

William Kennedy of Dalgain and the Kennedy family of Craigoch and Kilhenzie

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updated with details of Mrs Alexander Kennedy's Declarator of Marriage court case and the testament of Thomas Dalrymple, William Kennedy's merchant partner.

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Introduction

The Kennedy family of Craigoch and Kilhenzie in Ayrshire is a well known family. Originally a junior branch of the Cassillis family, they are best remembered for producing the 11th Earl and Chief of the surname Kennedy, Archibald Kennedy (junior).

There has been much speculation about the younger sons of this family with researchers often claiming male line descent from either brothers of Archibald Kennedy (senior) of New York or of John Kennedy of Kilhenzie. Although evidence is often not provided, particular attention has been paid to a document known as the 'Cox-Kennedy bible' [1]. This family bible was first owned by the Cox family of North Carolina and passed to a John Kennedy upon his marriage with Sarah Cox. Writing as late as the 1770s, John appears to have written an entry claiming that his paternal grandfather was a William Kennedy born at Culzean in 1690 to parents Alexander Kennedy and his wife Anna. This has been presumed to refer to Alexander Kennedy of Craigoch and his wife Anna Crawford, thus making William brother to John Kennedy of Kilhenzie [2].

Records remaining in Scotland paint a different picture and this article presents some of these records in chronological order, along with records pertaining to Alexander, brother to John and William.

1711. William Kennedy 'brother german to John Kennedy of Kilhenzie' is apprenticed to Edinburgh merchant burghess Thomas Dundas [3]. The Dundas family were one of the most powerful and influential families in Scotland at the time. Later Thomas was to lend to and then claim back money from Sir Thomas Kennedy of Culzean; he had spent all the money and had to get a bank loan to pay him back [4].

1715. William Kennedy 'brother german to John Kennedy of Kilhenzie' executed a deed of Factory [5], appointing his brother Thomas his factor whilst he went 'abroad furth of Scotland'. His planned destination is not given but it does not sound like a permanent emigration. It is most likely he was still an apprentice to Dundas at this stage and may have been going to England or the Low Countries. It is not known at this stage whether he did actually make this trip. (Given the year, an interesting alternative theory worth considering is whether William was a Jacobite and was temporarily leaving the country either for safety or intrigue).

1719 William Kennedy was admitted merchant burghess in Edinburgh based on the aforementioned apprenticeship [3].

1719 William Tait is apprenticed to William Kennedy and Thomas Dalrymple, merchant burghesses in Edinburgh [3].

1720 William Kennedy merchant in Edinburgh signs a post-nuptial marriage settlement with

Helen Smith, daughter of James Smith. James' title appears once but is hard to read and the surname is very common! The marriage settlement itself has not been located yet and may never have been recorded in any court, but is referenced in his testament [6].

1721-28 William Kennedy and Helen Smith have at least 6 children born in Edinburgh, West Calder and Sorn in Ayrshire [7]. The first born and later heir to William was John, born in Edinburgh and baptised 13th June 1721. The baptism record reads:

"William Kennedy merchant burgess & Helen Smith his spouse a S.N. [son named] John w. John Earle of Cassillis and John Kennedy of Killhinie Advocate; the child was born 7th instant."

A third son Colin has Kilhenzie again as witness at his baptism along with Colin Graham of Drynie.

1723 Thomas McKnight is apprenticed to William Kennedy and Thomas Dalrymple [3]. At around the same time Thomas Dalrymple dies and his testament [8] shows how all his finances were bound up in his joint Company with William. The value of goods and merchandise in their joint shop was £930 sterling, split equally between the two partners.

1729 William Kennedy dies in England, the circumstances of his death are unknown [6].

1731 William's testament [6] is confirmed, his widow Helen Smith is the sole executrix. By this time William is titled William Kennedy of Dalgain. Confusingly this is the name of an estate and a parish (later renamed Sorn) in Ayrshire and William was NOT the laird of the Dalgain estate. He has numerous creditors including his brother John Kennedy of Kilhenzie.

1732/3 James Dalrymple, executor of the estate of his deceased brother Thomas Dalrymple, is busy in protracted legal proceedings against Kennedy's other creditors [9, 10]. A full list of these creditors is given and they include

- * the Earl of Loudoun in Ayrshire
- * John Kennedy of Kilhenzie
- * Alexander Kennedy customs officer at Saltcoats in Ayrshire, 'brother to the deceased William'
- * Thomas Kennedy collector of excise at Exeter South Britain
- * Anna Crawford, Lady Kilhenzie [who is thus revealed to be still living and has survived her son William]
- * John Kennedy eldest son and heir of the deceased William
- * Janet Campbell, relict of Hugh Mitchell of Dalgain [the laird of Dalgain estate]

The papers also include individual summons to the other Kennedys to appear before the court, even one addressed to Thomas Kennedy 'being forth of Scotland'.

1734-6 Alexander Kennedy and Elizabeth McNaughton have two daughters one born Irvine, one Ayr. There are no recorded sons with this spouse although some possible extras with only the father named (including Irvine and Kirkoswald). The Irvine parish register did not indicate the father's occupation until the 1780s and it is not possible to further identify the Alexander Kennedy who had a son of the same name there in 1729. There are no candidate childrens' baptisms in the Portpatrick register which dates from 1720.

1737 The testament of Helen Smith [11] is confirmed, with her inventory given up by John Kennedy eldest lawful son. The document confirms that Helen has four surviving children although only John is actually named.

1745 Elizabeth McNaughton, 'relict of Alexander Kennedy, brother to John Kennedy of Kilhenzie', takes legal action against William Clugston in a Declarator of Marriage case [12]. Her court

testimony states that at the time she had been living in debt in Portpatrick, raising a family of (unnamed) children on her own for several years. How she ended up there when the couple had lived in the Irvine area is unknown. The Defendant's case states twice that the Pursuer was still going by the name Mrs. Kennedy at all times. (see http://www.kennedydna.com/Mrs_Alexander_Kennedy_Kilhenzie.pdf for a full transcription).

1747 Archibald Kennedy merchant in Rotterdam is admitted Edinburgh burgess [3]. This may be William's son (born 1727) but this is to be confirmed. His entry is 'gratis by act of Council'.

1749 The testaments of Archibald and Thomas Kennedy lawful sons of the deceased William Kennedy of Dalgain are confirmed [13]. Both have died abroad (England and Ireland respectively). The inventory is given up by their brother Alexander Kennedy. There is no reference to further family of either of the deceased suggesting they were unmarried. This accounts for the four surviving children from 1737 - in order of seniority John, Alexander, Thomas and Archibald.

1750 Alexander Kennedy, weaver, is admitted Edinburgh burgess in right of his father William Kennedy [3]. There is a strong likelihood this is the second son of William Kennedy of Dalgain, since the names, roles and dates all fit. The main question is had John the eldest son died by then or was Alexander still able to take his father's place without being the heir?

1751 Alexander Kennedy weaver burgess in Edinburgh married Margaret Beck [14]; they have four recorded daughters but no son is known [15].

No will has been found in Scotland or England for either John or Alexander, nor has any further family been found for John. It is probable that the entire family had daughtered out by the end of the 1750s.

Sources

[1] Cox-Kennedy bible, North Carolina State Archives ref. 400.671. A digital version can be viewed at <http://digital.ncdcr.gov/cdm4-p15012coll1/document.php?CISOROOT=/p15012coll1&CISOPTR=8541&REC=1>.

[2] Such a pedigree was published by Gary Boyd Roberts in his book 'The Royal Descents of 600 Immigrants', citing a transcription of the bible.

[3] Edinburgh Burgess Register (includes Apprenticeships)

[4] Michael Moss, 'Magnificent Castle of Culzean and the Kennedy family', p34

[5] NAS RD3/145/503, Deed of Factory, Kennedy & Kennedy, 5 July 1715

[6] NAS CC8/8/93 (Edinburgh Commissary Court) Testament of William Kennedy, Merchant Burgess of Edinburgh, 19 Mar 1731

[7] GROS OPR, Edinburgh. The two records which mention Kilhenzie are John, 13 June 1721 (685/1 170 19) and Colline, 1 Aug 1723 (685/1 170 124), both baptised in Edinburgh City.

[8] NAS CC8/8/88 (Edinburgh Commissary Court), Testament of Thomas Dalrymple, merchant burgess of Edinburgh, brother german to James D. of Harvestoun. This testament is dated 8 Feb 1723 and gives Thomas's date of death as August 1722 but Thomas McKnight's apprenticeship is dated 27 Feb 1723; it may be that William Kennedy was still trading as Kennedy and Dalrymple.

The link is not in doubt since Thomas McKnight's widow is listed as a creditor in William Kennedy's testament.

[9] NAS CS131/195 Dalrymple and others vs Creditors of William Kennedy of Dalgain: Decreet of Certification, 5 Jan 1733

[10] NAS CS131/348 William Kennedy of Dalgain vs Creditors: Decreet of Ranking of Creditors, 29 Jul 1735

[11] NAS CC9/7/57 (Glasgow Commissary Court) Testament of Helen Smith, relict of William Kennedy of Dalgain, 2 Dec 1742

[12] NAS CC8/6/315 Process of Declarator of Marriage etc.: Elizabeth McNaughton v William Clugston

[13] NAS CC8/8/112 (Edinburgh Commissary Court) Testament of Archibald and Thomas Kennedy lawful sons to the deceased William Kennedy of Dalgain, 1 Feb 1749

[14] Edinburgh Marriages 1751-1800, Scottish Record Society vol. 20

[15] GROS OPR, Edinburgh 1753-1758 (all baptised in Edinburgh City).