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The Cummings of Altyre and the search for an ancient genealogy: ‘It hath been the unvaried tradition of the country’:

John Cleary*

ABSTRACT

An illuminated pedigree roll, ink on paper, possibly a draft for a more finished version, is analysed as a symbol of how the Cummings of Altyre, Moray, asserted their claim to be patrilineal descendants of the medieval Red Comyns of Badenoch, during the 18th-19th centuries. This article explores the family’s interactions with historians and antiquaries, and the tensions generated between the rational search for documented historical fact against the romantic desire to maintain epic tradition, conveying local bardic tales into the fixity of print. The descent claims are considered through six notions or ‘memes’ that elevated the family’s stature by rooting it in antiquity, but lacked compelling historical evidence. A close reading of documents from the era reveals the family’s role in influencing the creation of historical narratives, its own members emerging across the period as the chief authors of their ‘official story’.

Within the Gordon Cumming family papers¹ in the National Library of Scotland is a calligraphed and illuminated roll pedigree in a Georgian/Regency hand (*Pedigree A*, Illus 1a). It is inked on somewhat rough paper and so could have been draft work for an intended parchment roll. The dimensions are 37.5 cm across by 93 cm in length (15 x 37 inches), with a crease along the centre where it was once folded in two (visible in Illus 1a) and the appearance of possible water damage on the back. There is evidence of some rough treatment, with tears at the top and along the left upper edges, but it creates an attractive impression when rolled out to view. Whether it was ever openly displayed or for how long cannot be said, but it forms a perfect visual metaphor for the descent claims of the Cummings, being elaborated around the time of its creation from oral tradition and legend into written historical fact.

The Gordon Cummings of Altyre, titular chiefs of clan Cumming, have a verifiable line of descent that reaches the middle of the 15th century. While the date of their accession

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to their Moray estate cannot be established in surviving records, it is to them manifest that

Illus 1

Illus 1a: "Pedigree A", Gordon Cumming of Altyre papers, and Illus 1b: detail showing Earl Robert and the abbots of Iona at the head of the pedigree. (NLS Dep.175/64). (Courtesy of National Library of Scotland, with permission). [Image not shown due to copyright]

they are the direct patrilineal descendants of the medieval Comyns of Badenoch. The antiquaries who constructed the early histories of Moray accepted these descent claims with varying conviction. Lachlan Shaw alluded to a 'tradition' of descent but carefully avoided speculating upon it:

Tradition bears, that the family of Altyre is come off a son of the direct line; but at what time I find not. They resided for some generations in Strath-Dallas, and built the tower there: How early they assumed the title of Altyre, I know not. But I find in a contract between William Thane of Calder and Hutcheon Rose of Kilravock, 21st June 1482, Thomas Cummine of Altyre is arbiter. I have not seen the writes of this family, and therefore will not offer to deduce the genealogy of it. (1775: 92)

Eisa Gordon Cumming, Lady Middleton, sniffing at Shaw's 'pettish' equivocation, commented with some pettishness in turn that Shaw had

... some quarrel with our great-grandfather, who refused to allow the worthy minister to rummage his family charter-room, and Mr Shaw, I believe, thought himself avenged by endeavouring to prove the younger branch of Relugas Comyns was older than the Altyre one. (1889: 33-4)

Middleton's great-grandfather, Alexander Penrose Cumming, 1st baronet of Altyre, inherited his estate the year Shaw published his *History*, so it may have been his predecessor and great-uncle George who had resisted Shaw's scrutiny. Penrose Cumming would show considerable awareness of the value of genealogical writing in affirming his place in Georgian society, rooting it in antiquity. If it were he who had barred the door to the historian's inquiries, it was likely down to insufficient certainty over the latter's conclusions. During the tenure of Penrose and his son the 2nd baronet, the history and geography of Moray would be recorded and measured, its ancient papers and stones unearthed and documented, folk memories and tales absorbed into the chronicling of tradition. Oral traditions had served the status of the Cummings well as local lairds, but in the age of print, the fixity of firm written narrative better served their wider ambition.

The Cumming origin story was built out of six notions or ‘memes’, which are set out with variations and embellishments in Table 1. Taken altogether, they construct the landholding Cumming families in and around Moray as a clan and kinship network. Altyre is positioned as the dominant line, possessing unbroken descent and tenure back through the chaotic 14th century to the medieval Comyns, who in turn are granted a more ancient and aristocratic origin than the medieval Scots chroniclers claimed for them. More compliant historians than Shaw would craft the words to fix traditions into the ‘official story’ of illustrious descent, the Cumming family also proving adept in the shaping of the message.

Table 1: Six key ‘memes’ in the construction of the Comyn/Cumming descent narrative, with variations or later embellishments.

<p>1. Robert Comyn, earl of Northumberland in 1068-9, was progenitor of the Scottish Comyns</p> <ul style="list-style-type: none"> ⇒ Robert Comyn was Norman nobility, descended from the ‘Count de Commines’ ⇒ Consequently, he and the Comyns are descendants of Charlemagne ⇒ Robert Comyn was a Scottish magnate who fought alongside Malcolm III ⇒ Robert Comyn ruled all England north of the Tyne ⇒ Robert Comyn ruled all England north of the Trent <p>2. The Comyns are ancient Scots who took their surname from Cumine, abbot of Iona, 597 CE</p> <ul style="list-style-type: none"> ⇒ The Comyns <i>descended</i> from Cumine, or Comineus Alba, abbot in 657 <p>3. The Cummings of Altyre descend from Robert, a younger son of Comyn of Badenoch</p> <ul style="list-style-type: none"> ⇒ He was Robert, the Red Comyn’s uncle, slain with him in Dumfries, 1306 <p>4. Robert Comyn was exempted from the forfeitures of Comyn land in Moray by act of Parliament</p> <ul style="list-style-type: none"> ⇒ This was the same Robert in (3) but he was not killed at Dumfries ⇒ This was the son of Robert in (3) ⇒ He (or son Thomas) was exempted because he was in foreign service and/or did not resist Bruce <p>5. A line of descent connects Robert to the Cummings of Altyre</p> <ul style="list-style-type: none"> ⇒ Thomas Comyn was son (or grandson) of Robert in (3) and inherited lands in Moray ⇒ Thomas fought a feud with Shaw of Rothiemurchus and was killed by him ⇒ His son Richard Comyn was granted estates in Moray by David II ⇒ His son Ferquhard Cuming was first to be designated ‘of Altyre’ ⇒ His son Alexander Cuming is linked directly to the known descent line from 1450+ <p>6. All landed Cumming families in Moray are collateral branches of Cumming of Altyre</p>
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MEME 1: DESCENT FROM NORMAN ARISTOCRACY

The medieval Comyns had no need to dignify themselves with descent claims from Norman nobility. The Scots chroniclers began their history of the dynasty with William Cumin, chancellor to David I in the 1130s and attempted usurper of the bishopric of Durham in the 1140s (Young 1978), although Bower did identify him as Norman. A notion of roots in

Norman aristocracy would come to polish the credentials of the 18th century Cummings, by elevating those of the medieval dynasty they claimed as forebears. Douglas's *Peerage* was the first to put in print the definitive statement that the earliest lineal ancestor of the Comyns was 'Comes Robertus Cummin, who appears to have been a man of the first rank in the reign of king Malcolm Canmore, and was killed with that prince at the battle of Alnwick, anno 1093' (1764: 57). This Cummin was in fact despatched to subdue rebellion against William the Conqueror in Northumbria in early 1069, possibly named as earl of Northumbria, or already a Norman count in his own right. His tenure as earl was fleeting as the Northumbrians massacred him and all but two of his men on his first night encamped in Durham (discussed in Aird 1998). Antiquarians acquiring familiarity with the chronicle sources for the Norman conquest of England noticed the coincidence of similar byname and activity in the English north-east, adopting Robert into the role of progenitor even though he died some seventy years before chancellor William's career was reaching its peak, and no genealogical connection had been revealed. Round (1904) refuted the earl Robert origin myth, with an excoriating attack on Balfour Paul for including the claim without appropriate criticism of sources in *The Scots Peerage* (1904: 503-15).² Douglas was at fault in Round's deconstruction, for inventing a fictitious genealogical link between the earl and chancellor with no evidence in support.

The claim was older than Round had identified, pre-dating Douglas. Crawford's *Peerage* (1716: 30) also reported 'Comes Robertus Cummin' killed at the Battle of Alnwick, but unlike Douglas identified him as 'of Norman Extraction.' Crawford did not state earl Robert overtly to be the Comyns' progenitor, merely listing him at the head of the entry, though implying his position as first ancestor. Douglas alluded to the uncertain origins of the Comyns with 'Some deduce them from Hungary, others say they are of Norman extract', but interestingly also appeared to have identified the 'Comes' as a Scots magnate fighting alongside Malcolm (1764: 57). The print edition of Shaw's *History of Moray* (1775: 91) reproduced the same pedigree that Douglas presented, linking earl Robert to the Comyns, made a similar tentative comment on origins in Hungary or Normandy, and reproduced the same error of the earl's death at Alnwick, in 1093. Although Shaw's *History* was in print a decade after the *Peerage* it seems unlikely that Douglas was Shaw's source, given Douglas's methods of gathering information from the dynastic houses, and Shaw's of scrutinising the documentary record – the reverse would seem more likely.

It is far from certain that Robert Cumin was meaningfully ‘Earl of Northumberland’. The Anglo-Saxon Chronicle (E) stated ‘Willelm cyng geaf Rodberde eorle þone eorldom on Norðhymbraland’, while the Worcester MS (D) gave ‘ealdordom’ rather than earldom (Thorpe 1861: 343). Orderic Vitalis wrote ‘King William delivered the county of Durham to Robert of Cumin’ (Chibnall 1969: 220),³ while Simeon of Durham reported ‘[William] bore with the rebellious Northumbrians, over whom he appointed a certain Robert, surnamed Cumin, in the third year of his reign’ (Stevenson 1855: 685) and ‘king William sent earl [count?] Robert, surnamed Cumin, to the Northumbrians on the north side of the Tyne’ (Ibid: 550).⁴ Orderic’s translator Chibnall perceived ambiguity in his use of Latin terminology to represent titles held by the new Norman overlords, so that Robert’s title could have been that of Norman count, a personal dignity (1969: xxxv). Rather than holder of a territorial earldom, his position may more accurately have been as William’s military commander sent to subdue the Northumbrian rebellion. This is important context for the Comyn/Cumming descent question: clearly Robert was no Scottish magnate, and possibly neither was he earl of Northumberland save in the limited (and brief) sense of military authority granted to suppress revolt. Hailes, in print shortly after Shaw, preferred ‘governor of Northumberland’ (Dalrymple 1776: 8-9). There is support for this interpretation from Aird, who accepted that Robert was appointed earl by William in place of the fallen Gospatric, but, siding with Simeon’s rather than Orderic’s account, saw this as relating specifically to the territory on the north bank of the Tyne – approximating modern Northumberland – possibly with the intention of creating a marcher lordship (1998: 70-74; 2004).

The origin of earl Robert’s byname was tackled by Young (1978: 3-4) who noted that it could be read in Orderic as a locative, ‘de Cuminis’, possibly referring to Comines in Flanders and commensurate with Aird’s proposal (1998: 72) that Robert headed an expeditionary party of Flemish mercenaries; or in the other chronicles as a non-locative nickname conceivably drawing on the plant, or spice, cumin. Young later suggested an alternative locative origin for the chancellor’s surname, from Bosc-Bénard-Commin in Normandy, near the cathedral city of Rouen, an apt place to find a well-connected lineage of chancery clerks (1997: 15, 30n5). While Robert’s byname appears not to represent a territorial title, later 19th century accounts would put it to more intensive use in fostering the fantasy of deep roots in Frankish nobility.

If the Comyns’ distant origins were misty, Douglas’s *Baronage*, the sequel to the

Peerage, brought down a complete fog. The contents had been largely collected by the time of his death in 1770, but would not be in print until 1798. Manuscript versions circulated in the interim, completion carried out by trusted editors (Douglas 1798: III; Lowe 2004). A grander narrative had grown, splicing ingredients of ancient French roots with antique British ones, plus personal proximity to the Conqueror:

An ingenious antiquary alledges, that they are of Norman extraction, and are descended from the ancient family of the Comines in France; that, *comes Robertus de Comine*, who came to England with William the Conqueror, anno 1066, was progenitor of all the Cumines in this country.

But, it appears from good authority, that they were settled in Britain before the Conqueror came over; for, Robert Cumine earl of Northumberland, (a powerful family in the north of England) was employed by that great prince against the rebels of Durham, as they were then called, anno 1068, which family was afterwards expelled England by king William Rufus, *anno* 1095. (Douglas 1798: 331-2)

The marginal note ‘Martins’ collect. vol. II. page 14 &c.’ identifies George Martine of Clermont (1635-1712) as the ‘ingenious antiquary’, the referenced manuscripts being in the MacFarlane collection, which Douglas used. While some of Martine’s material was included in MacFarlane’s *Genealogical Collections* (orig. 1750), the editor of the modern edition reported that those manuscripts are lost (Clark 1900: vii). This note was cover for the first appearance in print of the claimed territorial origin of Robert, his byname emphasising the locative *de* and being linked for the first time to a supposedly ancient Norman-French family. The contention was pushed further with the apparently contradictory claim that the Cumines’ residence and power preceded the Normans’, raising Robert’s standing to ally of William rather than military retainer. The writer of this passage, whether Douglas or another hand, confused this Robert with the later Robert de Mowbray, removed as earl of Northumbria by William Rufus in the year stated, and Malcolm Canmore’s actual adversary at Alnwick. But it chimed harmoniously with another of the Comyn origin memes: the ancient Scots origin.

MEME 2: DESCENT FROM ANCIENT SCOTS

The *Baronage* text continued with:

Others are of opinion, that they are of the ancient inhabitants of Scotland; for, the second abbot of Icolmkill was Cumine, and he succeeded Columba, *anno* 597. Also, Comineus Albus was the 6th abbot, and he was living in the year 657. (Douglas 1798: 332)

The true source appears to be Shaw, who opened his Cummine chapter with the speculation on Norman or Hungarian origins that Douglas had also reproduced in the *Peerage*, before continuing:

... but I incline to think that the name is a Scottish patronymick.

It was antiently the custom to assume a surname from reputed saints, or eminent men ... And the learned Primate Usher (...) shows, that Comineus Albus, anno 657, was the sixth abbot of I.Columbkil; from whom I would deduce the name: And the frequent mention of the Cummines, in the 11th and 12th centuries, is a presumption of a higher original than the days of William the Conqueror. (1775: 91)

In Shaw's expression the claim is a little less ridiculous, the argument framed in terms of how names were adopted rather than suggesting genealogical descent from a 7th century churchman, as Douglas's out of context phrasing implied. Although Shaw offered no evidence for his speculation, there is a sense of an analytical mind working through a problem, in contrast to Douglas's listing of often unconnected notions. Shaw was the most likely source of Douglas's material, given the similarity of the contents in each, and their lesser coherence in the *Peerage* and *Baronage*. Shaw's *History* had circulated in manuscript form for some time before its 1775 imprint; a holograph copy survives from 1757, though the *Peerage* text bears greater similarity to the eventual print edition.

The Comyn roll pedigree

It was in the context of this antiquarian construction of lineage that the roll pedigree (Illus 1a) was drawn. There is little to identify its authorship, though internal evidence allows dating to the second decade of the 19th century. The left-hand branch follows the descent of the Comyns of Badenoch, and on the right are the Cummings of Altyre down to a mid-16th century occupant, Thomas. The lower third is blank. Nevertheless, the dropped capital at the top is beautifully drawn in ink giving pride of place to the legendary earl (Illus 1b). It intensifies the legend, Robert now described as

Earl of Northumberland Anno 1069 *He was a Scot and possessed all the lands north of the Trent* [my emphasis]. In the time of William Rufus he joined Roger de Mowbray and being taken with him his estates were forfeited.⁵

This, the most extensive statement of the standing and domain of earl Robert, builds on and solidifies the legends implied by Shaw and Douglas, but also shows evidence of new

antiquarian research. In the bizarre claim of Robert's dominion over the entire north of England is an echo of Simeon of Durham's 'north side of the Tyne', which perhaps the creator was aware of. At the top of the tree heavenly clouds, in watercolour wash rather than ink, contain the names of the two abbots of Iona, both now nakedly expressed as 'Cumin', joined by a third, an abbot of Glastonbury in 746, to make a trinity of Abbots Cumin, the pedigree genealogically having it both ways.

In 1827 a new edition of Shaw's *History* was produced by John Grant, a bookseller, publisher and journalist in Elgin. Much of Shaw's text was reproduced, but Grant significantly revised and supplemented the Comyn chapter and appended transcriptions of several historical documents related to the history of the Cummings of Altyre. Though less extensive in his domains, the description of earl Robert is similar, naming him as 'a nobleman of the first rank in Scotland ... who also had a considerable estate in the county of Northumberland' (1827: 115). A footnote added familiar claims about his being 'Count de Comine', coming with the Conqueror, yet also being a long-established magnate in the north of England. As Grant was a self-trained artist and antiquarian in addition to his publishing roles, it is possible he could have been the creator of the roll, although there are differences between the pedigree text and Grant's. The roll and Grant's chapter represent the peak of the attempts to unify deep aristocratic roots, whether Norman or ancient British, with even deeper Scottish origins, one eye on claiming a place for the Cummings in genteel Regency society and the other on cementing their position in post-Jacobite Scotland. The semi-mystical Iona meme would be repeated for the last time in Logan's *Clans* (1845: 187-9), before being put to bed by later writers. The earl Robert meme, however, remains alive today, repeated across amateur family histories, and even in serious works of genealogy, despite the work of Young (1978, 1997, 2004) demonstrating that the first verifiably ancestral Cumin was the Anglo-Norman cleric and chancellor William.

MEME 3: DESCENT FROM ROBERT, UNCLE OF THE RED COMYN

Douglas's *Baronage* was the first to make the clear assertion in print of the descent of the Altyre Cummings from Robert, the Red Comyn's uncle: '*Robert*, progenitor of the Cumines of Altyr, to whom and his issue we confine these memoirs. This Robert is omitted in the *Peerage*' (1798: 332). The reference is to the chapter 'Cummin Lord of Badenoch' in Douglas's earlier *Peerage*, which embraced an older patriotic tradition, that of the perfidious Comyns who betrayed Scotland and the honourable Bruce and received their deserved

comeuppance at his hand:

[Comyn's] own black heart suggested the detestable remedy ... he divulged the whole schemes of the Scotch patriots to the king of England. Bruce ... happily in time discovered he was betrayed, and not without difficulty, made his way to Scotland, where finding clear proof of the villainy of Cummin, he caused pursue him to the church of Dumfries, whither, from conscious guilt, he had fled for refuge, and punished him as his crime deserved. Not the house of GOD, not even the altar, was to be allowed an asylum to protect such infamous treason and perfidy. He fell indeed by too honourable hands, as a hangman or common executioner should have performed what was done by the Boyd, the Fleming, and the Lindsay, on 10th February 1306. (Douglas 1764: 93)

The expression of the *Baronage* chapter avoids the language of villainy, suggestive of judicious editing or even different authorship in the years after Douglas's death. The editors of the completed *Baronage* said their additions consisted of relatively small sections, the later entries with illustrated coats of arms. Internal evidence of the chapter 'Cuming of Altyr' suggests that the core text was written before Douglas's death, e.g. 'Alexander of Altyr's third son, *George*, is now baron of Altyr' (1798: 335), this George Cuming dying after Douglas in 1775; and George's successor Alexander Penrose Cuming being listed but declared as 'under age' (Ibid), having been born in Cornwall in 1749,⁶ not reaching majority until after Douglas's death in 1770. Though the *Baronage* cited the *Peerage*, the chapters in the two volumes differ so markedly in their treatment of the Cuming origin story that it is hard to see them as written by the same hand. The *Baronage* omits Comyn's death in Dumfries and avoids depicting him as Scotland's blackhearted traitor, referring rather to 'that great and once flourishing family' (1798: 332). His uncle Robert is presented as the ancestor of the Altyr Cummings, but without connection being made to the Dumfries incident, concluding that

What part Robert played in these turbulent times, *does not appear from our histories* [my emphasis]; but there is great reason to believe, that he was not so active in the Baliol party as most of his clan were ... and died in an advanced age in the reign of the said king Robert, leaving issue a son [Thomas]. (Ibid)

The marginal notes vaguely cited 'All Scots historians' and an unspecified manuscript history of the family, which is not known today.

As suggested above, Lachlan Shaw was doubtless a key source on Moray history for

Douglas. The Cumming chapter cited and directly quoted from ‘Mr Shaw’s history of the county of Murray’, but the words provided make interesting reading when compared with those at the head of this article that had incensed Eisa Gordon Cumming:

A reverend author, in his account of this family, says, “It hath been the unvaried tradition of the country, that Robert, a younger son of Sir John Cumine lord of Badenoch, was progenitor of the Cumines of Altyr, which family, ever since the days of king Robert Bruce, have been reputed head or chief of that most noble and ancient clan, &c.” (Douglas 1798: 332, claiming to quote Shaw 1775; cf. p.1 of this article for Shaw’s published words.)

Each quotation turns around the key word *tradition* but they move in opposite directions – one sceptical enquiry frustrated by lack of evidence, the other towards promoting the reported tradition.

Although seeming an egregious falsification of Shaw’s writing, the citation in the *Baronage* draws upon an earlier version of the *History* that Shaw revised for publication, perhaps after his reported tiff with Altyre. The *History* was published in 1775, after Douglas’s death, but it had been a lifetime’s work (Gordon 1882: x) and a holograph manuscript exists dating from around 1757 when Shaw was already into his 70s.⁷ Whoever completed the ‘Cumming of Altyr’ chapter for the *Baronage*, whether Douglas himself or one of his editors, must have had sight of this or another manuscript version, as the wording of the quotation is partially derived from that of the manuscript; but the presented text is still far from an accurate quotation, the variations creating subtle differences of emphasis and implicature. Here is what Shaw wrote in his own hand, c.1757:

This ancient, and once most powerful family, might have continued in power and wealth if their connection with the Baliols had not induced King Robert Bruce to forfeit the most considerable of them.

I have said above, that Robert Cumin was second son of Sir John Cumming of Badenach. To him his father gave the lands of Altire; And of him that Family is lineally descended. This is the unvaried tradition of the Countrey. And since the direct Line of Lord Badenach became extinct, Altire has always been reputed Chief of the Cumins; His family have possessed that Estate time Immemorial, and have used the plain Paternal Arms, without any mark of distinction or Cadency. Viz. Az. 3 Garbs of Cumin. Or.⁸

While the informational units in the passage appear to be the same, and the tone is more accommodating towards the Altyre origin story than the 1775 published version, the effect yet creates a degree of distance absent in the *Baronage* ‘quotation’. As Eric Morecambe might have said, Douglas quotes the right words, but not necessarily in the right

order. The expression ‘unvaried tradition of the country’ appears in both, but in Douglas it is employed to acclaim the status of what follows, fronting the phrase giving it salience as an announcement device. In contrast, its position in Shaw, following the origin claim, has a rather different function of commenting on the preceding material, setting up a faint and even questioning distance from it, creating the sceptical space that Shaw’s views would grow within. Antiquaries like Shaw saw their task as one of questioning traditions in the light of evidence revealed by the documentary record. The key is in how Shaw used and cited his sources elsewhere in the *History*.

Shaw’s willingness to ‘derive his information ... from authentic sources’ with ‘acknowledged care and industry’ earned the praise of Cosmo Innes, who suggested the *History* ‘may yet boast of being the best district history of Scotland’ despite being written when ‘the study of historical antiquities was in his time in its infancy’ (Innes 1837: vi). Shaw developed a rigorous method for confirming his sources, which in the Comyn of Badenoch chapter saw references to ‘Winton’, Fordun, Dugdale and others scattered through the paragraph somewhat resembling modern Harvard citation style. That is the significance of the statement ‘This is the unvaried tradition of the Countrie’ – and of the blazon of undifferenced arms that ends the passage: they are the nearest Shaw had to sources for these traditions, sitting as placeholders for better ones he hoped, but was never able, to enter.

The references to King Robert in the two quotes contrast markedly, the *Baronage* version creating by association a tradition of continuity for the family and its status reaching back to a Scottish golden age, while Shaw’s true words serve instead to remind us of the Comyns’ loss of status and forfeiture of their lands (creating a dissonance with the notion of possession for ‘time Immemorial’). The associative meanings around the term ‘reputed Chief’ activate differing connotations of ‘reputed’. In the Douglas misquotation, they are ‘head’, as well as chiefs, of the ‘*noble and ancient clan*’, creating a sense of ‘reputed’ = fabled, renowned. On the other hand, Shaw’s expression was a more neutral statement of fact – the ‘ancient, and *once most powerful family*’ – connecting being ‘reputed Chiefs’ to the demise of the Badenoch line producing rather a sense of ‘reputed’ = presumed, believed (but not committed to by the author).

It is of course possible that other, maybe incomplete, drafts of Shaw’s work had circulated prior to completion of his clean copy, or that the compiler of the *Baronage* Cuming chapter had seen his source only briefly and reproduced a garbled version. But this close

reading suggests a dissonance between what Shaw put on paper and its later paraphrase, one that changed the tone of Shaw's analysis from supportive but detached, to one that removed any reason to question or doubt the 'unvaried tradition of the countrie' being reported.

MEMES 4 AND 5: EXEMPTION FROM FORFEITURE AND THE LINKING LINE TO ALTYRE

In order to make the case for descent from Robert Comyn convincing, it was necessary to demonstrate the line of descent and how the Cumming family had managed to maintain their land holdings in Moray. It is noticeable that while several of the documentary sources cited in Douglas are exact, others remain somewhat vague. Charters of David II granting lands to Richard Cumyne at *Devally* (Dunphail), and forestry rights in the *forest of Ternway* (Darnaway), are directly quoted with reasonable accuracy in the *Baronage* (1798: 332-3). The record of these charters exists today,⁹ verifying Richard Cumyne as a member of David's court, if not demonstrating certain genealogical connection to Altyre.

In contrast, other key claims are supported by 'M.S. history of this family' or vaguely specified writs or charters in the 'archive of the family', these generally not substantiated by quotation from the putative source. Thomas Cuming, claimed as father of the above Richard, and who 'married Helen, daughter of Hugh, eighth baron of Arbuthnot' (Douglas 1798: 332) is supported just by 'Writs of the family', as is the stated death of this Thomas in 1365. There is a quotation from the purported writ in support. A significant figure in the descent tradition (Meme 5), Ferquhard Cuming, claimed as Richard's son and the first titled '*of Altyre*', is supposed to have received a forestry charter from Robert II in 1384 according to 'Chart. in archiv. family' (Ibid: 333). Neither of these documents can be found in the Gordon Cumming papers deposited at the National Library of Scotland (NLS), and the Robert II charter has not been identified in extant transcripts or inventories of lost charters, raising doubts about their provenance and the claims founded on them. Given the incomplete and fragmentary state of the records of Robert's acts, it is possible that there are lost charters relating to this family. But this charter, claimed as the estate's founding document, is always cited in hearsay, details or wording never quoted (as they are for David's grants to Richard). The Gaelic name 'Ferquhard' also stands out: though claimed as first occupier of Altyre, this name never repeats down the verifiable descent of the line.

A further claim made in respect of Thomas Cuming is that 'it is believed, [he] was

never engaged in the Baliol interest; for, he is excepted out of the forfeiture of the Cumings, by an act of Parliament held at Perth in the year 1320' (Ibid: 332). This is Meme 4, which tackles a contradiction that looked all too apparent to Shaw – how Comyn tenure of Moray land could have continued after the upheavals of 1306-14. The source supplied is the previously cited manuscript family history and 'unprinted acts of parliament', with likely reference to the 'Black Parliament' of 1320 that prosecuted the alleged Soules conspirators, the final blow struck by Bruce against the Comyn faction. This Parliament, held at Scone rather than Perth, has no extant records (MacIntosh, et al [2007]: Introduction). Robert I's main acts of disinheritance were enacted at the post-Bannockburn parliament of Cambuskenneth, 1314, though other forfeitures are recorded in the parliaments of the 1320s. The story no doubt survives in family lore, and indeed *not* being forfeited is less likely to have been documented than an actual act of forfeiture. Unfortunately, there is no visible sign of this Thomas in other surviving records, nor of other Cumings that later historians of the family ascribed this exemption to.

Douglas and his sources

While most of the content of the Cuming chapter of the *Baronage* is datable to Douglas's lifetime by the references to the living titleholder, there is a sense of a secondary message being created through revisions at least some of which appear posthumous. The misquotation of Shaw is unlikely to have been circulated in Moray before the historian's own death in 1777. The treatment of the sources often falls below the standards Douglas may have demanded, raising the question of which voices may have influenced its published form. The contents page acknowledges the contribution to the heraldic records presented by James Cuming (more usually Cummyng), Herald Painter, Keeper of the Lyon Court Register, and the first Secretary to the Society of Antiquaries of Scotland, (d. 1793). Cummyng believed himself related to a branch of Altyre (Laing 1891: 8-9), making him a key person of interest to have played a part in the elaboration of the Cuming chapter.

The other person of interest, and probably the one holding the smoking flintlock, is George Cuming's successor at Altyre, his great nephew Alexander Penrose Cumming, and the great-grandfather of Eisa Gordon Cumming who had, she said, barred Lachlan Shaw from his charter room. A manuscript memoir penned by Penrose Cumming in 1801 uses familiar

expression:

The tradition of the country has always been that the family of Cumming of Altyre was descended from the Lords of Badenoch – be that as it may, it is a fact established by Charters & other documents that we were landed gentlemen possessed of considerable estates for several hundred years – and no person can mention any other name that possessed Altyre before us.¹⁰

Penrose Cumming was a driven and ambitious individual, created as the first baronet of Altyre in 1804, taking the additional surname of Gordon having also inherited the estate of Gordon of Gordonstoun in 1795. He served briefly as member of Parliament for Inverness, 1802-3 (Fisher 1986). He fought major suits in the courts at least twice, once in the 1770s unsuccessfully attempting to recover property his father claimed to have lost in Jamaica thirty years before,¹¹ and more successfully in the 1790s when his inheritance of Gordonstoun by entail withstood challenge from the alternative heirs of line. Relations with his great-uncle George seem to have been difficult.

Their [his father's and aunt's] Uncle George seems to have beheld them with a jealous eye ... my father seems to have had much vivacity ... & a degree of sarcastic humour that did not tend to heal the natural or unnatural rivalry that early showed itself between him and his Uncle George & which terminated only with his death.¹²

George, the youngest son of three, allegedly connived with his father and eldest brother to deprive Penrose Cumming's grandfather, the middle son, of his inheritance rights to the estate. Whether the young Penrose, on returning to Altyre, found himself despatched up the darkened stairs of a ruined tower amid lightning flashes he didn't say, but Altyre came to him in the end. He seems to have steeped himself in its records, first to serve his litigious projects but later growing into an absorption in the *traditions* of his family origins and a desire to make them widely known. The opening lines of his memoir suggests that he was receptive to the antiquarian ideal of proving historical claims using the papers of landed estates, but asserting the true – as he saw it – history and stature of his family is a clear theme in his notes and memoirs.

The Pedigree of the Altyre Cummings

The *Baronage* expanded Cumming pedigree is the framework that all the subsequent 19th century accounts would be built upon (see Illus 3), linking the Altyre barons to the medieval Comyns by an increasingly defined pedigree replacing vaguer tradition. However, there are problems with the chronology proposed by Douglas (or his ghost writers) for the 14th century

individuals in the tree. Although an ancestral Robert, claimed as the uncle of the Red Comyn, had been adopted as the link ancestor, the historical Robert Comyn's death at the hands of the Bruce party seems not to have been integrated into this tradition. He is assumed to have been of John Comyn's father's generation, with Douglas asserting that he 'died in an advanced age in the reign of the said king Robert' (1798: 332), presumably before 1320 when the Black Parliament was claimed to spare his son. Presenting Thomas Cuming as the one thus spared forfeiture while also being the father of the Richard honoured by David II forty years later, himself living at least into the 1390s (he appears to be still active in 1407), also appears problematic. The Douglas pedigree stretches the chronology from the mid-13th century to the end of the 14th, just three generations spanning this period, not impossible, but implying unusually long and healthy lives for dangerous times, and fathers of advanced age at the births of their successors.

The historical Robert Comyn, actually the younger son of John I's *second* family, was possibly not much older than his nephew John III. But in the Douglas version, Robert is already assumed elderly in the first decade of the 14th century. Subsequent writers would expand the Douglas version, culminating in the work of Mary Cumming-Bruce, a member of the family, whose answer was to divide the ancestral Robert in two, one killed at the Greyfriars and another supposed heir with the same name designated as the line's founder (1870: 440), in the process creating additional generations of doubtful provenance.

Penrose Cumming had taken some care to limit his commitment to the Comyn descent tradition in his memoirs (cited above), but those traditions began to find their way into new accounts of acknowledged history, repeated as established facts along with those ascertained by evidence from archival searches. Debrett's *Baronetage*, published 1815 but based on text dating from 1804 when Penrose was still alive, declared 'The Cumines of Altyr, descended from a younger son of the lords of Badenoch, appear now to be the representatives of that great and once flourishing family' (1815: 1129-30), accepting the tenor of the descent claim while keeping a degree of sceptical distance. Debrett's would continue to use this wording in repeated editions for several decades, before removing the descent claim entirely in modern ones. But Wood's revised and extended edition of Douglas's *Peerage* (1813) removed any doubt, expressing for the first time in print that the Robert from whom the Altyre Cummings claimed their descent was the Robert killed in Dumfries:

This Sir Robert Cumyn, who was killed with his nephew, John Cumyn, at Dumfries, 1306, was ancestor of Alexander Penrose Cuming of Altyr, in the

county of Elgin. ... Of the descendants of Sir Robert Cumyn, the Cumings of Altyr, Logie, Auchry, Relugas, and Presley, an account is contained in Douglas's *Baronage of Scotland* (Wood 1813: 160-163)

Wood mis-stated Douglas's conclusions on the Relugas and Presley lines, which the latter had avoided explicitly linking to descent from Altyre (Douglas 1798: 338). This is the first appearance in print of Meme 6, claiming all landed Cumming families in Moray as cadets of Altyre, though papers in Penrose Cumming's hand express similar sentiments.¹³ The latter contain wording very close to that of the *Baronage* on Robert Comyn, though which was source and which imitator is hard to judge. Another later, more cursive, hand added a marginal note to the effect that this was the Robert killed by the Bruce (detail in Illus 2), both notes indicative of the degree of involvement of members of the family in the construction of its history.

Illus 2

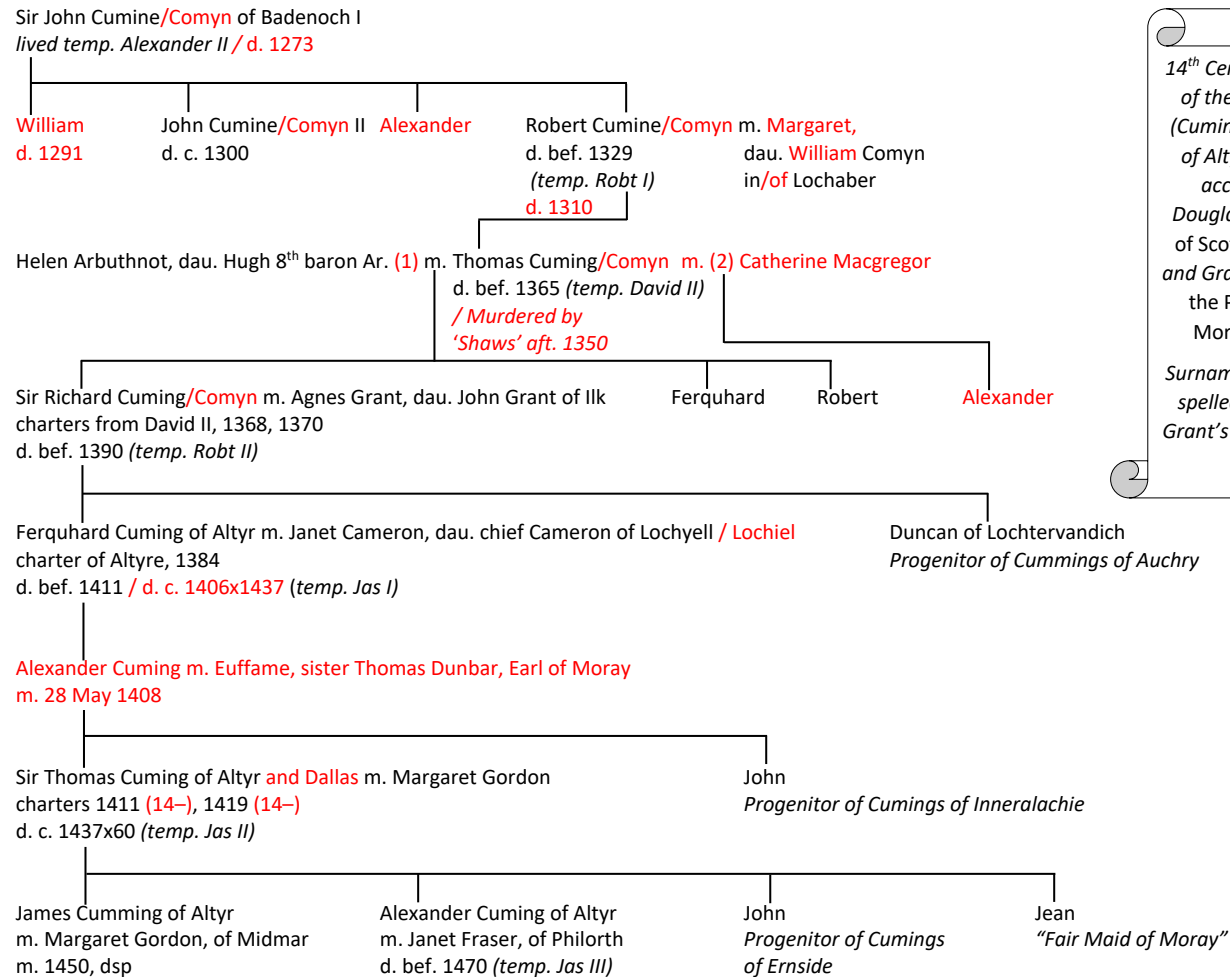
Illus 2: Manuscript in the hand of Alexander Penrose Cumming Gordon (c.1802) with comment on Robert Comyn, and marginal correction by another hand. (NLS Dep.175/64). (Courtesy of National Library of Scotland, with permission). [Image not shown due to copyright]

The Grant version, 1827

Grant's New Edition *History of Moray* saw Shaw's brief Cumming of Altyre section that would irk Lady Middleton replaced with a much expanded account, based on Douglas but with significant additions. Furthermore, Grant added an appendix of his own with transcriptions and translations of key documents that he – or someone else – had located, many of them relating to the Cumming story. Of particular interest is an indenture binding one Alexander Cumyne to Thomas Dunbar, earl of Moray, in 1408, with a marriage contract to Moray's sister Euffame.¹⁴ Although Alexander Cumyne was not designated 'of Altyre', the promise of lands to be granted by Moray gave Grant licence to add a generation to the 14th-15th century lineage, relieving some of the seemingly stretched longevity. Illus 3 demonstrates how Grant's tree was built on the backbone of Douglas with additions made from the new documentary discoveries. It is hard to say whether Grant himself had identified the additional documents in his appendix or whether another party had made them available to him. In his preface he acknowledged 'those public spirited Gentlemen who have assisted

him in his laborious undertaking’, a nod to his likely connections with the Moray families whose accounts were elaborated in return for the support received. The new edition’s account was close to the Cumming story developed since the 1790s in the *Baronage* and Penrose Cumming’s notes. Grant standardised the name to the recognisably medieval form of ‘Comyn’ for all the 14th century individuals, and a legendary feud referred to in passing by Shaw (1775: 42), in which an unnamed ‘Cummine of Strathdallas’ killed a Shaw chief and was later killed in revenge, was added to the record of the mid-14th century Thomas, but without supporting evidence.

Grant’s identity is a little obscure. The editor of the Third Edition of Shaw’s *History*, James Skinner Gordon, noted that Grant was a bookseller in Elgin (1882: xiii). Pigot’s Directory (1825-6: 335-6) lists a John Grant at High St, Elgin, under Booksellers and Binders. Rampini (1897: 362) gave account of two brothers, one a journalist, James Grant, originally a baker, who founded the *Elgin Courier* before moving to London, where he became a successful writer on journalism, history and religion, and is entered in ODNB (Griffith 2004). A James Grant, baker, is listed in Pigot’s at Sutherland Close (1825-6: 336). John was a younger brother who was self-taught in writing and drawing – the family being poor – and established a bookselling and publishing business in London. A pamphlet *The Penny Wedding* published in London (1836) with descriptions and etchings of Scottish folk nuptial customs identifies him as ‘formerly proprietor and editor of the Elgin Courier’ (Grant 1836: Title), suggesting the brothers collaborated in their business and antiquarian interests. This man appears to be the likely editor of the Shaw New Edition, though Rampini did not explicitly link them.



Illus 3:

14th Century descent of the Cummings (Cumines/ Comyns) of Altyre, Moray, according to Douglas, Baronage of Scotland (1798) and Grant, History of the Province of Moray (1827). Surname variants as spelled by source. Grant's amendments in red

As suggested above, Grant's antiquarian and artistic abilities make him a candidate to have been involved in the creation of the roll pedigree (Illus 1). The text of the pedigree closely follows Wood's edition of the *Peerage*, published in 1813, for the medieval Comyns, and then the *Baronage* for the Altyre story. The pedigree describes the 12th century chancellor William Cumin as 'bred a clerk by Gaufred Bishop of Durham', using Wood's exact words (1813: 160). The pedigree diverges from Grant's 1827 book in a number of points, particularly in recognising the identity of Robert Comyn, which Grant did not; but it also diverged from Wood in adhering to the earl Robert myth, which Wood ignored. The pedigree did not report the 1408 marriage of Alexander Cuming and Euffame Dunbar, which would be published for the first time in Grant. However, there is evidence that this was not Grant's discovery, but found by agents of the Cummings a little earlier. In 1821 Charles Lennox Cumming-Bruce, Penrose's son, wrote to his brother William, now the second baronet:

My Dear William

I enclose a Letter there recd from Riddell - He says you have not yet identified the relationship of the three Persons mentioned in your Letter to me that you must cause research to be made in the Charter Chest at Gordon Castle and Lord Murray's to find out whether Eufame was married to Cumyn of Altyre, or if there is any son of Alexr & Eufame styled of Altyre; and to ascertain whether she was the Daughter of the first or the second Earl Thomas of Dunbar¹⁵

This permits Pedigree A to be dated to after the availability of Wood's work in 1813 (or a little earlier in draft), and before the discovery reported in the letter, as it is absent from the pedigree, suggesting the latest date of 1821. John Grant, born in 1797, may have been too young to be its artist, implying another creator within the second baronet's circle.

The Cumming-Bruce version, 1870

By the 1860s, the noble and antique descent claims of the Cummings had acquired the status of conventional wisdom, though elements of it were not without challenge. William Anderson, another journalist and writer of popular books and encyclopaedias (Henderson & Bannerji 2004), dismissed the Iona origin myth as lacking foundation and based in a misunderstanding by 'Celtic traditionalists' of the root of the abbot's Gaelic name (1863: 739). Anderson lectured on genealogy, adding his voice to the antiquaries in calling for accurate historical research on family lines founded on the documentary record:

The neglect with which ancient documents is often treated in families arises frequently from mere carelessness ... Most people appear to be content with mere traditionary details of their lineages, without being at the pains to authenticate them by reference to proper records or regular genealogical authorities. (Anderson 1865: 5)

He unfortunately rather spoiled the effect of his critique by uncritically accepting the earl Robert story, adding a father 'John count de Comyn in Normandy', also said to be founder of the Anglo-Irish de Burgh families, with a descent from Charlemagne and family relationship to the Conqueror (Anderson 1863: 737). Anderson had followed his trusted source, Burke's *Extinct Peerages*, which gave an improbable six-generation descent from Charlemagne to Count John (Burke 1831: 96), though Burke made no connection between this count and the Robert Comyn sent to Northumbria (Ibid 135-6). It was Anderson who presumed this connection, which was then picked up by the next writer to present the family history of the Cummings – one this time from within the family, Mary Elizabeth Cumming-Bruce, the wife of Charles Cumming-Bruce, who penned the 1821 letter quoted above.

Most of Cumming-Bruce's lengthy book is given to the Bruce families that were her own ancestry and primary interest, but it included two substantial chapters on Cumyns. The descent from Charlemagne claim was repeated as was the supposed connection to the two counts Comyn and through them collateral connections to William the Conqueror and the de Burgo (Burke) families of Ireland (Cumming-Bruce 1870: 391). Unlike Anderson, Cumming-Bruce did cite Burke as her source – unfortunately the wrong one, incorrectly citing Sir Bernard Burke, while it was actually his father John Burke who had published the Charlemagne claim in the original 1831 edition of *Extinct Peerages*. This legend had been removed from Bernard's New Edition (1866: 88), published before Cumming-Bruce's book and supposedly the edition she had referenced. Cumming-Bruce made active attempts across her work to foreground her source material (even if much of it was cited as hearsay, or was of suspect character), the title page of the book asserting its foundation upon 'authentic public and private documents.' In her Preface she declared that the book had been intended only for private circulation, a statement which Round and Young took at face value, but may really have been an expression of humility, given its length at over 700 pages and the detailed references to historic records, real and imaginary, that it contains.

Cumming-Bruce was the first historian of the Altyre Cummings to notice the problem concerning Robert Comyn, claimed simultaneously as the Bruce's victim and as the Comyn

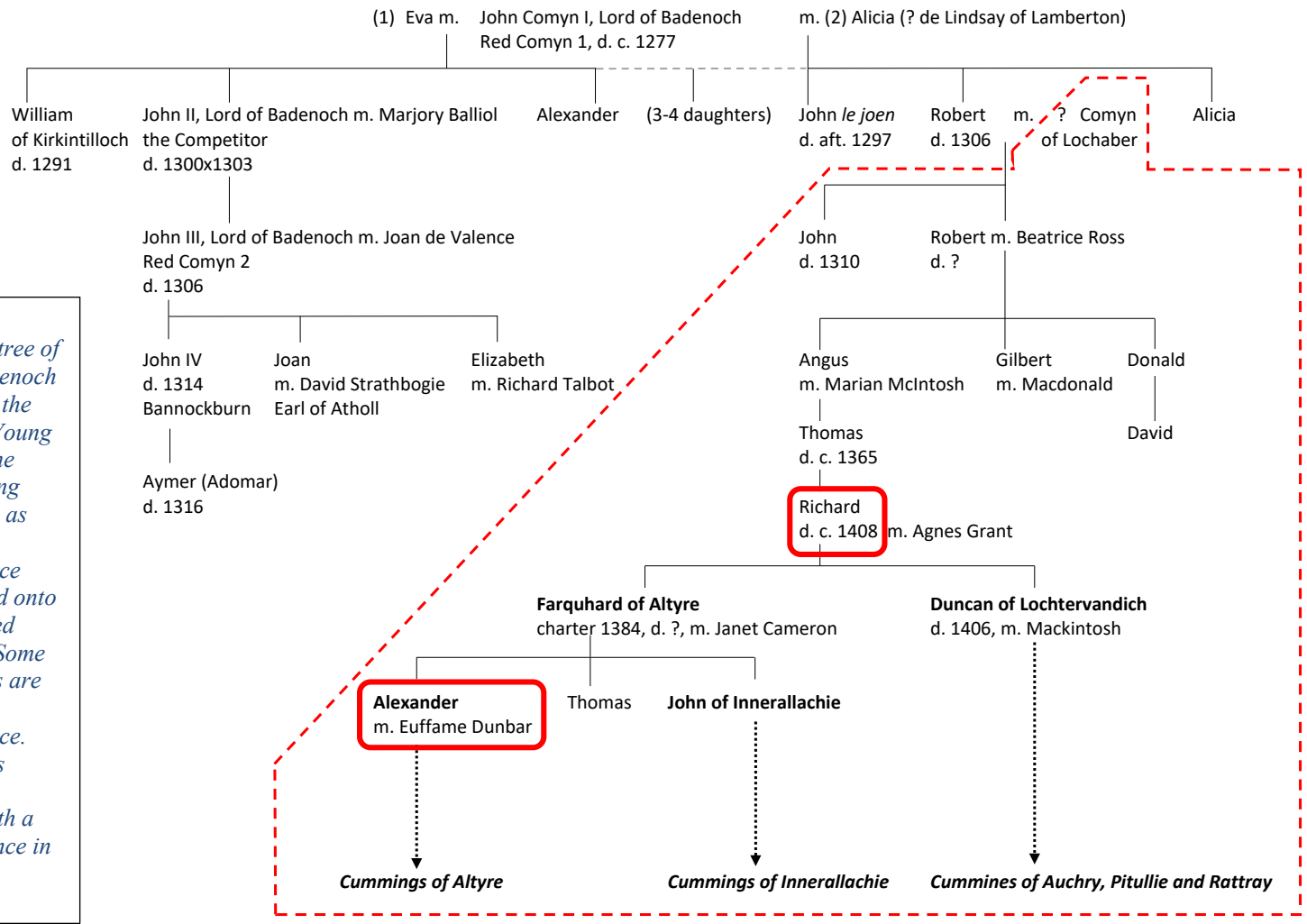
who survived to found the Altyre line. It may be her hand that made the correction on Penrose Cumming's manuscript (Illus 2). Aware of the contradiction, she solved the problem by splitting Robert into two men of the same name, father and son. She was explicit about the contradictory accounts, commenting

2, Robert, whose name has often been confounded with his father's; but as the son lived until the latter end of Robert the Bruce's reign, and the father was killed at Dumfries in 1306, the mistake is palpable. (1870: 440)

No sources were offered for the additions, nor for the extension of this Robert's life up to c.1329. A story of this Robert having served in Poland during the Comyn-Bruce conflict, added by Grant, is maintained, although the exemption from forfeiture in the Black Parliament is dispensed with. She further elaborated the story of this younger Robert inheriting one-third of Lochaber, including the castle of Lochindorb (Ibid – but she must have intended *Inverlochry*, the Comyn fortress in Lochaber), in right of his mother (to Grant, it was in right of his wife) as a co-heiress. The Comyn lands in Lochaber had likely come into the hands of Angus Og of Islay, with Bruce's approval until he granted them in turn to Thomas Randolph, his earl of Moray (see discussion in Penman 2014: 67-70), neither of them allies of the Comyns. Cumming-Bruce presents no evidence for the story, or for the existence of this second Robert.

The Cumming-Bruce version is illustrated in the diagram in Illus 4. The historic Comyn of Badenoch tree is that established by Young (1997), while the red dashed area indicates Cumming-Bruce's additions, as the 'official story' of descent from the Comyns to the Cummings of Altyre. Downwards from Thomas, d.1365, she follows Grant, but above two new generations were added, including the second Robert and a further generation that seems to be her own invention. There is an incongruous appearance to this added generation of sons with Highland names, Angus, Gilbert, Donald, which never repeat through the known Altyre line of descent from 1450 onward, and had never appeared in it before. These may serve to fashion, just as the Iona meme was being abandoned, distinct Highlander roots for Altyre, desirable in an age valuing Celticist roots. But no documentary evidence was offered in support, despite apparently precise details of marriages and deaths. Just two individuals in this linking genealogy have a verifiable presence in the written record.

*Illus 4:
Genealogical tree of
Comyn of Badenoch
drawing upon the
trees of Alan Young
(1997), with the
Altyre Cumming
'official story' as
related by
Cumming-Bruce
(1870) mapped onto
it within the red
dashed lines. Some
of these names are
creations of
Cumming-Bruce.
Red rectangles
mark the only
individuals with a
verified presence in
contemporary
records.*



MEME 6: OTHER CUMMINGS OF MORAY ARE CADET LINES OF ALTYRE

A number of branch lines of Cumming are mentioned in records, often as tenants, retainers or relatives of Altyre, who occupied the place of senior branch. Over time, traditions of direct familial connection with Altyre emerged for most of these families, constructing them as their cadet branches. This strengthened the bonds within the emerging clan during the tough times following Bannockburn, and would allow the cadet lines to claim their own share of Comyn ancestral glory. Some of the additional names added to the tree in Illus 4 seem to be mainly for the purpose of attaching those other lines as cadets. Almost all these claims of connection are too early to be verifiable in surviving records.¹⁶ The exceptions are the Cummings of Logie, whose branching ancestor was a younger son of a 17th century Altyre established in Logie by his father, and historically verifiable. Cummings of Kilbride and Culter were said to be descended from ancestors prior to the Red Comyn, though still of the same lineage. Most of these lines have become extinct in the surname-carrying patrilineal line, although some may have living descendants. Cumine of Lochtervandich, shown in its claimed 14th century branching position in Illus 4 (first stated by Douglas) has its own ‘official story’. From George Cumyn, provost of Elgin in the early 17th century and his son William Cumyn of Auchry, both of whom served as attorneys to Altyre, a patrilineal descent survives to the present day in the Cumines of Rattray. A typescript history originally written in 1887 by James Cumine of Rattray, and updated by his descendants, presents their own descent traditions that link the Elgin ancestors to the Altyre Cummings (Cumine, et al 1971). Unfortunately, nothing is currently verifiable in primary sources before Provost George Cumyn’s father, a late 16th century resident of Elgin, and again long lives and late births are needed to stretch the claimed chronology across the necessary years. Untapped resources may yet allow further light to be shed on the history of this line, opening up possible alternatives to their official story.

EMBELLISHING THE PEDIGREE: MYTH AND LEGITIMACY

Many of the themes present in the construction of Cumming history are familiar from recent scholarship on the construction and embellishment of Scottish genealogical histories. The early studies of William Matheson and the late David Sellar formed a methodology for the forensic assessments of clan genealogies (discussed in MacGregor 2002: 200-201), identifying the likely cores of reliability amid ‘the gentle art of pedigree faking’ (Sellar 1981: 113). Claims of Norman ancestry, often co-existing alongside mythic tales of ancient Irish or

Scottish founders, were deconstructed by Sellar for Campbells (1973) and others. Though the focus has generally been on the genealogies of Western Highland clans, Cathcart's work (2006) examined two of the Cummings' neighbouring clans in Moray and Badenoch, the Grants and the Mackintosh chiefs of Clan Chattan, and the role that forms of kinship (blood, marital and fictive) played in building networks of alliances and obligations. As with the Cummings, the Grants' kinship network expanded vertically (through descent) and horizontally (by seeding or acquisition of cadet lines), and while Cathcart suggested distinction may remain between the three forms of kinship, close examination of Cumming cadet relationships suggests fictive and marital ties may metamorphose in time to be viewed as blood descent, if the main line wills that they be so.

Cathcart also saw a common theme through several clan histories of the inheritance of chiefly status via an heiress, often named Eva. In the case of the Mackintosh acquisition of heredity chiefship of Clan Chattan, she saw it as likely cover for post-legitimation of what may have been a more forceful acquisition of the status. The above Cumming Memes 4-5 on the alleged descent from Robert Comyn involve inheritance of Lochaber lands from an heiress, also claimed to be of Comyn lineage, in addition to his asserted agnatic descent from the Red Comyns. This may have arisen from Grant's and Cumming-Bruce's desire to root the Cummings in Highland society as well Scottish aristocracy, but it also speaks to a sense that a history of having been reinherited in Moray by David Bruce or the Stewart kings was insufficient legitimation for Altyre's standing at the head of their own kinship network.

In his analysis of George Mackenzie, earl of Cromarty's embellished Mackenzie genealogy, MacCoinnich (2003:182) noted Cromarty's view that 'It is advantageous to be discerned of good and great predecessors'. Asserting unbroken agnatic descent from the Red Comyns and earlier was at the core of Altyre's desire to raise its social status, but it may have been particularly significant to Penrose Cumming because of his sense of injury done to his grandfather and father by the perceived denial of their rights of succession through primogeniture. Continuous possession of land by the extensive agnatic descent lines across aeons of time is another theme in genealogical histories, as noted by MacGregor (2002: 218) in his discussion of the Frasers of Lovat. Shaw expressly referred to possession of Altyre for 'time immemorial' in his earlier more favourably disposed version, and Penrose Cumming alluded to it in his genealogical account, quoted above. As Allan acerbically commented, the genealogical activities of the Georgian/Regency gentry were no 'antiquarian indulgence' but

rather a ‘vital tool in the self-fashioning of an emergent modern elite, a potent propaganda weapon providing ... historical legitimation to the various strands of a powerful kinship network successfully on the make’ (2002: 153). Allan noted that Robert Gordon of Gordonstoun’s celebrated genealogical history of the Gordons was in part an attempt to legitimise the Gordons’ own disputed acquisition of the Sutherland earldom via a controversial marriage contract – an ironic echo for Penrose Cumming, who, before commencing his own genealogical writing, had become the controversial and contested Gordonstoun heir, winning it over the rights of a competitor and closer heir. Legitimation may have been on his mind.

It would be misleading to view all the Cummings’ work of genealogical creation as post-hoc legitimation of their own succession battles. Penrose and his sons were ambitious, seeking roles in the politics of Regency Scotland, eventually gaining the patronage needed to win seats in the House of Commons. By the time Grant’s edition of Shaw’s *History* was published in 1827, Sir William Gordon Cumming, Penrose’s son and second baronet, well established in high status Edinburgh and London society, entertained thoughts of returning the Cummings to their lost aristocratic status by lobbying the prime minister Goderich for elevation to the peerage. His arguments observed how ‘high a respect is paid to the claims of Descent ... his Family has, for five centuries, remained the undisputed lineal Descendants of the noble Family of Comyn’, but, following the tradition of his reputed ancestors, also grounded his plea in his ability to play local fixer in faraway trouble spots:

A story of formidable opposition exists in Murrayshire to his Majesty’s Ministers ... With that interest of [sic] the family of Cumming has never been connected, & Sir Wm G. G. Cumming does not overrate his influence in stating that he might be of considerable service to the present Administration in opposing & counteracting the interests alluded to, in his own immediate Counties...¹⁷

Goderich was not long to remain in office, and the letter may never have been sent.

CONCLUSION: ON THE 14TH CENTURY DESCENT OF THE CUMMINGS

In penning her romantic ballad *The Story of Alastair Bhan Comyn; Or, the Tragedy of Dunphail*, Eisa Gordon Cumming, Lady Middleton, subtitled it *A Tale of Tradition and Romance*. Set in the mid-14th century, it recounted struggles between Thomas Randolph,

Bruce's earl of Moray, and local clans she identified as Comyns. Middleton lamented the loss of cultural memory of Gaelic folk traditions and epic songs and poems, hers being an attempt to recreate what was lost. She traced the genealogy of her romance back through Thomas Dick Lauder's book on the Moray floods of 1829 to correspondence Lauder received from Richard Rose, minister of Drainie, reproduced in her appendix.¹⁸ Rose in turn recounted how he learned the tales from his father (d. 1794) who learned them in turn from a Gaelic 'minstrel' named Miller, though he was not able to reproduce the Gaelic originals. Miller, already an old man when Rose's father was young, had acquired them from his own father, giving a chain of transmission of epic tales back to the mid-17th century. These and likely others leaked into the work of the Moray historians and seem likely to have been source material for Cumming-Bruce – who lived at Dunphail – in her (re)creation of a 14th century history for the Comyn-Cummings, with its epic clan feuds and Highland names. As well as taking aim at Lachlan Shaw, Middleton also fired a blast at Cosmo Innes for having 'endeavoured to question the authenticity of Sir Thomas' tales' (1889: viii), though her lament that tradition dies with a dying language is merited. A tension between the historian and the epic balladeer is played out in the family's interactions with the historians, favouring rational interpretation of the documentary record as well as desiring the epic tradition to be part of that history.

It would take until the late 20th century and the work of Alan Young (1997) for a rigorous assessment of the origins of the medieval Comyns, but for the Cumming families who reappeared in Moray after the wars of independence, this is yet to be done in print. A 1456 notarial instrument remains the earliest extant documentation of the Cummings at Altyre, but also of interest is the conceivably long career of Richard Comyn, the knight favoured by David II in the 1360s and possibly the same person witnessing grants made by Albany as Governor in the 1400s,¹⁹ giving potential for a better historical account of the Cummings' return to influence in 14th-15th century Moray to be developed.

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NOTES

- ¹ NLS Dep.175/64
- ² Paul issued a correction in the *Corrigenda*, vol IX (1914: 30), deleting the first two and half pages of his Comyn chapter.
- ³ ‘Guillelmus rex Dunelmensem comitatum Rodberto de Cuminis tradidit’, Chibnall translating *tradidit* as ‘bestowed’.
- ⁴ ‘Misit rex Willelmus Northymbris ad aquilonalem plagam Tine comitem Rodbertum cognomento Cumin.’
- ⁵ NLS Dep.175/64
- ⁶ Baptisms Register, Sithney, Cornwall, 1749. ‘Alexander Penrose son of Alexander Cummins Esq. & Grace his wife, 16 of May.’
- ⁷ NLS Adv.MS.31.7.3
- ⁸ *Ibid* f.113.
- ⁹ *RMS vol I*, no. 285, 6 January 1368/9; no. 353, 15 September 1369.
- ¹⁰ NLS Dep.175/64/8, p.2. Manuscript dated 30 November 1801 and unsigned, but the writer declared ‘I find myself at this period turned 52’, the correct age at this date for Alexander Penrose Cumming Gordon.
- ¹¹ NLS Dep.175/64/1. Typescript ‘The Cummings of Altyre and lands in Jamaica’ by James G. Murray.
- ¹² NLS Dep.175/64/8, p.5. Manuscript of Alexander Penrose Cumming Gordon, 1801.
- ¹³ NLS Dep.175/64/1. Manuscript ‘Family of Cuming of whom Cuming of Craigmiln whose representative is meant to be established’, in hand of Alexander Penrose Cumming Gordon, c.1802.
- ¹⁴ Indenture betwixt Sir Thomas of Dunbar Earl of Moray and Alexander Cumyne, 28 May 1408. Reproduced in Grant & Shaw (1827: 474-5 no. LVI). A copy exists in NLS Dep.175 [NLS], and two transcriptions in National Records of Scotland (NRS RH1/2/175, RH2/2/15/16).
- ¹⁵ NLS Dep.175/160/3. Charles Lennox Cumming-Bruce to Sir William Gordon Cumming, 15 May 1821.
- ¹⁶ See e.g. MacGregor *Red Book* III, 267: ‘ALEXANDER CUMING OF EARNSIDE, is generally said to be a grandson of Ferquhar Cumin of Altyre but there is no evidence to prove that.’
- ¹⁷ NLS Dep.175/64/1. Draft letter on behalf of Sir William Gordon Cumming to Viscount Goderich, prime minister, December 1827.
- ¹⁸ Middleton’s full transcriptions of Rose’s letters are in NLS Dep.175/64/1.
- ¹⁹ E.g. *RMS vol I*, no. 886, 27 February 1405/6; no. 888, 28 September 1406.