

Tales of Murder!

A study of the Kennedy surname

Iain Kennedy

Murder One

In 1652 John Kennedy of Kermuck (a landed estate in the parish of Ellon, Aberdeenshire), committed the murder of a servant of his neighbour Thomas Forbes, an event that became notorious as the ‘Slaughter of Watertown’ [1]. Excommunicated and forced to sell his estates (along with the hereditary title Constable of Aberdeen) Kermuck and his family fled to Stroma, a remote island off the coast of Caithness. Their arrival and identity is proven by a 1659 record in the Caithness Sasines [2] and in the following centuries they maintained an enclave in the parish of Canisbay on the facing mainland. They are totally absent from the parish of Ellon in the 1696 poll tax returns [3], having held their estates and Constablenesship since at least 1413 [4].

Murder Two

By coincidence, in 1659 the Kennedys were also first seised of lands at Lianachan in Lochaber [5], by the bankrupt earl of Argyll [6] but there the coincidence appears to end. The sasine lists six Kennedys including two fathers and sons – Angus, Duncan, Hew, Niall, John and Finlay and states they were already in possession of their lands. The Gaelic given names alone are enough to show that they were nothing to do with the fleeing Kermuck branch, as can be demonstrated by onomastic analysis of the 1696 poll tax for Aberdeenshire and the 1691 hearth tax for the Carrick district of Ayrshire [7]; they suggest at least a two generation Highland residence. Yet in 1723 when Buchanan of Auchmar wrote his book on Scottish surnames [8] he told a story about the Carrick Kennedys ‘who for slaughter fled divers ages ago to Lochaber’ and the story has been repeated ever since [9]. No written source has emerged for the story which is just one of many told locally; in other variants they accompanied the daughter of the Kennedy chief who married the Cameron chief (false) or were planted by the Government of James VI and his right hand man the Earl of Argyll to civilize the wild Highlanders (more plausible but unproven).

subsequent fate. Kermuck merely swapped one estate for another and still maintained his wealth but his progeny never expanded beyond Canisbay parish. Yet in the west Lianachan's family, despite apparent obscurity and lower social standing, managed to spread over the whole of the western Highlands. (There is a similar puzzle in Ireland. In 1659 the two Ormond baronies are dominated by the names Gleeson and Kennedy. Since then the latter has vastly expanded to become one of the top 20 surnames in the whole country, despite the crushing power of the Butlers, but the Gleesons have not multiplied in the same way. Why not?)

NB: the above is not the first highland Kennedy sasine, that is the 1579 Dornoch sasine for John Kennedie, possibly connected to the marriage of Sir Hew Kennedy of Girvanmains to the Countess of Sutherland a generation earlier. A James Kennedei was even appointed to the deanery of Dornoch in 1462. See 'Strays and Settlers' below.

Expansion from Carrick into Ulster

As well as dealing in detail with the vast landholdings in Carrick by the Kennedy branch there, sasines also give us some early clues about expansion into Ulster. For example in 1622 James Kennedy, formerly a messenger in Maybole, was seised of lands whilst residing at Ballycastle in Co. Antrim along with his spouse and in 1631 Oliver Kennedy is likewise shown to be residing in Mureoncan, Co. Armagh [10].

From Carrick to Edinburgh and then Glasgow

Before the first registers of sasines in 1599 the notarial protocol books can be consulted. Most of these only exist in handwritten form at NAS but some have been published in printed form. The economic power of the Kennedys can be seen from the protocol book of Gavin Ros [11]; in just 20 years in the early 16th century his sasine records detail 517 Kennedy references! A record in colleague James Young's book shows a tenement in Edinburgh belong to the late Andrew Kennedy in 1488, giving an indication of how early the family reached the capital [12]. The protocol books of the town clerks of Glasgow mostly related to property or at least owners in Ayrshire but do show some early Kennedys in the town eg John Kennedy, a baker, who witnesses a sasine there in 1583. At first there is a definite timelag in the Kennedy expansion into Glasgow compared with Edinburgh, reflecting the former's slower development in the middle ages; in the 1500s Carrick Kennedys who wanted to better themselves headed straight to Edinburgh. Analysis of the two cities' baptism registers show that Glasgow only started to edge Edinburgh out in the period 1750-1800 and in the final half century prior to civil registration it outscored its rival by 2 to 1. This rapid Kennedy growth in Glasgow is a combination of general internal population growth of Glasgow on the back of the tobacco and sugar trades and incoming Irish Kennedys. Glasgow was hit by both plague and fire in the 1650s and based on the figures below the Kennedys of the town almost disappeared for a while.

Period	KENNEDY baptisms Glasgow	KENNEDY baptism Edinburgh
1600-1649	21	107
1650-1699	11	151
1700-1749	62	82
1750-1799	180	164
1800-1854	531	295

Kennedy family papers

The Scottish Kennedys have several sets of family papers, the biggest of which is NAS GD25 which contains charters etc dating back to the 1290s. Most of the papers are land transactions or bonds and cover the 1500s and 1600s in the Carrick district. The Irish O’Kennedys lack an equivalent, for a variety of reasons. Within a few decades of first rising to power as ‘lords of Ormond’, their lands were taken over by the de Botiller family who chose Nenagh, the O’Kennedy caput, as their base in 1185 and later became first Earls then Dukes of Ormond. The closest we get therefore are the Anglo-Norman Ormond Deeds [13] which give a glimpse of the uneasy relationship that developed between Gael and English overlord. These Kennedy records were studied by Gleeson [14] and reprinted by Brian Patrick Kennedy more recently [15]. There are scattered Gaelic references in the Irish annals and a Gaelic land deed of the O’Kennedys is discussed by Kenneth Nicholls [16].

Origins

There seems to be little controversy about the origins of the Irish branch since the eponym Cennetig mac Lorcan (ob. 951) is well recorded [17]. Determining when the name changed from a family name or patronymic (or ‘paponymic’ as Byrne likes to call it [18]) to hereditary surname is difficult, and trying to plot this process by tabulating the obits of the eponyms, as per Ó Murchadha [19] is misleading. The O’Kennedys still concentrate in their ancient caput of Nenagh, despite being widespread all around Ireland. The town holds them in high honour as this monument in the town centre shows:



Fig. 2 Nenagh town square, Co. Tipperary.

Even in Scotland, without a direct father-son record it is hard to detect a hereditary surname and the suggestions of Colin Rogers for adducing them, based on records in England, are unconvincing.

There is no known eponym of the Scottish branch although Cormac mac Cennetig appears as a landowner in the Gaelic notes to the Book of Deer c. 1120 (the Abbey of Deer is in Aberdeenshire only 10 miles from the estate of Kermuck but this may be a coincidence – or double coincidence allowing for the suggestion that Kermuck derives from the personal name Cormac. Again it has been suggested that the Kennedys won their Aberdeenshire titles as reward following the Battle of Harlaw in 1411, a similar distance from Kermuck in the other direction. (Similar to the notion that the Carrick Kennedys gained Dunure after the battle of Largs). Likewise it is unclear why for several generations the Kermuck branch were known as Kemptys, a name more likely to be derived from Baltic traders than Gaels [20].

In Carrick and/or Galloway the surname was present from the late 1100s (sometimes but not always in MacKennedy form) but not proven to be hereditary until the mid 1300s when the first father-son records date. No Gaelic resources from the region survive. The head of the Dunure family in Carrick was made hereditary Chief of the Surname and his male descendants still hold this right today.

Off to England

It is difficult to say when Kennedys from either Ireland or Scotland first arrived in England. The Carrick branch were active on the continent in the mid 1400s in the educational, political and military spheres and Hugh Kennedy had safe conduct to pass through England to Calais in 1451 [21]. Gilbert Kennedy was ambassador to England and was granted safe conduct there in 1515-16 [22], not long after his father David was killed by the English at Flodden. Early parish registers show settled families, probably both Irish and Scottish, in several northern counties by 1600. One notable arrival was Sir John Kennedy who followed King James VI to England, marrying the daughter of Lord Chandos and settling at Barn Elms on the Thames where his wife slowly bankrupted him with her extravagance. He was naturalised in 1603 [23] and he left one of the earliest surviving English (PCC) Kennedy wills in 1622. The political deeds of James VI may at a stretch have taken the Carrick Kennedys to the Scottish Highlands, Ulster and England!

Soit fait comme il est desire

In all humbles beseecheth your most excellent Ma^{tie}, your loyall, most bounden and faithfull Subiect Sir John Kennedy knight borne in your highnes Realme of Scotland, That yt may please your Ma^{tie} at the humble petition of your said Subiect, That yt may be ordeyned, enacted, admydded, and established, by your Ma^{tie} by and wth the assent of the Lordes spirituall and Temporall and the Commons in thire next Parliament assembled, and by authority of the same, And be it enacted, and admydded by authority of the same, That y^e said Subiect Sir John Kennedy and all and everye his children lawfullie to be begotten and wth hereafter shalbe borne wthin the Kingdoms of England, Scotland, or any other your highnes Dominions, shalbe at all tymes and from tyme to tyme hereafter your Ma^{tie} leige people and naturall Subiecte of this Realme of England, And shalbe and may be from henceforth, admydded, accepted, and taken in every respect, condition and degree, to all intente, constructions and purposes, your Ma^{tie} naturall and leige Subiecte of this Realme of England, and as persons borne wthin your Realme of England, and as free to all intente, constructions and purposes, as y^e your said Subiect and his children lawfullie to be begotten and everye of them, had byn except borne wthin this Realme of England. And also may and shalbe from henceforth by the said authority enabled and admydded able to all intente, constructions, and purposes, as well to demand, challenge, asse, have and enjoy any maner Landes, Tenem^{ts}, and hereditaunte, and make his and thers, repute and pedigree, as heretofore to any of thers Ancestors Lintall or Collatral, by reason of any dissent, remainder, reverter, right or any other title or Combenant whatsoever, wth after the first day of this present Parliament shall dissent, remainder, reverter, or other, from, or thence unto hem or any of hem. As also to have and enjoy maner Landes Tenem^{ts} and hereditaunte by way of purchase or gift, of any person or persons or otherwise, according to the Lawes of this Realme, and also to prosecute, pursue, maintain, avow, instite and defence, all and all manner of actions, sute causes, and all other lawfull thinges whatsoever to do, as lawfullie franklie fully liberally, surely and freely, as y^e your said Subiect and his children lawfullie to be begotten as aforesaid had bin or were borne wthin this Realme of England, and as any other person or persons, naturallie or borne wthin this Realme of England may lawfullie in anye wise do. Any Law, Act, Statute, Provisioun Custome, ordynance, or other thing whatsoever, had, made, donne, promysed, proclaimed, or provided, to the contrary herof in any wise notwithstanding And your said Subiect shall dayly pray to God for your Ma^{tie} in all hono^r, prosperitie, and safetie, long to continue and reign over us.

Soit baille aux Commens
Et ceste bille les Commens ont

Fig. 3 Sir John Kennedy's Private English naturalisation Act, 1603 (UK Parliamentary Archives)

More from the seventeenth century

So much for the property owning classes, what of the ordinary folk? Most of the parish registers in both Ireland and Scotland lack the depth in time to tell us much of the expansion of the surname, and the only tax returns are from the late 17th century. The printed return for Ayrshire naturally shows large Kennedy numbers with 19 ordinary families in Maybole parish alone. Although they were a century past their peak there are also a number of Kennedy lairds denoted by the name of their house only.

Murder Three!

One laird who was not at home for the hearth tax return of 1691 was the 'Wicked Baronet', Archibald Kennedy of Culzean. His estate had been sequestrated the previous year for his Jacobite sympathies and he spent the year in Ireland, the Highlands and finally prison. He was infamous for his persecution of the Covenanters as this local memorial reminds us



Fig 4 Memorial, Kirkmichael kirkyard, Ayrshire

In contrast there are only 5 Kennedys listed in the Perthshire hearth tax [24], probably under

represented since their base was in the Jacobite north west of the county and the purpose of the tax was to raise money for the army fighting the Jacobites! For many key parishes, Kennedys are present as soon as the surviving register opens and typically only the burgh registers go back far enough to show arrival times for what was (at least in the north) mostly a rural expansion [25]. Thus we learn that they reached Inverness burgh around 1697 and Perth burgh about 1710, undoubtedly in both cases gradually migrating there from Lochaber. By this time they were already present in all the counties they would penetrate.

By using a combination of Petty's 'Census' [26], hearth tax returns and early parish registers we can get a rough picture of Kennedy distribution in Gaeldom around 1700. In Ireland KENNEDY was in Munster, Dublin and the coastal fringes of Ulster. In Scotland, c. 1400 KENNEDY was restricted to Ayrshire and Aberdeenshire; c. 1600 it had taken both Glasgow and Edinburgh/Dunfermline and established a foothold in Lochaber in the western Highlands; by c. 1700 it had spread to the rest of Scotland with the exception of Sutherland which it never really penetrated.

Distribution problem #1: Strays versus Settlers

One big problem in investigating changing distribution with time is how to distinguish visitors or vagrants from settled families raising children over several generations. The Papal archives show a number of Kennedys getting dispensation to take up ecclesiastical positions, often despite 'birth defect' or more specifically, being illegitimate. As far back as 1388 or so, John Kennedy moved from St Marys in Co. Louth to the abbey of Bangor in Co. Down with special dispensation 'being the son of a priest and a married woman'. Likewise several Kennedys [27] were appointed to office in the Scottish highlands in similar circumstances in the 15th and 16th centuries, often to areas that show no evidence of subsequent settlement. At least one Carrick laird dwelt in Sutherland and helped raised his stepson the Earl of Sutherland. Such lists form a key element of the study but the real goal is to show settlement over multiple generations – before parish registers start up this is likely to be restricted to land owners or perhaps holders of tacks, which are hard work to dig up in the archives.

Distribution problem #2: Absence of proof versus proof of absence

When did the Kennedys first reach Co. Mayo in Ireland? This is one of the counties missing from the 1659 'census' and a meaningful map of the returns should blank the county out. Incomplete data plagues the project, much more than it likely would for an English surname study since neither Ireland or Scotland can match the level of country wide data sources in the medieval era. It is easy to get tricked by artefacts in the data, in particular data from the 1600s often gives the impression of rapid Kennedy expansion. Determining if this impression is real is the ongoing challenge.

Family reconstruction

Full pedigree reconstruction of Scottish families is straightforward due to the fully digitised birth

and marriage records from the Reformation to the present day, which can be viewed for a flat daily fee in Glasgow and Edinburgh. To date about 5000 births and 1800 marriages have been transcribed and the only reconstruction challenge comes when the line traced back to Ireland whose records lag behind in several respects (increased availability of Irish indices recently has helped somewhat). To date no particularly large trees have emerged apart from that of the Chief of the Name (c. 400 individuals) and it is not clear yet how much this is likely to change. The second biggest tree migrated from an unknown location in Ireland to Girvan in Ayrshire in the 1840s and may not be traceable any further back; they were Irish Presbyterians. The largest 'snapshot' family found all together in a census is that of David Kennedy of Edinburgh who had 12 living children in his house in 1901; But he was an adoptee who took his name from his uncle, who had no children of his own and was from lowland Perthshire.

Conclusion

In this essay I have attempted to outline some of the more important sources consulted in both Scotland and Ireland, in order to map the changing distribution over time of the Kennedy surname. Whilst the two ends of the story are fairly clear, the critical expansion era from 1550-1700 is still poorly understood and more work on locating sources is required before meaningful visual charting of the process can begin.

References

- [1] See for example NAS GD17/539 'Petition of Alexander Forbes', 23 Oct 1652.
- [2] Caithness Sasines vol. 2 fol. 21, 9 Sep 1659
- [3] List of pollable persons within the shire of Aberdeen 1696, vol. 2 (Aberdeen, 1844).
- [4]. Ellon charters
- [5] Abstracts of Argyll sasines 1617-75 extracted by Herbert Campbell, nos 992, 993 ; NAS GD135/1520.
- [6] The sasine was made at Inverary and registered in both Inverness and Argyll. The land more usually belonged to the earl of Huntly who had earlier granted the same Kennedys a tack there.
- [7] Hearth Tax for Ayrshire 1691, ed. R. Urquhart and R. Close (Ayr, 1998)
- [8] Historical and Genealogical Essay upon the Family and Surname of Buchanan. To which is added a brief enquiry into the genealogy and present state of ancient Scottish surnames, and more particularly of the Highland Clans, Buchanan of Auchmar, (Glasgow, 1723) p50.
- [9] see for example Surnames of Scotland, George Black (New York, 1946)
- [10] Ayrshire sasines 1617-35, vol. 2 fol. 395; vol. 5 fol. 171
- [11] Protocol book of Gavin Ros 1512-32 (Scottish Record Society, 1908)
- [12]. Protocol book of James Young 1485-1515 (Scottish Record Society, 1952)
- [13] Calendar of Ormond Deeds, ed. E. Curtis (1941)
- [14] Last lords of Ormond. Cromwellian plantation, prelude and aftermath in the 'Countrie of the Three O'Kennedies', DF Gleeson (London, 1938).

- [15] The Irish O'Kennedys, Brian Patrick Kennedy (Australia, 2000)
- [16] Gaelic landownership in Tipperary in the light of the surviving Irish deeds, K. Nicholls, in: Tipperary History and Society, ed. W. Nolan (Dublin, 1985).
- [17] Annals of Inisfallen 951.3, although Kathleen Hughes in 'Early Christian Ireland: Introduction to the sources' (Cambridge, 1972) opines that this entry is retrospective.
- [18] 'A note on the emergence of Irish surnames' in F.J. Byrne, Irish Kings and High-kings (Dublin, 2001) pp xxxi-xliii
- [19] 'The formation of Gaelic surnames in Ireland: choosing the eponyms', D. Ó Murchadha, in Nomina 22 (1999)
- [20] Deutsches Namen-lexikon, Hans Bahlow (Hamburg 1997); see also the distribution of similar names in Aberdeen, Hull and Ipswich
- [21] Rot. Scot. II 347.
- [22] Calendar of Letters and Papers Foreign and Domestic, 7 Henry VIII, no. 1442 (James V to Henry VIII, 27 Jan 1515/16)
- [23] UK Parliamentary Archives, Private Act, 1 James I, c. 23 HL/PO/PB/1/1603/1J1n55 1603 Sir John Kennedy private naturalisation act
- [24] Perthshire Hearth Tax 1691-2, tr. Karl Ransome (Edinburgh, 2001)
- [25] Some of this expansion was driven by political moves against the MacGregors who had earlier moved east through the Highlands with their backers, the Campbells of Glenorchy. See 'Expansion of the Campbells of Glen Orchy and the MacGregors into Breadalbane and Rannoch 1437-1550' pp 135-200 in
- 'A Political history of the MacGregors to 1571', Martin MacGregor, unpublished Ph.D. thesis (Edinburgh University, 1989). This is probably the most detailed scholarly study of a Highland surname to date.
- [26] A census of Ireland circa 1659, ed. S. Pender (Dublin, 2002)
- [27] see for example Calendar of Papal Registers and Letters, vol 11 (1455-64).