

# The Gunn Chiefship

*(From Clan Gunn Society UK)*

**Updated 6th October 2015**

On the 25th September 2015 Lord Lyon Morrow issued the following interlocutor in the Petition of Iain Alexander Gunn of Banniskirk Chief of the Clan Gunn of date 24 July 2015:

“Edinburgh, 25 September 2015. The Lord Lyon King of Arms, having considered the foregoing petition, Recognises the Petitioner as Representer of the House and Family of Gunn, Chief of the Clan Gunn, and that he is entitled to the additaments of Chief to his Ensigns Armorial, the form of such Ensigns Armorial to be determined by His Lordship at a later date.”

This historic ruling therefore establishes a fully recognised Chief of Clan Gunn for the first time since 1785 – a truly historic event.

## **Background**

A Clan Chief is defined as the person in right of the undifferenced Arms of that name and the Arms descend to his legal heirs. The last fully accepted Gunn Chief died in 1785, and his arms are unknown, or at least not officially recorded in the Lyon Court’s records.

At that time, not very long after the suppression of clans following Culloden, there was no enthusiasm for becoming a Chief and none of the Chiefs of Clan Gunn were officially recognised by Lyon Court. In 1803, largely because the Countess of Sutherland needed someone to represent the clan during the Clearances, an Inquisition was held in Thurso before the Sheriff Court at which Hector Gunn was found to be Heir Male General to the 5<sup>th</sup> Mackeamish and therefore assumed to be Chief. This was not confirmed by the Lord Lyon, though Hector’s son, Gunn of Rhives, succeeded him and carried out such duties as the Countess required. He died in 1859 and his male line later died out.

Efforts to find a Chief were made by a Clan Gunn Society in the 1890s, but that Society did not last. Then in 1960 the present Clan Gunn Society was formed under the leadership of William Gunn of Banniskirk and his nephew, Iain. William was appointed Commander by Lyon Innes of Learney in 1967 on a petition of a Derbhfine of leading Gunns. When William died he was succeeded by Iain as Gunn of Banniskirk who, following a Derbhfine of leading Gunns, was appointed Commander by Lyon Monteith Grant in 1972.

One of the main aims of the new Society was to find our Chief, and at the AGM of 1978 it was resolved “that processes should be set in motion to recognise the Commander as Chief of the clan”. Interested parties were invited to put forward their claims. The outcome was that, by 1993, four possible claimants had researched their genealogy. In order of claimed nearness to the last Chief they were:-

**Robert E Kamp**, of Rotterdam (now of Bilthoven), whose descent was researched by Willem de Graaff and subsequently accepted by Lyon. His claim was from Lieutenant Colonel William Gunn of the Scots Brigade in the Netherlands, a son of the 6<sup>th</sup> Mackeamish, and passed through his female line. It was ruled that in Scottish law descent could be through a female if there were no males, and that the Gunn chiefship could pass via females. In due course Rob Kamp was persuaded to present his petition, and changed his name in Scotland to Gunn. However at a hearing in 1995 Lyon Innes of Edingight ruled that the prevailing Aliens Act in 1785 prevented aliens from succeeding to feudal heritage and so become Chiefs, and that his Dutch ancestors had not changed their name to Gunn within the required time. (The Netherlands was at war with Britain in 1785, and his ancestor was a Dutch national.)

**Michael J Gunn**, of London and Wick, who claimed that Robert Gunn in Thurso, grandson of Esther, daughter of the 6<sup>th</sup> Mackeamish, married his ancestress Ann Whear. He is a junior member of his family (or stirps) but the senior member had signed a deed transferring any chiefly rights to Michael. His genealogist is Hugh Peskett and his heraldic advisor Rothesay Herald.

In 2002 Lyon Blair ruled that the senior representer of his stirps could not assign any Chiefly rights to Michael which he did not then possess, so that Michael’s claim failed. However he also ruled that, on the balance of probabilities, the Chiefly line lay in his stirps and he indicated that if the senior representer, William Sinclair Gunn of Wick should put a claim, he would consider it. Neither William Sinclair (who has since died) nor his son Murray, have submitted a claim.

Then in 2011 Lyon Sellar ruled, on the basis of the new evidence of the Sage papers which had recently come to light, that Esther Gun was married to a Mackay, but also that Robert in Thurso was probably a grandson of her (unnamed) sister. Robert was therefore still descended from the 6<sup>th</sup> Mackeamish.

This meant that the only remaining point of concern was the identity of the 2 Roberts – was Robert Gunn in Thurso, proven descendant of the 6<sup>th</sup> Mackeamish, the same Robert who married Ann Whear, proven ancestress of Michael? On 24 February 2014 Lyon Sellar stated by Interlocutor that he has not been convinced that they were the same person, there being too many imponderables, and Michael’s claim that the Chiefly line lay in his stirps was dismissed.

**Dr Alexander Gunn** of USA, believed to be heir male, whose lineage was researched by Edith Gunn Jensen with Michael Gunn’s help. Alex Gunn was asked if he wished to proceed with his claim, but gave no reply. However, in 2013, in response to a visit by Rich Gunn, Past and

Future President of the Clan Gunn Society of North America, he has now added his name to the Petition for a Family Convention.

**Iain A Gunn of Banniskirk**, Commander, did not put forward a formal claim in response to the Clan Gunn Society's motion in 1978. While of proven descent from Gunn Chiefs through both male and female lines, he accepted that there might well be someone with a closer genealogical link to the last Chief, and if such a person could also **prove** an undisputed claim to the Chiefship he would readily stand down as Commander.

There was another possible claimant – **Jack Gunn in Australia** – who was genealogically senior to Iain, but he withdrew his interest because he felt that if Australia should become a Republic a Chiefship based solely on heredity would strain his loyalties. Also he was not aware that descent could be through the female line.

In 2010 Lyon Sellar modified the method of resolving matters of disputed Chiefship, substituting the historic Derbhfine of Landed and Armigerous clansmen with a Family Convention when a wider and more representative body of Clansmen could make the election.

Since in 2011 the only outstanding claim was for Michael's lineage to be officially recorded, and it was felt that if proof was not brought reasonably soon Lyon might rule it out of Court, Robert Kamp Gunn and James M A Gunn invited leading members of the clan Societies to sign a Petition asking Lyon to call a Family Convention. Its stated aim was to elect Iain A Gunn of Banniskirk as our Chief as he lives in Caithness, is a Chieftain and has represented the Clan as Commander with distinction for 40 years. No one else with the ability and willingness to fulfil the position had come forward and it was felt that sufficient time had elapsed for anyone with a reasonable likelihood of success to have done so.

The Petition was signed by 20 leading members of the clan including the Presidents of all the Clan Societies – UK, North America, Nova Scotia, New Zealand and a representative of Australia, plus 3 Armigers. No one invited to sign declined.

However Jack Gunn's son, Alastair J Gunn, who now lives in Wales, objected to the Petition stating that, with modern genealogical systems, it would be possible to trace the true Chief and that he had much genealogical data. In anticipation of his input, Lyon Sellar decided that a Convention could not be held until this was examined. Alastair has since then published his view, in a booklet and on his Website, that the Gunns are not a clan, do not have Norse ancestry and do not need a hereditary Chief.

When Lyon Sellar dismissed Michael's claim there were no outstanding matters before the Lyon Court and the Petition has therefore been reactivated, with wording as follows:-

***“Whereas it has not been possible for any of the Claimants to establish an indisputable right to the Chiefship of Clan Gunn over a period of some 35 years, and  
Whereas it is suggested that a Derbhfine or Family Convention might be an appropriate way by which a Chief might be discovered when there is no undisputed inheritor  
We, the undersigned, as active members of Clan Gunn Societies, petition that you convene such a Family convention with the aim of discovering if agreement can be reached about whom the Clan should invite you to recognise as Chief of Clan Gunn.”***

This Petition was signed by the same leading members of the Clan worldwide, except for two who were unwell.

On December 22, 2014 Lyon Morrow accepted the Petition and appointed John Malden Esq, Unicorn Pursuivant to supervise a Convention and report his findings to him. The Convention was held at the Ayre Hotel in Kirkwall, Orkney on Saturday 18<sup>th</sup> July 2015 at 2 pm., to coincide with the start of the International Gathering of the Clan, when all those who signed the Petition, plus Michael J Gunn and Alastair J Gunn, were invited to attend.

Following the near unanimous proposal from the family convention, a petition proposing that Commander Iain A. Gunn of Banniskirk should become Chief was presented to Lyon Court.