

hìghland family hìstory society



HIGHLAND
FAMILY HISTORY
SOCIETY

comunn sloinntearachd na gaidhealtachd

JOURNAL

Vol. 8 No. 2

February 1990

Published by

The Highland Family History Society

Comunn Sloinntearachd na Gaidhealtachd

Printed by: THE PRINTING PLAGE LTD, Empire House, Victoria Road, Chelmsford, Essex CM1 1PE Tel: (0245) 251001

ISSN 0262-6659

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Please mark each item of business for the appropriate Official.

Thank you for your help in keeping down the McCollierie in these pages. Two articles and answers to previous queries which appear in this issue are examples. Please keep them coming.

Angela Evans (and others) asks for notes on the Lectures, as not everyone can attend them from Swansea or Canada if the weather is inclement. We all agree that these ought to be published and only my aversion to work is slowing the process down. We have a System though and I hope our notes of David Moody's talk do not spoil its spirit.

Mrs Allan (of the Great Query list in 8/1) was pleased to note a stray for her McGillivray tree in Vol 7 no 3/4 relating to Allan MacBean who died in British Columbia. She corrects his age at death from 23 to 27 and would like to know more from Canada. Can anyone help?

We have received a large numbers of strays and intend to print a selection in the next issue. Most of them have come into our possession from other societies simply stuffed in envelopes. Not many of them contain details of the person who noted the stray in the first place. This information would be useful as a person recognising an individual entry will inevitably wish to follow it up.

Because of this problem we were unable to give Mrs Allan any details of the person who had sent in the stray referred to above. My boss at work said casually "My mother worked for him" about another of Mrs Allan's queries so the research continues and I am sending the contact address to her. Once again the value of our publishing them is demonstrated.

Mr Gilbert has expanded his query (no 284, vol 8/1) into an article which we are pleased to print. We have received comments from several members who responded to the query, mostly mentioning the "Memoirs of a Highland Lady", and Mr Dixon is worth publishing in full.

The Kiama Family Centre of New South Wales has sent us a comprehensive list of all the Andersons and Bruces mentioned in the 1861 census for all Caithness. The list will be deposited in the Society library. Those of you who do not scan our publications list on the inside back cover will miss the fact that the index to the 1851 census for Killearnan has been printed and is now available.

Now we'd like volunteers for some healthy outdoor activity. On that list of publications several monumental inscriptions are NYA. They are not yet available as the initial work needs checking on the ground. If you'd like to help with a cemetery near you now, or during the summer, please contact any committee member.

MARRIAGE IN THE HIGHLANDS

by David Moody
(Talk given to the Society 24th October 1989)

Very few of us are uncertain of whether we are married or not but that has not always been the case in Scotland. It could be a matter for a court of law to decide.

Christian Campbell from Invergordon supposedly married in 1785 an Edinburgh portrait painter, David Martin. She claimed to have married with no sort of wedding ceremony, or date of marriage, or minister. This was what we call a Scots "irregular marriage", a form which bedevils a lot of genealogical research due to its lack of records. Up to a third of 18th century marriages are not in parish registers.

Christian brought a court action, a Declarator of Marriage. It says that her father was deceased, and she had lived for two years in Edinburgh at David Martin's expense until he took her into his home. His response was contemptuous: "The pursuer who designs herself the daughter of a miller and was the common servant of a barber who kept a lodging house, brings a clamorous action against a person of some eminence". He goes on to consider these impositions a "just punishment for descending into a connexion so far beneath him".

You find this emphasis on station in 18th and 19th century marriages; people in court actions get awfully hot under the collar if it is suggested that they married someone even a little bit out of their social class. (We still marry within narrow class bands today but neither notice it so much nor stand on our dignity about it.) The emphasis on station and the amount of money brought in is a rejection of the romantic view of marriage, then and in Victorian times.

Prudence in marriage has long been important and is reflected in the age of people getting married. One historian's generalisation is that of the "peasant society", not a term of abuse but a type of self-subsistence commune where you grew your own food locally. In the 1911 census nearly half of the 1200 married and widowed women in Inverness described themselves as crofters so there was a strong bias to that way of living.

Using census records I found the age of both men and women just below the first age group in which more people were married than not. In the 1861 census this was 30-34 for both men and women. Going on fifty years to 1911 more men were married at over 36 years old, but more women were married than not at 31 years. It is said that in peasant-type communities you wait to marry until you have land so I checked the Inverness Burgh figures and found a drop of three years in men to age 33. To give the biggest contrast, in the Glasgow 1911 census the age at which more men were married was 29, women 28.

I went on another fifty years to 1961. The band with a surplus of married men was 25-29 and women 20-24, so in the last fifty years there has been a big shift in people's marrying ages. The 1961 figures give divorces for the first time with 90 men and 155 women in Inverness, although I am not sure why more women than men were divorced. I think divorce actually illustrates that people see marriage as a romantic affair, which takes us back to Christian Campbell.

She got to Edinburgh as "part of the luggage of a regiment of foot" which she had followed from Fort George and she was only 16 at the time. It is important to realise how exciting the arrival of soldiery was to a subsistence community (we get an idea from the novels of Thomas Hardy) and the dramatic effect upon them of the arrival of high numbers of rootless people from afar. Edward Burt was based in Inverness with Wade, the road builder and mentions this theme in 1722 when describing the misery of a woman and child in the street. She had come from Fort William but the ministers had refused to christen her child as she knew not the father. He was a regimental child, she having been seduced by soldiers.

Another 18th century court case was brought by Ann MacFarlane against Andrew Sutherland, a sometime ensign, now a lieutenant. She claimed they had married in Fort William in 1745 when he was stationed there and they'd lived as husband and wife in Maryburgh until the regiment moved on to Perth. The deposition of neighbours show how things have changed; for example, one says how he saw them "in their naked bed together" and wished them joy. I think it instructive of the difference in how we view privacy today, and how then it was part of the ritual of getting married, of making the marriage public. Burt mentions something similar of a young couple getting married and being put out to the barn for the night while the guests made merry all night in the house.

Anyway Andrew Sutherland left just four weeks after the marriage and left debts all around behind him. Ann asked that the court "declare the marriage" and asked for maintenance of £20 per year (which she won). This marriage was irregular as it had been performed by an Episcopal minister, not a Church of Scotland one.

We find problems like this with soldiers moving on, and in seafaring life. One case in 1744 in the south of Scotland concerned a sailor who went to Holland, England, West Africa, India and back, not seeing his wife for six years; she had only three letters in that time so it was difficult to sustain a marriage. One divorce case from the Highlands concerned Annabella MacKenzie and Thomas Borthwick, a mariner aboard His Majesty's Ship Greyhound. It was a divorce (for adultery) from an irregular marriage: you could divorce someone from a marriage that hadn't taken place!

We should have a look at exactly what we mean by irregular marriages. Originally marriages had nothing to do with the Church. Until the middle ages it was less powerful than subsequently and had no interest in marriages. Mr Sellar's article about concubinage in the Highlands has plenty of good examples about irregular or civil marriages. He has a lot to say about the genealogy of the Macraes. A minister brought to Lewis in 1610 married a vast number who lived together as man and wife, "thereby to legitimise their children and to abolish the barbarous custom of putting away their wives at the least discord".

This was still going on in the 19th century, the extent only revealed when civil registration started in 1854 and showed large numbers of people not officially married at all. As a result of what was found, a Royal Commission was set up, reporting in 1865 that it was very common for a man to marry a woman with child by another man, the only obligation being the burden of the child, no disgrace, and that up to a third of all liaisons were unofficial.

The Church did not advocate the abolition of irregular marriages, but supported their continuation as being in the woman's interest. Edward Burt in 1722 said that the Church would support a woman left pregnant obliging the man to marry her, undergo penance or leave the country. The man could get rid of his embarrassment by paying her off. That is why people brought these court cases, first bringing an action to say they were married, then bringing one to undo the marriage but gain maintenance.

The picture is complicated and changes from period to period. There were three sorts of irregular marriage. One was that which was performed by a non-established minister, such as the Fort William case. Up to 1834 you could only be married by a Church of Scotland minister.

The second was "by habit and repute" which still hangs on in some respects. You simply call yourself married, call one another husband and wife and live together. One couple lived apart for thirty or forty years in the 19th century and never called each other husband or wife. On the death of one, the other produced love-letters in which they did address one another as "my dearest husband/wife" and on the strength of that they were declared married.

The third sort was an exchange of vows, wherein you say "I marry you", the other vows back and intercourse follows. This caused enormous problems in defining who said what and the lawyers must have loved it. There is a lot of feeling in Scotland that when the House of Lords took over jurisdiction of appeals from the Court of Session they misinterpreted these things. Lord Neave wrote verses including :-

"You had better keep clear of love-letters. Write them with caution and care, For, faith, they can fasten your fetters If wearing a conjugal air."

A legal historian Lord Fraser described how you could marry by post, but both had to be in Scotland. It was no good if the letter came back with a Berwick or Newcastle postmark.

Another Inverness case (in 1731) dealt with not a 'Declarator of Marriage' but a 'Declarator of Freedom', the other side of the coin, where John Stewart wanted Sybil Barbour, daughter of an Inverness bailie to stop saying she was married to him. He was abroad at the time she brought action, and declared it unreasonable that he be brought back, and he couldn't remember the date of the big day, and the minister was dubious.

She could remember the big day in detail; they rode out on the same horse to Beaulieu with several others. They crossed by ferry (she named the boatman). The minister was not at Brahan so they went on to Logie, met him, were married on the green there and returned to Inverness at the end of the day. They agreed to conceal the marriage but appear to have told everybody. He went to bed with a friend and told him, then went to her bed for the rest of the night and then went back to his friend, but not before they were "naked in bed" in the presence of several others. He changed his mind later on, it was a mere farce, acted in wantonness; perhaps they just got carried away. She won the case.

Much more typical is the fortune-hunter, of either sex, who would wheedle someone else into a supposed marriage. Returning to the case we started with, Christian Campbell and her portrait painter, a mixture of fortune-hunter and badly treated woman. It was easy for a lower-class girl to be tainted by accusations of being an "obliging female who makes it a point not to refuse a gentleman any favour he chooses to ask". He kept her for two years before she moved in with him. His description is that she broke in, pleading to be his servant and breaking into tears threatening to poison herself when he strong-mindedly refused.

It is quite moving to read these papers and it is tantalising to draw conclusions, despite not knowing how the lawyers operated on the evidence. "He wouldn't hurt a fly" but he was capable of being ruthless with her. She was wanton, but had only been 16 when it all started. The court was anti-woman, more so than it should have been at the time. "Has female chastity an object of greater importance than that of the male sex? The reward of damages is a temptation to lewdness", said the judge.

I checked who David Martin was. He was a pupil of Ramsay and was Principal Painter to the Prince of Wales for Scotland and

painted several famous Scots such as Lord Kames and Joseph Black. He painted fairly young people "as a delightful evocation of youth with a charm which retains its freshness without sentimentality", so I feel that is the basis of his relationship with this girl, but who behaved the worse I cannot say.

These cases are from the Consistorial Court, part of the Edinburgh Commissary Court, a hangover from the pre-Reformation Catholic Church which continued in the Church of Scotland and by now heard all cases throughout Scotland of declarators of marriage, divorce etc to be heard in Edinburgh. It was along way to go to put your case so there are consequently few cases from the Highlands.

In the 1820's these Courts were down-graded and most functions transferred to the sheriff courts. The consistorial function to do with marriage matters transferred to the Court of Session, the central court in Edinburgh. The problem is that marriage and divorce cases are not identified as such in the vast indices of all Court of Session cases. James Grant did a lovely index for the Scottish Record Society of all cases heard between 1650 and 1800 in the Edinburgh Consistorial Court and you can identify everybody taking actions through these courts.

(These records are now held in the Scottish Record Office and all the cases mentioned can be identified through Grant's references).

The only other actions I found for the whole period concerned 'adherence', an intermediate stage before divorce. If someone deserted you, you got a court decree that they had to come back, and four years later you could take an action for divorce. This was peculiar to Scotland as you could only divorce in England by Act of Parliament.

One of the cases was that of Catherine Rose of Niff near Wick against James Sinclair in 1786. If the man disappeared overseas to something like the East India Company (as he did) you could never catch up with him for alimony. She divorced him for desertion four years later. The other case concerned an excise officer in Inverness in 1793. James Lawson married in East Lothian in 1758, his wife left him in 1762 and he brought the actions for adherence and divorce. He did this because the innocent party got all the possessions. If you had a divorce against you, you lost everything.

I find these people very interesting, human like us. Some social history books have weird theories of our ancestors, such as not feeling grief because their children died before they were five, this despite what we see in 16th century diaries and letters of people grieving over the deaths of spouse's children. The court cases make people more human and

understandable and deny the theories of how different they were.

The 18th century saw the moving out of older cruel society attitudes reflected in such retributions as a man being forced to marry the woman he raped, as punishment. This is just the period to which most family histories can go back. You get all these lovely people who are so much like us, more so I think than 19th century people. They seemed to put women on a pedestal, a nebulous spirit presiding over a house and a woman didn't work!

So we are in a sense reversing that, and can relate to these 18th century people. One of the fascinations of family history is that when you have your family tree you can look at all these people and see how marriage, homes and family have been viewed in all the generations. The television series "Out of the Doll's House" showed how much these views have changed in this century. I am just waiting for someone to index the 19th century Court of Session records so we can use them to make marvellous reading as well.

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With reference to the 'Letter to Mrs Nowell', which appeared in our previous Journal, Mrs Elizabeth Douglas (member no 650) has written to confirm that she is the person who sent us a copy of the letter. She writes - "I am the new member who sent you the letter written from Ullapool by Anne Musgrave to my great-great-grandmother Mrs Margaret Nowell. I'm afraid I don't know as much about the writer's background as I thought I did. For years I assumed that Anne MUSGROVE was one of my great-great-grandmother's numerous Musgrave/Musgrave cousins from Liverpool, but when I investigated the census I found this was not so.

Anne Musgrave lived in Batheaston, a small village just outside Bath, with her widowed mother and younger sister (1851, 1861, 1871, 1881), but she was born in Holborn, London in 1811, the eldest child of William Peete Musgrave, lace merchant and his wife Anne. I don't know on which side the Otter cousins were, nor whether there was a genuine Scottish connection there or not. The Peete suggests that there was one, as I remember my husband has a Peat ancestor in Crieff.

I don't even know where Miss Musgrave met Mrs Nowell, as the Nowells lived in Yorkshire. However the Nowell's two daughters were at school in Bath 1841-42, and my great-great-grandfather was briefly a curate in Worle, just outside Weston-super-Mare in 1841, so maybe they met then.

Perhaps another member will come up with family memories prompted by Miss Musgrave's letter. I hope so, anyway."

A PROPER BURIAL

Robert MacFarlane (member no 128), who now lives with his family in South Africa, while residing at Evanton and working at the Invergordon Smelter prior to emigrating, used to peruse the old volumes of the Inverness Courier. He has sent the following extract from the issue dated December 14th 1842 :-

Exhumation of Cholera Victims

Most of our readers will recollect the time "when the angel of death spread his wings on the blast", and the cholera morbus made such fearful ravages in the land. We recollect hearing, at the period referred to, of a poor woman, young and beautiful, who, with her infant in her arms, fled from the pestilence, which has even found its way to the foot of Ben Nevis, and contaminated the pure air of our Lochaber mountains with the deadly breath. She fled from the village of Fort William to the braes of Lochaber; but, alas! she carried along with her the seeds of the awful distemper; and, upon reaching the house of her aged mother, she and her infant died.

Our unsophisticated rustics, who would undoubtedly face a foe, turned pale at the rumour of the plague being amongst them, and none could be found to consign the dead to their last home, until the clergyman of the parish (Kilmonivaig), the late Captain MacDonell, Killichonate, the medical attendant, Dr Kennedy, Fort William, and one other kind neighbour (who has since paid the debt of nature), actuated by a sense of humanity and duty, performed the last sad office to the unfortunate dead. Having constructed a rude coffin, out of a carpenter's bench, these gentlemen dug a grave with their own hands, at a short distance from the house where the mother and child had died. In this hastily-constructed grave, the remains of both victims were deposited, without a shroud but the blanket in which they died.

Ten long years afterwards - that is, a few weeks since - the woman's mother died; and her son, who had long wished to remove the bodies of his sister and her child from their grave, in the croft, to one in the church-yard of their native parish, for this purpose caused the grave to be opened and the bodies to be exhumed.

Strange to say, after the exhumation of ten years, they were found, not only entire, but perfectly firm, though black, as if they had lived and died under the burning sun of Ethiopia, instead of our northern climate. We may ask, is this state of preservation and change of colour a common occurrence? Does it arise from the nature of the soil, which, in this instance, is a very dark and impervious clay - from the circumstances of the coffin being quite full of water - or, is it a characteristic result of the disease? People will probably have some difficulty in answering the last query, from experimental

knowledge, as it is likely but few, or none, who have died of cholera, have been ever re-exposed to view.

It was a singular case, and there was something very affecting in seeing the infant, as if asleep upon its mother's arms, with its little head buried in her bosom, while her head was turned towards its cheek, just as they had died, ten years before. It was also a sad, and, we hope, an instructive spectacle, to witness the aged grandmother, the mother, and tender infant consigned to one grave in the parish church-yard.

There is a footnote to the extract :-

It has not been possible to identify the unfortunate woman and her child. The Inverness Courier has various references to the spreading of "cholera" in the Highlands during 1832. In the issue of September 12th it notes "rampant in Inverness" and by October 31st it was "clear". No mention of cholera in Fort William was noted.

Captain MacDonell, Killichonate. This was John the 6th of Aberarder, a cadet of the MacDonells of Keppoch. His father took over the farm of Killichonate c1790. John was in the 92nd Highlanders and after his return to Lochaber, became deputy Lieutenant and a J.P. for Inverness-shire.

Dr Kennedy, Fort William. He was the 4th son of Angus Kennedy, tacksman of Leanachan, close to Killichonate. He was described by Dr Clerk of Kilmallie as "one of the best surgeons and best men in Scotland". He was made a burger of Fort William and died after treating the outlaw MacPhee's family, who were dangerously ill with typhus. A Monument was erected to his memory in Cameron Square, Fort William.

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The gap in the F.H.S. coverage of Scotland - in Central - appears to be in the process of being filled. A founding meeting on 30th November 1989 attracted almost 50 people, and the committee had its first full business meeting on 13th December.

MEMBER'S CHANGES OF ADDRESS

001 Mr & Mrs Duncan Ross, Coire-Mhuilinn, 69 Newton Park, Kirkhill, Inverness IV5 7QB

706 Mr Victor Sutherland, 96-1714 Newton Street, Victoria, B.C. Canada V8R 2R2

The resignation of Mrs Fay Campbell (member no 352) has been received. She has enjoyed receiving our Journals for the past 5 years, but her research has now moved outside our area.

Thomas Gilbert, 'Born in Scotland'
by C.F. Gilbert

My search for my great-great-grandfather Thomas GILBERT, began in earnest several years ago, after I had paid a well-known firm of genealogists some hundreds of pounds to do the job. The best they could come up with was that his name was Thomas and that he was deceased by 1866.

I knew my father was born in Mile End, London in 1889 and that his birthday was either the 2nd or 4th of April; his birth certificate gave the address as Shandy Street, Mile End. I also knew his mother's name was Sarah, which led to his parent's names and marriage certificate, and then on to their parents; thus we came to John Gilbert (my great grandfather) who married Elizabeth Fisbury, Xmas Day 1866 at St. James the Great Parish Church, Bethnal Green. It was here that the experts came to a full stop. They searched from 1858 to 1868 for any Will of John's father who was named as Thomas on his marriage certificate, but without success. The trail had gone cold.

Up to this point, I had not done any practical researching on my own at all, but I had seen the TV program on Gordon Honeycombe's efforts which had first aroused my interest. I decided to tackle the problem systematically on my own, with transport assistance from my son, who had begun to take an interest.

First thing was to get the 'feel' of researching at Public Record Offices and understand the working arrangements, so we organised a 2-day stint in London, staying overnight in a central hotel. The first day we went to the Northampton Road P.R.O. where we inspected the register containing the 1866 Bethnal Green marriage certificate of John and Elizabeth.

Shock number 1. On the copy of the certificate supplied by St. Catherine's House the witness had been transcribed as simply Harriet Jane, but on the original register it turned out to be Harriet Jane Clary. This later proved to be important as the Clary folk were in-laws to the bride. We returned to the hotel for a good night's sleep and next day went to the Portugal Street Census Rooms, where we spent a frustrating first few hours trying to grasp the colour code books and Parish Street Register film numbers.

The index room was tightly packed and no-one had time to explain the system to us. One kind lady did offer a few words of wisdom and we approached a clerk who had appeared at a desk in the room. We managed to order a couple of films - got the year right but the location wrong. However, we gained some experience loading the film correctly and, after a struggle, got the focus right. We ran through just one reel each, then back to Charing Cross for the early train home to Hastings to avoid the rush hour.

Arriving home, we digested what we had experienced, re-read the P.R.O. instruction sheet and saw where we had gone wrong. I decided to make a lone one-day trip to Portugal Street a couple of weeks later, but meanwhile I ordered a copy of a 19th century map of Bethnal Green/Mile End area - price 50p - the best investment I ever made as it turned out. I found that Shandy Street, where my father was born, had been previously named 'John Street'. When I made my lone visit two weeks later I correctly ordered the film containing John Street and within minutes I found my great-grandfather John at no. 16 along with wife Elizabeth and my grandfather Thomas and his sister Jane.

Surprisingly, I found this 2-up 2-down cottage being shared with a Thomas Rumball and his wife Janet and their four children. Even more surprising was that John Gilbert and his house-sharing neighbours Thomas and Janet Rumball were all born in Thorley, Hertford and that both men were brewers labourers. I immediately checked the 1851 film for Thorley and there was my missing great-great-grandfather Thomas and his wife Jane, plus children Janet (sic) age 7, John (my great grandfather) age 5 and Thomas age 2.

The record showed Thomas as the landlord of the Coach & Horses Inn, Thorley and that he had been born in Scotland. I then checked the 1841 census and found Thomas listed as head of household, unmarried and employed as a gardener at Twyford House, along with several servants including a Jane Yardley (later to become his wife) and a Margaret McRaw born in Scotland. I ordered birth certificates for the three children, but only the young Thomas appeared to have been registered although all three had been baptised at Thorley.

The birth certificate gave the mother's maiden name as Yardley and consequently I was able to obtain Thomas Gilbert's marriage certificate - married at Thorley Parish Church 28th December 1842, aged 33 and father's name given as John Gilbert, farmer. The unusual name of Janet in England also tied up with the house-sharers in John Street as she proved to be John's sister who had married local man Thomas Rumball.

I wrote to the landlord of the Coach & Horses Inn at Thorley to ask if he had any old deeds or information relating to the Inn's history; he said he was new there but gave the brewer's name as the owners. I wrote to the managing director of Benskins Watford Brewery and they were very helpful indeed. Their archivist sent me a photocopy of their earliest record of the Inn, an 1855/6 Indenture listing the then owner's name and the incoming tenant's names, land parcel numbers and acreage of the several fields and parcels of land amounting to 11½ acres that went with the Inn.

This was of great value as it gave the owner's name as Bartle John Laurie Freere, lawyer with a Lincolns Inn address or office. As both the Inn and Twyford House are listed buildings

some hundreds of years old I wrote to the authorities in London who deal with ancient monuments and listed buildings. From them I gained some useful details of the history of the buildings during the previous 200 years.

My son and I next went to Edinburgh for a 5-day search at New Register House as the I.G.I. had indicated a possible link via a Dundee teacher John Gilbert who had married in 1808 and had a son Thomas in 1809. After a further two years searching this line we discovered that after all they were not the right people.

Both the 1841 and 1851 census returns for Thorley indicated that Thomas had been born in Scotland. He was known to be alive in 1851, did not appear on the 1861 census and was definitely dead by 1866. Where and when did he die? We visited the Hertford Record Office to see the burial film for Thorley, and there we discovered that Thomas had been buried 28th October 1851 in Thorley Parish Church, but had died a few miles away in Bishops Stortford on the 24th. He had just made the census in time for me to find him! On his death certificate the cause of death was phthisis - certified 9 months, and he was 41 years old. On his marriage certificate dated 28th December 1842 he had given his age as 33.

An enquiry by letter to the town archivists at Bishops Stortford produced an interesting letter from the curator of the local museum in the area. Did I know that Thomas Gilbert had owned two copyhold cottages opposite the Inn at Thorley? No, I did not, and I speedily wrote direct to the museum curator and received a photocopy of the original sale transaction with the information that there existed records in the Manorial Court Rolls of both the sale of the cottages and their seizure in 1856/7. This occurred as no-one had come forward to claim the cottages despite three proclamations and, with no Will being found nor any Heirs coming forward, they were seized on behalf of the Lord of the Manor.

My son and I made an appointment to visit the Hertford Record Office to see the original Manorial registers and other documents relating to Twyford House and the old Inn, which apparently was an old Hall House over 500 years old, and requested photocopies of various documents. On our way home, we passed by Twyford House and the Inn and took some photos.

We also called at the home of the curator who provided us with an excellent lunch and a further surprise by showing us a document proving that the two copyhold cottages had been sold circa 1874, having been acquired by some astute lawyer on behalf of his client, who claimed that the cottages had been offered as security by Thomas Gilbert before his death in 1851 for the sum of £37 to the claimant's father who had died. The Lawyer had applied to the Lord of the Manor for the transfer of the cottages in 1873 and in the absence of any other claimant

or heir the transfer was granted! Was that legal for a debt at least 22 years old and all parties to the transaction long dead?

Various papers and account books prepared by Thomas were now discovered at the Hertford R.O. recording how he became landlord of the Inn. Unfortunately, no Settlement papers for the area exist, nor any Servant Tax records. As both the Inn and Twyford House were owned by the Frere family, we sought records involving George Frere the master of Twyford House. Amongst the surviving letters at the Record Office was one by George Frere, who was President of the Law Society in London, and who, when writing to a senior legal official and an Excise official, had spoken on Thomas Gilbert's behalf and referred to him as "my trusted servant of long standing" (Thomas was 33 at the time).

Several letters exist and statements of account to his master are all in Thomas' own neat handwriting and perfect grammar; he was obviously well educated and in a most trustworthy position being in charge of both the staff and all accounts of the Twyford House estate of many acres, and in charge of the propagation of the crops and accounted for monies received from the public sale of milk, crops and sundry items. Twyford house was used as a week-end retreat from the busy lawyer's life in London, and once in a while house-parties were held when guests would stay at the house.

The manager of the Inn in 1841 was unreliable and was due to be replaced when in 1842 Thomas asked his employer George Frere if he could take over the landlordship of the Inn. Frere agreed to let him have a trial for one year on a 3-months notice basis and thereafter on one year notice either side.

Thomas was given a most favourable Lease, in that the original draft rent was reduced from £45 per annum to £22 with the proviso that, if, after paying all his expenses, rates, taxes and staff wages including his own, the Inn did not show a profit then the loss could be deducted from the rent. In addition Frere offered Thomas whatever cash he wanted to refurbish the Inn in furniture fittings & fixtures and plant and he need only pay 5% on the loan with no final date for the loan repayment. He also offered Thomas his full salary as gardener at Twyford House plus his board, food and lodgings there without charge in addition to whatever he might make from the Inn.

The English Heritage people in London told me that Twyford House in 1805/6 was detailed in a book "Memoirs of a Highland Lady" by Elizabeth Grant and covered the period to about 1830 with numerous references to the Frere family and George Frere's wife in particular. I purchased a reprint of the book first published in 1898 but it gave no hint of Thomas Gilbert. It did however go into the lifestyle of the Frere and Grant of

Elizabeth Raper Grant's niece, Elizabeth Grant, later Mrs. Smith of Balfboys (1797-1885), was the authoress of the classic "Memoirs of a Highland Lady", the most recent, and first unabridged, edition of which has deservedly been in the Scottish best-seller lists of late, and gives some vivid information about Thorley.

Rothiemurchus family and their homes and activities in The Doune, in Edinburgh at their large house at 5 Charlotte Square and at their house in Bedford Square in London.

John Peter Grant of The Doune, Rothiemurchus rented Twyford House in 1805/6 from his brother-in-law George Frere and tried to introduce Scottish farming methods there. He brought his own grievance down from Scotland, but the venture was not a success and about 1807 he decamped from Twyford House lock, stock and barrel plus all the staff back to The Doune, the goods by sea and the staff by stage-coach. I understand the staff records and accounts for Twyford are with the Grant papers in Edinburgh archives.

As for the Gilberts who last century were tenants of Drynach farm near Dulnain Bridge (the "I" in Dulnan, incidentally, is a modern mistake introduced, I seem to recall, by an ignorant busybody of a local councillor about 1950), Miss Alison Mitchell's "pre-1855 Gravestone Inscriptions on Speyside" (1977), p. 46, summarises two family inscriptions in Inverrallan Churchyard near Grantown.

Some historical authorities have hinted to me that the Gilbert group of farmers at Drynach, Dulnain Bridge are my ancestors as they were agents for, and had contact with, the Grant folk of Rothiemurchus and the tree forests there. Others in London take the view that we are closer to the Frere group of lawyers and their Grant and Raper female partners, whilst a minority view is that an unknown female staff member at Twyford House in Thorley went with the rest of the staff in 1808 to The Doune and thereby came into contact with a Gilbert pedigree in Edinburgh, at The Doune or just possibly in London.

George Frere was educated in London as befits a son of a wealthy family, and the book "Memoirs of a Highland Lady" gives an insight into the goings-on of the young gents at the top schools, and George Frere had his moments as did others. Was Thomas Gilbert the son of one of the ladies in high places who did not get the chance to marry his father? George Frere used stationary headed Kings College, London when writing Memoranda from Twyford House. Is this a clue or another false lead? The search continues.....

For further information one could hardly do better than turn, as in the case of so many other families with Strathspey forebears, to the Grant of Grant sections of the Seafield Papers, GD248, one of the finest and largest collections of family and estate papers in the Scottish Record Office in Edinburgh.

The following is a copy of a letter sent by George Dixon (member no. 429) to the author of the above article. It was in response to Query no. 284, which appeared in the previous Journal.

The most compact, recent, published family tree of the Grants of Rothiemurchus is probably that in Burke's "Landed Gentry", 18th edition, vol. 1 (1965), pp 332-33. I enclose a photocopy which shows that Dr William Grant (d. 1786), second son of James Grant of Rothiemurchus (d. 1768), married Elizabeth, only child of John Raper, of Thorley Hall, Herts., and had, as well as Sir John Peter Grant of Rothiemurchus, father of the "Highland Lady", a daughter, Elizabeth Raper Grant, (d. 29th April 1850), who married on 21st August 1806 George Frere, of Twyford House, Herts. (for whom, see the Frere of Roydon Hall entry in the 1952 edition of the "Landed Gentry").

And, finally, two of the "Highland Lady's" 20th-century relatives might be mentioned by way of general interest: her niece and first editress, Lady Strachey, was the mother of Lytton Strachey, pioneering mocker of the Great Victorians, and her - Elizabeth Grant's - great-grand-daughter is Dame Ninette de Valois, who was recently described by the "Sunday Times" in a 90th-birthday tribute as the "mother of English Ballet". Highland blood indeed flows wide as well as far.

While I was entering the details of the research interests of Thomas Stout (member no 740) I realised that his listing of the family names of CALDER, NICOLSON & COGHILL in Caithness indicated that he could possibly claim descent from the marriage on 5.7.1751 in Wick of David NICOLSON and Mary COGHILL. In Bower Cemetry there is a flat stone with the following inscription: - Over the dust of David Nicolson, farmer in Alterwall; Mary Coghill his wife; this stone was erected by John Nicolson their son 1820 --- In Memory of John Nicolson; late farmer Hollandmake; who departed this life Oct 20 1846 aged 92 years; and his spouse Elizabeth Gunn who departed this life Sep ?? 1825 aged 65 years.

I subsequently wrote to him and he confirmed that he was, as I suspected, a descendant of Donald Nicolson, a brother of my g-8-g-grandmother Elizabeth Nicolson, and Christian CALDER. This means that he is the 5th member of the Society to join this no longer 'select club'. The others are John Durham (no 009), Ian Aitchison (no 276), Morris Pottinger (no 355) and Douglas Nicolson (no 366). It appears that we may have set a record, or is there someone out there who can do better?

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ANSWER

Alan Lawson (member no. 036) replies to Query No. 224 on the use of the name WEMYSS as both a christian and surname as follows :- "It is not uncommon for surnames to be used as Christian names. In Caithness and Sutherland there are - or were - a number of Wemyss families, some I believe, related to the noble house of Sutherland. Others might take the name for their children in compliment to a Wemyss family. One instance of Wemyss as a christian name known to me has a historical as well as a family interest.

When Telford came to construct the Caledonian Canal he brought north two carpenters from Hull, Thomas and James Rhodes. Thomas seems to have been in general charge of the carpenters, designed lock gates etc. James was in charge of carpenters at Corpach and Banavie, and after the canal was completed remained there as head lock-keeper. He later farmed in Glengarry and married Wemyss Martin, daughter of Alexander Martin, said to be another canal worker. Could he have come from the north?

Their daughter Wemyss Rhodes married in 1855 Donald Cameron who farmed at Kilfinnan (Invergarry) and latterly at Gorthleck, Stratherrick. Their daughter Barbara Cameron married Donald MacGillivray of Lyne of Gorthleck, who was both crofter and merchant there. The MacGillivray family worked the shop at Lyne until quite recently. Some of the family are still around, but none as far as I know use Wemyss as a Christian name".

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Walter H McIntosh (member no 178) has written to the editor as follows "For any of your readers whose ancestor came over with Fraser's 78th Highland Regiment and fought the French at Louisbourg and Quebec in 1758 and 1760, and stayed on in North America when the troops were disbanded in 1763, I have a list from Canadian archives of the 170 soldiers whose descendants (including my own John McIntosh) are now scattered throughout the U.S and Canada. I will be happy to check the list for anyone who believes his ancestor might be in this group, if return postage is provided.

Some of the multiple surnames of those who remained are : Black, Cameron, Campbell, Carmichael, Chisholm, Davidson, Ferguson, Gordon, Grant, Gunn, Hamilton, Henderson, Kennedy, Lamb, McAdam, McArthur, McDonald, McDonnell, McGillivray, McGregor, McKay, McKenzie, McKinnon, McLachlin, McLeod, McMillan, McNaughton, McPherson, McQueen, Robertson, Ross, Shaw, Stuart, Sutherland and Thompson, not forgetting McIntosh.

I also have background information regarding the formation of the regiment in Inverness, the port of embarkation, name of ship etc. For those members wishing to contact him Walter's address is P.O. Box 214, Topsfield, Mass 01983, U.S.A.

MEMBER'S RESEARCH INTERESTS

611 Mr Andrew Anderson, South Keiss, 4 Balconie Steading, Evanton, Ross-shire ANDERSON/MackAY in Wick and Keiss pre-1870; MURRAY in Loth pre-1870; CADOGAN in Lanark pre-1850.

NEW MEMBERS

739 Mr Fraser Hamilton, 35 Haining Road, Renfrew. PA4 0AH

Researching a number of family names pre-1850 in the counties of Sutherland and Ross & Cromarty :- FRASER/LEITCH/YOUNG in Avoch; NICOLSON/ROSS/MacINTOSH/MUNRO in Portree; GRAHAM in Fearr; MUNRO in Logie Easter; BANNERMAN in Golspie; MACKAY in Dornoch; MACRAE in Bracadale/Snizort and MATHIESON in Kilmuir/Snizort.

740 Mr Thomas Stout, 3 Thorkel Road, Thurso, Caithness KW14 7LW

The first member to indicate interest in a family (STOUT) on the Fair Isle. Research into the name extends to Westray, Orkney, with the addition of that of SEATTER. On the mainland in Caithness the family names of interest are CALDER, NICOLSON & COGHILL. All his research covers the period from 1700 onwards.

741 Mrs Ishbel McGillivray, 'Dyunmaglash', Westhill, Inverness IV1 2BP

Ross and Gromarty is the favoured area this time with in Lochcarron ROSS/MacLEAN/GOLLON the family names. Also GOLLON again plus MackENZIE in Applectross. All for the period 1700-1800.

742 Mr & Mrs Laurence Draper, 'Cnocmisan', Culbokie, Dingwall, Ross-shire IV7 8JH

743 Mr James I Macrae, 33 Grigor Drive, Inverness IV2 4LS

This member is a descendant of the Chisholms of Knockfin. He is at present researching the Macrae connection in the Chisholm family tree from 1700 onwards

744 Mr Trevor Mackay, 92 Madagascar Drive, Kings Park, Australia N.S.W. 2148, Concentrating on the name of McKAY in Aberdeen and the parishes of Armadale, Farr and Loth in Sutherland from 1750 onwards.

745 Mr Donald J M Cameron, Flat 11c, Gloucester Road, R.N.H., Holloway Road, London N7

Another member with extensive research interests mainly in Inverness-shire. Covering the period 1700-1899 : BAKER - Portnahaven, Islay; CAMERON - Lochaber, Dochanassie; CHISHOLM - Eskdale, Kiltarlity; FERGUSON - Glenmoriston; KENNEDY -

Bohuntine, Kilmonivaig; MacEACHEN - Arisaig; MacGILLVARRY - Strath, Arisaig; MacGRUER - Boleskine; MacINTOSH - Inverness; MacKINNON - Strath, Skye; MacLEAN - Inverness; SMITH - Arisaig. Covering the period 1700-1799: GRANT - Baladoc, Glenmoriston; GRAY - Boleskine; MacDONALD - Baladoc, Glenmoriston; MacINTOSH - Bohuntine, Kilmonivaig and Strath, Skye; MacMASTER - Murlaggan, Lochaber; MacMILLAN - Craigmalloch of Sime, Glen Urquhart; MacRAE - Strath, Skye; PATERSON - Resolis, Black Isle; ROSS - Glen Urquhart; FORBES - Inverness from 1600-1699 and finally URQUHART - Sutherland from 1600-1799.

746 Mr John Hamilton, Meadowbank Lodge, Barrows Lane, Sway, Lymington, Hants SO41 6DD.

Interested in descendants of John MORRISON, Woodturner in Inverness & Georgina MacDONALD from Kincaig, Inverness-shire from 1829. They were married 1849 in Inverness. Their daughter Isabella b. 1857 married Robert HAMILTON, Ham Curef in Hutchesontown; Glasgow in 1885.

747 Mrs Lois S Bakar, 2490 Pico Avenue, Clovis, California 93612, U.S.A.

Interests include NICHOLSON - Perthshire & Inverness 1700-1825; McINTOSH - Inverness 1700-1825; YOUNG - Carmunock & East Kilbride, Lanarkshire + Eastwood, Renfrewshire + Grahamston 1700-1899; ROBERTSON - Rutherglen, Lanarkshire 1700-1750; MASON - Cambuslang, Lanarkshire 1800-1830; CORSE - Lanarkshire? 1700-1799; NAISMITH - Barony & Hutchesontown, Lanarkshire 1800-1899; WOOD - Carluke, Lanarkshire 1700-1830.

748 Mr Donald F Maclean, 5787 Ogilvie Street, Halifax, Nova Scotia, Canada B3H 1C3

749 Mrs Margaret G MacInnes, 'Lynwood', Marybank, Isle of Lewis

Involved in a one-name study of GUSTERSON anywhere but especially in Essex and Suffolk 1800-1899: All other research in Skye and the Western Isles. MacINNES - Barra, Coll and North Uist from 1700-1899; McKINNON - Berneray, Harris and Coll from 1800-1899; McMILLAN - Coll from 1700-1899; MacLEOD - Duirinish, Skye and Lochs, North Uist from 1700-1899; MORRISON - Luerbost, Lewis from 1800-1899; MacDONALD - North Uist from 1800-1899.

750 Mr Eric O Rose, 23 Barnside Court, Welwyn Garden City, Herts AL8 6TL

Interested in descendants of the Wester Drakies & Marinch, Inverness-shire branch of the ROSE family for the period 1600-1799. Also descendants of James ROSE of Cullisse who died c1773. This area of research covering Easter Ross 1700-1799.

751 Mr Donald F Matheson, 83 Ballifeary Road, Inverness.

752 Mrs B Stark, Olive Cottage, Old Smithton, Inverness IV1 2NL

753 Ms Margaret E McKillop, 8 Devlin Crescent, Inverness.

754 Mrs Margaret Pool, 6 Bonita Avenue, Whangaparaoa, North Auckland, New Zealand

Researching a number of Scottish families. In the Highlands - John McMILLAN in Morvern, Argyllshire c1775 and subsequently his son Angus in Fort William 1800-1849 prior to emigrating with his wife to New Zealand. On the female side John's wife Catherine CAMERON in Bar, Argyllshire c1785 and Angus's wife Margaret McINTYRE in Fort William 1800-1849. In the south of Scotland - John MACKIE in Ayr and Anne YOUNG in Lochwinnoch, Renfrewshire c1770; Andrew STRACHAN in East Newton in Lochnabha Mossman in Duns, Berwickshire c1840; George TAIT and Jane LINDSAY in Tweedsmuir, Peebles 1800-1860.

755 Mrs Christine Smith, 312 High Street, Linlithgow, West Lothian EH49 7ER

756 Mr J D & Mrs C J Pinkney, 3 Ormond Drive, Balloch, Inverness

757 Mrs E M Weston, 34 The Drive, Tonbridge, Kent, TN9 2LR

Interested in RHIND in the Nairn and Dingwall areas for the period 1800-1899, particularly John RHIND, cabinet maker. Also researching FINDLAY in Tain 1800-1899 and in Dingwall 1800-Date. A James FINDLAY who was killed in a railway accident c1913 is of special interest.

758 Mr Alistair F MacDonald, 301 Colinton Mains Drive, Edinburgh EH13 9AZ

Research interests in the Inverness area c1840 cover the names PETRIE and TUACH, particularly Thomas PETRIE who was a shoemaker in Inverness. Further north a Donald McDONALD who lived at Breakachie, Strath of Dunbeath c1785 is the start of a search which encompasses the Caithness parishes of Latheron, Halkirk and Watten. Also on this member's list are GUNN pre-1826 in Latheron and Halkirk and HUNTER, a family who were predominately shepherds and lived in both Sutherland and Caithness. The HUNTER's came originally from Kirkmichael, Ayrshire to Sutherland where children were born in Lairg and Assynt in the 1830's.

759 Mrs Elaine Farrant, High Barn, Steephill Road, Ventnor, Isle of Wight PO38 1UF

Primarily interested in FRASER and especially the children of Simon and Catherine FRASER. Areas covered include Boleskine, Daviot, Dore and Raigbeg, Tomatin all in Inverness-shire for the period 1800-1940. Also MacTAVISH in Daviot 1800-1899 and MacGREGOR in Dore 1700-1899.

760 Mrs Susan Surman, 36 Seymour Street, Orange, N.S.W. 2800, Australia

Caithness and Sutherland are once more the focus of research with MILLER and OAG in Wick from 1800 onwards, Ann BAIN c1790 in Lyth, Bower and Margaret MacKENZIE in Assynt c1820.

