years of age ² and how his parents and whole family lost their lives in his quarrell at Duplin—Comiserating the noblemans circumstances, sends for him to Court and being much taken with his sprightly and handsome personage in so green an age, conceives great hopes of his future services, And invests him with the honour of Knighthood, in old tymes an institution of the greatest dignity given for dessert and honourable Achievements in Arms, and was a badge of honour and valour and only given to Military men, neither was it so common or ordinary as now it is, nor so prostitute to riches or favour which makes it so vilified and disesteemed in this age.” ³

The son of Sir John of the Black Lip was Sir Alexander, the first Lord Forbes, who, according to Andrew de Wyntoun, was one of four knights who accompanied the Earl of Mar to England to joust with English knights.

With this Sir Alexander we are on historic ground, and the actual account of the family may properly be said to begin with him. (See next chapter.)

¹ All these are quoted in the Scots Peerage—The charter of 1402 appears in William Robertson's *Index of Missing Charters*. It was granted “in blench for 1d. sterling at Killdromys” *si petatur tantum*.

² If he was born *after* the battle of Dupplin he must have been nine.

³ Note to a paper in the Charter chest: “It was a very honourable military title to be made a *knicht*. Sometimes the King's sons and the greatest men in the Realm were created Knights and that with great pomp and splendor. The Knights had certain rank and office in the army and that honour was conferred on them on account of some remarkable military exploit, whereas the Lords were called up to Parliament or to the Privy Council in order to give the King Council or advice in important affairs.”

Robertus Dei gra Rex Saccorum. Quibus probis hominibus tunc tunc sine Saluam Saccas pro Dedissa. Concessisse et hanc p[ro]p[ri]am
 Carta sua confirmasse. Cystino et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino.
 p[ro]p[ri]am Danace. de Steech in p[ar]te in Maronia. de Duffesorde. Tenendi et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino.
 nobis. et h[ab]ens eadem Cystino. in feodo et h[ab]ens eadem Cystino. p[ro] omnes. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino.
 cum omnibus. Libertatibus. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino.
 ino. Saccas Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino.
 Sigillum in p[re]cipuis appon. Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino.
 h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino. et h[ab]ens eadem Cystino.
 Scotie antibus. apud Sconny. Quasmo Septimo die Mensis marci Anno Regni nostri Viceimo.



CHARTER TO CHRISTIAN DEL ARD, 1325-26 (at Castle Forbes).
 (See pages 17-19.)

APPENDIX FOR PRELIMINARY CHAPTER.

P. 3. ARIOSTO'S *Orlando Furioso*.

Canto. 10. V. 87.

“ Signoreggia Forbesse il forte Armanno
 Che di bianchi e di nero ha la bandiera
 Ed ha il conti d'Erelia ¹ a destro mano
 Che porta in campo verde una lumiere.

Non da soccorso a Carlo solamente
 La terra inglese e la Scozia e l'Irlanda
 Ma vien di Svezia e di Norvegia gente.”

(Ruggiero on his winged steed landed one day on the Thames beside London, where he found a great array of knights, 30,000 Scots, commanded by the king's son. The banner of Scotland, the mighty lion with two unicorns for its supporters.) . . . “ The brave Armanno was the leader of the Forbeses, whose banner is white and black, and on his right hand was the earl of Erroll, who bore a star on a green field. Nor did England Scotland and Ireland alone give help to Charles, but men from Sweden and Norway came also.”

P. 13. “ Les demandes qi furent faites au Roi d'Engleterre des Terres en Escocce en l'an de son regne XXXIII (A.D. 1306).

“ Item le XIII jour d'Octobre a Lanercost Robert Chival ad demande les terres de Johan de Forbes et Morreve de Drinnygarde (Drumynor) ca le roi comande qu'il espiat terres qi feussent pour lui.

“ Item. William Comyn, frère Monsieur Johan Comyn ad demande les terres qi furent a Johan de Forbes.” (From Sir F. Palgrave's *Documents and Records Illustrating the History of Scotland*, Vol. I., pages 312-414.)

Another item from the same volume and date is of great interest as bearing on the next Appendix—Palgrave's *Demands to King Edward I.*, page 314 :—

“ Item. Cristyn del Arde, compaignon Hugh de Ross ad demande les terres Mon. Lourenz de Strabolgy,” etc.

P. 13. 27 MAR. 1325-26. CHARTER TO CHRISTIAN DE —, AS GIVEN IN REGISTRUM, OF WHICH IT IS NO. 3.

“ Carta per Robertam I. Regem concessa Cristino — militi, pro homagio et servitio suo, de tertia parte davatæ de Ardach et tertia parte davatæ de Skeith in baronia de Deskeforde. Faciendo Scoticanum servitium inde debitum et consuetum. Testibus Bernardo Abbate de Abirbřō Cancellario nostro, Thoma Rān comite Moravie Dñō vallis Anandiz et Manniz nepote nostro, Hugone

¹ Lord Erroll.

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Comite de Ros. Waltero Senescallo Scotiæ, Jacobo Domino de Duglas et Alexandro fraser, Camerario nostro Scotiæ, militibus apud Sconam, vicesimo septimo die mensis Martii Anno Regni nostri vicesimo."

Cosmo Innes, who quotes the charter in the above form, notes that in Crawford's *Officers of State*, the author states that he has seen a charter, granted to "Cristino de Forbes, militi," granting to him "tertiam partem davatæ de Ardath et tertiam partem davatæ de Skeeth in baronia de Deskford," dated March 27th, twentieth year of the reign of the granter, Robert I., 1325, which would seem to be identical in wording and date with the above.

The actual passage is as follows:—

In the section "Lives and Characters of the Lords Great Chamberlains of Scotland," in George Crawford's *Lives of the Officers of the Crown, 1726*, Vol. I., page 275, under Sir Alexander Fraser, Lord of Cowie, is noted that "in the Chartulary of the Abbacy of Cambuskenneth in the *Lawier's Library*, there are many charters I have seen, granted by King Robert I in which Sir Alexander Fraser is stiled Chamberlain of Scotland, particularly in a grant by that monarch to 'Cristino de Forbes, Militi, tertiam partem davatæ de Ardath et tertiam partem davatæ de Skeeth in baronia de Deskford etc, Testibus Bernardo Abbate de Arbroath, Cancellario nostro Thomas Ranulphi, Comite Moraviæ, Domino Vallis Anandiæ et Manniæ nepoti nostro, Hugone Comite de Ross Waltero Senescallo Scotiæ Jacobo Domine de Douglas. Alexandro Fraser, Camerario nostro Scotiæ.' 27 March, anno regno nostro 20."

This charter no longer exists in the Advocates' Library (now National Library of Scotland), and what George Crawford saw *may* have been, and almost certainly was, the charter now at Castle Forbes (see above) as the wording is so exactly similar, *witnesses and all*.

Mr. Innes, in his investigation into the early history of the family, when preparing the *Registrum*, in spite of the above quotation, entirely ignored even the possibility of a Christian de Forbes among the ancestors.

In his Tree he gives Duncan de Forbes (charter 1271-72), with two *conjectural (nameless) generations* between him and the well-known John Forbes, the father of Sir John of the Black Lip. The first of these two (whatever his name) must have been the Forbes who defended Castle Urquhart, 1305, and the latter the one killed at Dupplin, 1332.

Colonel Allardyce, in his article in the *Scots Peerage*, quotes the above charter as if it were certainly to Cristino de Forbes,¹ which is not in accordance with fact. There is in any case only *one* charter extant, and if that is in favour of Cristino de Ard or del Ard,² who was actually present at the siege

¹ And others have quoted *him* as an authority!

² As is certainly more than probable, from what can now be deciphered—though some authorities may possibly still differ as to the name to be read under the stain on the charter! The presence of the charter among the writs at Castle Forbes is, of course, unexplained, but there are other documents in the collection dealing with properties in

of Castle Urquhart in 1305 (see the *Rotuli Scotorum* quoted by Allardyce), and had a son killed in 1332-33, Christian de Forbes is probably another mythical hero, like the Armano of page 17, and the baptismal names of the two generations succeeding Duncan were something more prosaic, most probably John.

In earlier and less critical days this charter was printed, in a somewhat mutilated form (some of the words having been, no doubt, found illegible), in the *Antiquities of Aberdeen and Banff*, Vol. IV, p. 760, when the transcriber boldly interpolated the name *Forbes*, and this was accepted by Colonel Allardyce in writing his article in the *Scots Peerage—without further investigation*.¹ The publication of the *Antiquities* was, of course, prior to the examination of the Forbes papers by Mr. Cosmo Innes, and his verdict that, "whatever the name may be, it cannot be Forbes." The present editors have taken the opinion of the authorities of the Record offices in London and Edinburgh, of the British Museum, the Librarian of the House of Lords, the Keeper of the Muniments of Westminster, and the Keeper of MSS. of the Bodleian, all of whom, after minute examination of the charter, agree with the above verdict, that it is *not* in favour of any one of the name of Forbes, but probably, and almost certainly, in favour of *del Ard*.

Mr. Cosmo Innes' transcript was also greatly abbreviated. The full text is here given, and may be compared with the photograph of the charter opposite :

CHARTER.

" Robertus Dei gracia Rex Scottorum omnibus probis hominibus tocius terre sue salutem. Sciatis nos dedisse concessisse et hac presenti carta nostra confirmasse Cristino de ——— militi dilecto nostro pro homagio et servicio suo terciam partem davate de Ardath' et terciam partem davate de Skeeth' cum pertinenciis in baronia de Deskeforde. Tenendas et Habendas eidem Cristino et heredibus suis de nobis et heredibus nostris in feodo et hereditate per omnes rectus metas et divisas suas libera quieta plenarie et honorificæ cum omni modis liberatibus comodentibus aisiamentis et justis pertinenciis suis in omnibus et per omnia ffaciendo inde nobis et heredibus nostris dictus Cristinus et heredessuis Scoticanum servicium inde debitum et consuetum. In cujus sei testimonium presenti carte

other names, afterwards belonging to or assigned to various Forbeses. The estate of Ardach and Skeith changed hands frequently. One John Dun or Dunne had a charter of the former under the Great Seal before the end of the reign of Robert I. ; it is situated in Banffshire, and is very small and unimportant. The name of Christinus de Ard also occurs in a charter of teind sheaves granted to him by the Abbot of Abirbrothoc in 1329. (*Registrum Nigrum*, printed by the Bannatyne Club, 1856.)

¹ *Burke's Peerage* is more cautious, and merely says " Sir Christian de Forbes is said to be named in a charter of 27 March 1326." There is no authentic evidence that there ever was such a person as Christian de Forbes—whereas Cristino de Ard occurs in the Register of the Great Seal and elsewhere as holding exactly these lands from the king at this date.

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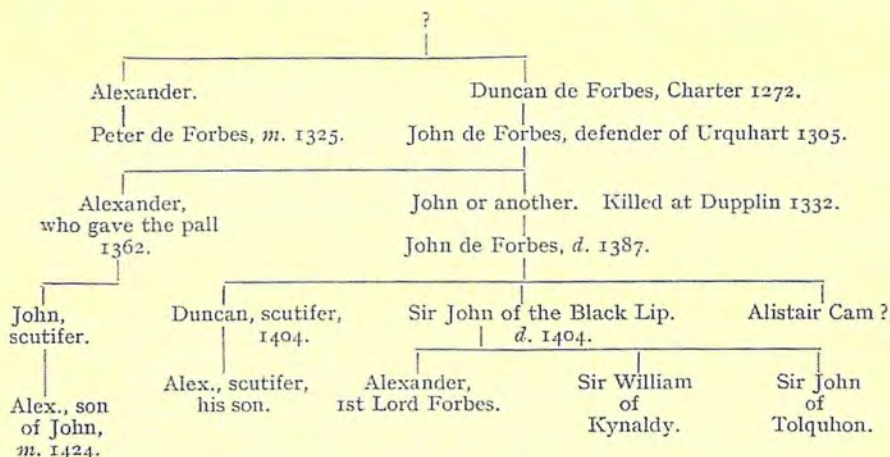
nostre sigillum nostrum precepimus apponi. Testibus Bernardo abbate de Abirbroth cancellario nostro Thoma Ran. comite Moravie Domino Vallis Anandie et Mannie nepote nostro Hugone comite de Ross Waltero Senescallo Scotiae militibus Apud Sconam vicesimo septimo die mensis Martij Anno regni nostri vicesimo."

In the Register of the Great Seal, 1404, appears Duncan de Forbes, scutifer, and Alexander Forbes, his son. This must presumably have been a brother of Sir John Forbes of the Black Lip, who does not share with two earlier ancestors the distinction of having been the only and posthumous son of his father.

In 1424 there is Alexander de Forbes, scutifer, son of Johannes, also scutifer, possibly another cousin. These are not noticed by Matthew Lumsden and their descendants cannot be traced.

Another Alexander de Forbes of an earlier generation was the father of Peter Forbes, who fled to France, presumably at the time of the siege and fall of Urquhart Castle, and became the Pierre Forbes, son of Alexander Forbes, who married in Marseilles, 1325 (see page 465). As he was old enough to flee in 1305, this Peter was probably a first cousin of the defender, or at any rate, of the same generation.

CONJECTURAL TREE OF THE ANCESTORS AND COUSINS OF THE
1ST LORD FORBES.



Besides those already quoted, the only documentary evidence for the early Forbeses is to be found in the Cartulary of St. Nicholas Church, Aberdeen, where it is stated that in 1362 "potens dominus, Dominus Alexander de Forbes, de eodem, miles," repaired the altar of St. Anne within that church with a covering of velvet, woven in gold and of many colours. The extract made by Mr. William Kennedy from the Cartulary of the

Parish Church of St. Nicholas in Aberdeen (on September 3rd, 1823) of the date 1362 is as follows :

" Anno Dni Millesimo tricentessimo sexagesimo secundo potens dominus Dno Alexander de Forbes de eodem, miles, reparuit altare beate Anne de uno vestimente velueti variis coloribus, auri texti—Cujus anime misereatur Deus." ¹

Another entry in the *Cartulary of Aberdeen*, page 47, No. 4, refers to the dispute, twenty-five years later, between Adam, Bishop of Aberdeen, and Sir John Forbes, already mentioned. The cause of dispute was the marches between the Episcopal estates and those of Forbes, and mention is made of the manner in which the dispute had been arranged with " Johannes de Forbes, pater jam defunctus," which establishes more or less accurately the date of death of the father of Sir John of the Black Lip—1386 or 1387. The relationship of John of the marches to Alexander of the velvet pall is unfortunately not mentioned, and it can only be conjectured that the latter was, perhaps, a brother of the Forbes, killed at Dupplin, which battle he himself certainly survived, as he was alive in 1362. This would make him uncle to John and great-uncle to Sir John of the Black Lip. But all this must be problematic ; all that emerges clearly from the dispute over the marches is that the Forbes family had already held its lands for several generations previous to 1387. The full text follows from Macfarlane's Transcript of the *Cartulary of the Bishoprick of Aberdeen*, in the Advocates' Library, page 120.

" Raciones ad informandum perambulatores limitum inter terras Episcopi Aberdon et Dni de Forbes.

" The first reson, the land that Forbes clemys his of Tirepressy is callit Lurgynda-spok (that is to say the Bischopis), by the quhilk name war nocht likely it suld haf, war it nocht the Bischopis.

" Item, Forbes charter contenys certain lymiteris betwix his land of Forbes and the Bischopis land of Tulyneslyn schir that is to say fra the entryng of the burn of Nessok in Done at Mongerry to the entry of the burn of Condoll in the burn of Nessok sua that yeynfurth is the meris (march) betwix the Bishope and the lord of Marr. The burn of Condoll up to the heid upon the ta part and on the syde as Nessok streks up to the heid is the mere (March) twixt the Lord of Marr and Forbes on the tother half sua that betwixt the Bischope and Forbes fra the entrie of Condoll in Nessok lys the land of the Lord of Marr.

¹ A hundred and fifty years later, Gavin, Bishop of Aberdeen, collated " Master Alexander Forbes " to the Chapelry of St. Anne, which had been founded (according to the instrument of collation) " per bonae memoriae quondam Dominos de Forbes " (*Cartulary of Aberdeen*, page 358). In 1436, Sir Alexander Forbes, 1st Lord Forbes, made a similar gift to the Church of Aberdeen of a cappa of Green velvet (*Reg. Epis. Aber.* II, 141). Colonel Allardyce thought that the first entry above was interpolated into the chartulary, and was a confused memory of the later one—chiefly because he could not feel certain who was the Sir Alexander Forbes of 1362, nor what was his relationship to Sir John of the Black Lip or to his father. It seems probable that he was uncle to the latter, and was one of the Forbeses who survived the battle of Dupplin. (See above).

THE HOUSE OF FORBES

"Item, Tirepressy is and ay has been twa davach of land in the Bischopis Rentale and to the Kingis wering, and war that land fra it that Forbes clemys, that is to say Lurgyndaspok, the lave war nocht a davach and a half, quharfore his clemis is nocht like to be richtwise.

"Item. Jone of Forbes his fadre was a gude man, wise mighty and manly in his tyme and had he trowit ony richt, he had nocht lattyn it bene unfollowit in his tyme.

"Item—the land of Lurgyndaspok has been always in the bischopis possession and the kirk of Aberdeen, Saynt Mary and Saynt Machar has been saisit thairof ever sin the King foundit the kirk of Aberdeen and gaf the land tharto and never was distrublit bot now. Quhairfor, it is nocht like that he (Forbes) had richt, considerand that he had mony mychty wise and manly elders befor him."

A copy of this document is in the *Registrum*.

Early charters in the Appendix to the *Registrum* are as follows:—

(i) Is the Fiddes Charter, abridged:

"Omnibus hoc scriptum visuris vel auditur. Alexander Cumyn Comes de Buchan, salutem in Domino sempiternam Nos dedisse concessisse et presenti Carta nostra pro nobis et heredibus nostris confirmasse fergusio filio Johannis de ffothes totum et integrum tenementum de ffothes etc. In cujus rei testimonium presenti scripto sigillam nostrum est appensum. ̄ hiis testibus.

"Domino Wllo Cumyn, fratre nostre uniore

"John Cumyn filio nostro seniore. Philippo de feodarge Roberto de Walchopp. Jacobo de Lascellis et multis aliis."

(ii) Is a charter of Lord Crawford, of 1309.

(iii) Is the charter of 1326, of King Robert Bruce, of the lands of Skeith in Deskford to Christian de Ard. This charter bears the seal of the king, somewhat mutilated. (See illustration.)

A further charter by Robert II, of date 1379, deals with lands (not the same), resigned by Alexander de Ard [8], and probably accounts for the presence of the previous charter. It is not sealed.

The rest of the charters, etc., in the Appendix were definitely placed there by Cosmo Innes as not directly bearing upon the Forbes family, and are therefore not reproduced here. An exception is made in favour of No. [11] as bearing upon the house in Aberdeen afterwards owned by the Lords Forbes (see page 137) (*half* of James Melville's seal is still attached).

No. [12] bears a very perfect Fraser seal. It is a charter of the Laird of Philorth to his relative, Thomas Brisbane, 1408.

The other writs in the Appendix, though in good condition, are not sealed. To some of them Forbeses were witnesses, and some deal with lands which afterwards came to cadet branches of the family, and will be noted in Part II of this work, which treats of those branches.

Documents numbered 32 and 42 in the Appendix of Writs *should* have been in their places among the documents dealing with the Lords Forbes, and are so used here. (See pages 137 and 189.)