

The Present State of Clan Baird

by Karen Baird Vierra of BairdHeritage.com
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BACKGROUND OVERVIEW

The Scottish Gaelic word “clann” means children or family. The term was used not only for ones’ blood relatives but also included families working and residing on the chief’s lands, groups of local individuals that swore their allegiance and were under the protection of the head of a clan. Those kin, friends, servants, tenants, or assisters who may have had different surnames were considered Septs of that particular clan. The “father” or leader of the clan is still referred to as chief. Chiefship of a clan is most commonly passed down from father to first male child or in an ancient tradition known as Tanistry whereby an heir was chosen from a group of individuals with hereditary claims. The chief confers noble status to a clan and provides that clan with legal status under Scottish law.

The origins of Heraldry in Scotland stem from ancient Roman law and there are records disputing the rights of individuals to create and own armorial bearings as far back as the fourteenth century. As they pertain to medieval Scotsmen and clansmen, some coats were brought into Scotland from other countries, some were bestowed by the sovereign to a nobleman, and in other cases, a chief or nobleman might have designed his own coat of arms.

As armorial bearings became increasingly regulated by Scottish and British monarchs, they were required to be licensed, the license issued is called Letters Patent. The document contained a description of the coat, called the Blazon, and a painting of the coat was sometimes included. A coat is owned by a single person and upon his death, the patent usually authorizes its’ inheritance by an eldest living son.

Most aristocrats or chiefs had these heraldic devises. It was and is part of his heritable estate and is the seal of his “noble corporation.” Originally used for military and tournament purposes, the distinctive design was worn on an actual coat over a suit of armor and on a shield and enabled a knight to be recognized. A flag or banner of his Arms would have been carried before his men in battle or when he traveled. A stone sculpture of the coat may have appeared on a stone wall or the castle of his residence.

In 1672, Scotland’s King and Parliament mandated that all arms be registered in order to be legally used. Most aristocrats complied. The record created is referred to as the Public Register of All Arms and Bearings and is the ultimate authority for heraldry in Scotland. The earliest coat of arms registered, without any marks of dependency upon any other noble house, is considered the undifferenced arms of that surname. In cases where a clan is without a chief, or “armigerous,” and has not had a chief recognized since 1672, the Court of the Lord Lyon reviews their register to locate the earliest recordation of the undifferenced shield of that surname and determines that coat to be the one from which the successive heir can be bestowed the dignity of chief.

Should this armigerous clan wish to have a chief, a genealogical search must be conducted to find, if possible, the single living person who, by primogeniture succession, is the eldest living person descended from the last person who owned the undifferenced arms. At each step of the genealogical tree, proof must be provided of each individual's birth, marriage, and death so that the Court is satisfied beyond doubt that the identified person is the one eligible to bear the undifferenced arms.

CLAN BAIRD'S CURRENT PREDICAMENT

This is the task that must be undertaken in order for Clan Baird to restore a chief.

The Office of the Lord Lyon, King of Arms in Scotland holds judicial and ministerial powers over Arms and Heraldry. This office suggests the principal Baird family, whose Arms are the Undifferenced Arms of the Name of Baird, were held by the Baird's of Auchmedden in Aberdeenshire. Sir James Baird 5th of Auchmedden, c1620-1691, had properly registered those Arms in accordance with the Act of 1672. Those Arms would have successively matriculated down to his great-grandson William Baird of Auchmedden, 1701-1775.

William Baird 7th of Auchmedden was locally regarded as Chief but the Lyon Court does not recognize him as having that honor, nor does it recognize the existence of any Baird owning the title of Chief. William was a Jacobite who supported the 1745 Uprising and sold his Auchmedden estate in 1750. Despite the absence of Lyon Court's recognition, a memorial plaque at the Aberdour Old Kirk, placed there within this last century, refers to William Baird as Chief.

Baird Heritage postulates William to have had three sons who survived him. In birth order, they are:

Charles, 1727 to (known to have been alive March 1775)

John, 1730 to 1805/6;

George, 1733 to sometimes between 1778 and 1805.

If Charles did in fact survive his father, he would have been the 8th of Auchmedden followed by John, who would have been designed, 9th of Auchmedden. As such, they would also have successively inherited the arms of Auchmedden and the mantle of chief.

At John's death, his wife possessed a ring of his for which she handed over to the brother of his youngest sister's husband, a Fraser. BH suggests this was the signet ring, a wax seal matrix devise, from which its impression, an Auchmedden coat of arms with crest and supporters, is pictured only in William N. Fraser's 1857 publication of William Baird, 7th of Auchmedden's MSS, *Account of the Surname of Baird ...*. If accurate, this would lend support to a theory that John had been aware of the quality of his inheritance. John died childless in England and the arms were never matriculated by another family member.

Sir James Baird 5th of Auchmedden (1620-1691) had two cousins who received baronetcies. These branches of the Auchmedden family became the Bairds of Newbyth and Saughtonhall. They acquired their own properly registered "differenced" armorial bearings, as have eleven other Baird's between 1672 and 1908, as reported by Scotlandspeople.gov.uk. Some patriarchs

of the Newbyth and Saughtonhall families have, and are, occasionally referred to as chief yet this is a mark of respect rather than the legal title of the head of a recognized fully formed clan.

Where does that leave our family name in terms of clansmanship? In the words of the Secretary to the Lyon Office in Edinburgh, Scotland, “The current position is that as no-one has made up title to the principal Arms for Baird of Auchmedden since 1672 I cannot say what has happened to the family. The Lord Lyon has not recognised anyone as being Chief of the Name of Baird.”

The most probable Auchmedden descendant eligible to matriculate the Arms of Auchmedden is Sir James Andrew Gardiner Baird of Saughtonhall. He appears as #50 on the Depth-First page of the Chief section of Baird Heritage. As such, he may be the only person who can legitimately file a petition with the Lyon Court to matriculate the arms, and then request the dignity of chief of the Name of Baird.

Sir James’ father was the 10th Baronet of Saughtonhall and Sir James has been eligible to file for his right to inherit the baronetage since his father’s death in 1997. He has not. Now in his late 60's, it seems likely he has elected not to pursue the Scottish dignities he is entitled to. His son Alexander is presumptive heir.

To be fair to the Lyon Court, it must be said that anyone is free to submit to them a petition for arms and to request to be bestowed the dignity of Chief of the Name of Baird. The Court of the Lord Lyon is obligated to give equal consideration to every petition submitted, no matter how improbable the claim might be. It is not an inexpensive legal exercise, to be sure, so one would want to put forth their best effort and an extraordinarily compelling genealogy fortified with mountains of primary source documentation. Unfortunately, the chances are unlikely and some such cases have been before the court for decades without closure.

The present situation being what it is, this leaves us a fatherless band of a once illustrious family, collectively named Baird. We are categorized as an Armigerous family, or “without a leader.” We are not a Scottish clan with noble legal status, we are ineligible for membership in the Standing Council of Scottish Chiefs, and we do not have a physical center for clan business. We are incomplete.

It is, therefore, incumbent upon each of us to keep the fire going, to protect our heritage, to keep it alive until such time as our clan can rise up to greet a new chief. We are living in a time when the word “family” has become somewhat ambiguous. History and our connection to it seems less important to young people. Yet, Baird Heritage asks Bairds to prove this wrong. Our Scottish ancestors lived and died to uphold and honor their heritage. Might we at least support a rejuvenated hope to establish the Name of Baird as a restored and complete Scottish Clan?

If you have documents or information that might aid in the restoration of Clan Baird, or wish to learn more about the chief issue, you are invited to subscribe to www.BairdHeritage.com or contact info@bairdheritage.com