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Ivor Guild

Biggar Mill

1715

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# The Scottish Genealogy Society

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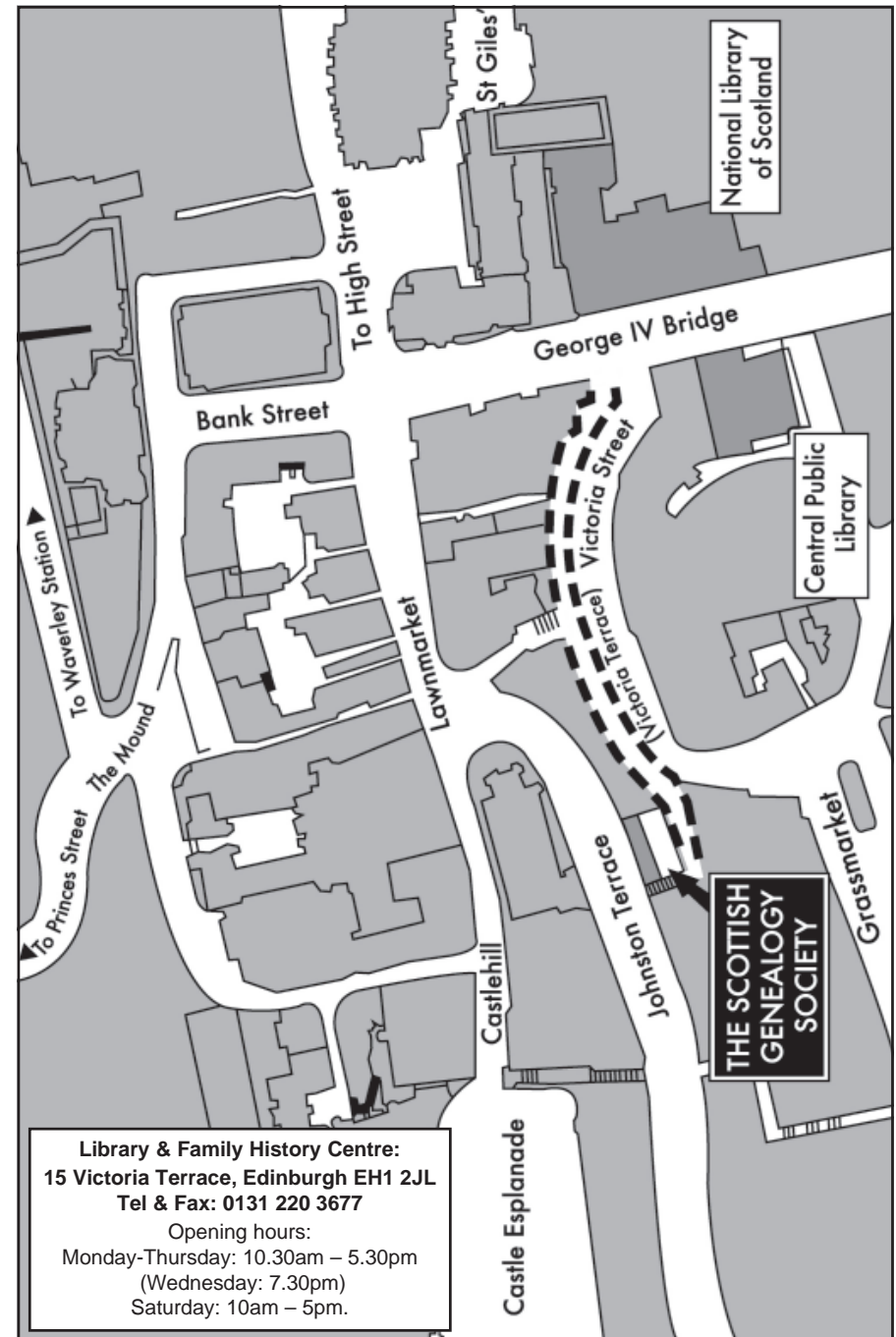
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## Front Cover:

The Society's Coat of Arms

## Back Cover:

Ivor Reginald Guild (1924 – 2015) by Harry More Gordon, 1987.  
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## SAFHS Conference 2015



The 26th Annual SAFHS Conference will be hosted by Central Scotland FHS on 25th April 2015. It will follow a Great War theme, with the title, *There was a Soldier...*

Allan Park South Church,  
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More details nearer the time will be available on [www.csfhs.org.uk](http://www.csfhs.org.uk)

## GENERAL INFORMATION

The Society is an academic and consultative body whose constitutional objects are to promote research into Scottish family history and to undertake the collection, exchange and publication of information and material relating to Scottish genealogy. Copies of our Constitution are available to members upon request. We assist members with modest enquiries, but do not carry out professional research. Private researchers are available, and we can also provide an ASGRA list upon request.

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Monthly meetings of the Society are held September to April in the Augustine United Church, 41 George IV Bridge, Edinburgh, at 7.30pm around the 15th of the month, unless otherwise stated.

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## Ivor Reginald Guild, C.B.E.

2 April 1924 – 3 January 2015

The Society was advised at the beginning of January of the death of one of its most distinguished members and Vice-Presidents, Ivor Reginald Guild, C.B.E. (1985), a Fellow of the Royal Society, Edinburgh (1990) and Registrar (from 1967) of the Synod of the Episcopal Church in Scotland, having also been Chancellor of the diocese of Edinburgh 1985-95.

Ivor was born in Dundee, the second son of Colonel Arthur Marjoribanks Guild, DSO., TD., DL. and his wife Phyllis Eliza Cox. He attended prep school at Cargilfield, Cramond, and gained a major scholarship to Rugby. In 1942 Ivor failed the medical for call-up and instead went up to New College, Oxford, where he gained a M.A. Thereafter he studied at Edinburgh University, gaining a law degree. He became a Writer to His Majesty's Signet in 1950, also the youngest of 6 partners in the Edinburgh law firm of Shepherd and Wedderburn where he worked for 43 years. He was well-read, well-informed, had an open mind and a good sense of humour.

Ivor was a keen genealogist and one of the earliest members of the Scottish Genealogy Society, founded in 1953, and, apart from the first couple of years, edited its journal, *The Scottish Genealogist*, until March 1994; and from 1960 to 1994 he was Procurator Fiscal of the Lyon Court. He took an active role in the Society's affairs, and before the move to Victoria Terrace, our Council held its regular meetings in his law firm's offices. Ivor was responsible for the careful consideration of the conveyancing when the Society purchased its present Library. In addition to being the editor for decades, he became a Vice-President in 1997, and throughout his membership was a popular regular attendee at Council meetings until he died. His interest in the Journal didn't wane: he contributed book reviews, plus he recounted his recollections of the Society's early days for the 60th Anniversary issue of June 2013.

Ivor Guild never married and lived at the New Club in Edinburgh, where he was affectionately known as the 'Duke of Princes Street'. One of the chapters in the Club's history was penned by Ivor. He was exceptionally well-travelled and went several times to visit his sister in South Africa. On his very last holiday in Berlin he became unwell and suddenly died. Appreciations appeared in *The Scotsman* on 15th and 20th January 2015, in the *Edinburgh Evening News* on 19th January 2015 and in *The Herald* on 10th and 31st January 2015.

Gregory Lauder-Frost, FSA Scot.

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# Identity and Fate of Capt. John Dalzell and His Sons

Raymond C. Vaughan, Ph.D.

After their defeat at Preston in 1715, many Jacobites were imprisoned in Lancashire and Cheshire before being transported abroad. Against this background, what interpretation should be given to the following baptismal record found in the parish records of St. Mary-on-the-Hill in Chester?

Robertt son to *Capt* John Deyall Esqr in Castell lane Baptized the  
3d Day of Aprill 1717.<sup>1</sup>

The father's name in this entry is apparently Capt. John Dalzell.<sup>2</sup> Was he the well-known Jacobite officer who was captured at Preston along with his brother and brother-in-law (Earl of Carnwath and Viscount Kenmure, respectively)? As discussed below, the available evidence supports this identification. Alternatively, was there a Capt. John Dalzell or similarly named officer among the royal forces stationed at Chester? No evidence to support this possibility has yet been found.

Military historian Charles Dalton identifies the "Commandant at Chester during the '15" as Col. John Fane.<sup>3</sup> Dalton's published lists of officers in Fane's regiment, the 37th Foot,<sup>4</sup> can be compared to the Chester parish records. Such comparison yields useful results. There is no Capt. John Deyall or John Dalzell or similar name listed among the officers of the 37th Foot,<sup>5</sup> but the method of comparing names works for another officer in the same regiment. Capt. John Pickering of the 37th Foot appears in both the officer lists<sup>6</sup> and the parish records of St. Mary-on-the-Hill in Chester:

Gilbrett son to *Capt* John Pickeren Esqr Baptized ye 28th Day of  
February 1717 [-18].<sup>7</sup>

At least one other officer in the parish records of St. Mary-on-the-Hill in Chester from that period (Lt. Wm. Wightman of Col. Kirk's regiment, whose daughter Hannah Wightman was baptized 17 July 1719)<sup>8</sup> can also be correlated with listings in Dalton's book.<sup>9</sup> An additional officer (Henry Jackson, Ensign of the Invalids, whose son Daniel was baptized 4 November 1716)<sup>10</sup> can be correlated with listings in a *different* book by Dalton.<sup>11</sup> Such successful correlations, combined with the absence of listings for a Capt. John Dalzell or similarly named officer, reinforce the conclusion that there was no such officer among the royal forces at the time in question. The only Capt. John Dalzell or similarly named officer listed in Dalton's books is the Jacobite who was captured at Preston in 1715.<sup>12</sup>

Thus, it appears that Capt. John Dalzell, the Jacobite prisoner, was indeed the father in the above-quoted Chester baptism. If so, other questions arise.

Was son Robert, presumably a newborn infant, transported into exile with his father? Or did he remain in England or Scotland in the care of others? Did he die young, or, if he survived into adulthood, what happened to him? Given the historical prominence of Capt. Dalzell, these questions should be susceptible to investigation. The issue is complicated by errors in some of the secondary sources, particularly a confusion between Capt. John Dalzell and his uncle James Dalzell, both of whom were active Jacobites in 1715,<sup>13</sup> yet such errors tend to be self-evident and can frequently be resolved by reference to primary sources.

### **The life, military career and Jacobite involvement of Capt. John Dalzell**

Capt. John Dalzell, the Jacobite prisoner and apparent father of the son Robert baptized at Chester, was born in Scotland in 1689. He was one of three or four children of Sir John Dalzell (ca. 1648-1689), second Baronet of Glenae:<sup>14</sup>

1. Robert (ca. 1687-1737), Earl of Carnwath. Joined the Jacobite forces in 1715 and was taken prisoner at Preston.<sup>15</sup>
2. Mary (ca. 1688-1776), Lady Kenmure. Her husband William Gordon, the sixth Viscount Kenmure, joined the Jacobite forces in 1715, was taken prisoner at Preston, and was tried and beheaded.<sup>16</sup>
3. John (1689-1750?), educated at Glasgow University in 1710,<sup>17</sup> and “thereafter was captain in the army, but resigned his commission on the arrival of the Earl of Mar in 1715, and joined the Jacobite Forces.”<sup>18</sup> When taken prisoner at Preston and court-martialed, he successfully defended himself from the charge of desertion by proving that he had resigned his commission prior to joining the Jacobite cause.<sup>19</sup>

John Dalzell (1689-1750?), called Capt. John Dalzell throughout most of this work,<sup>20</sup> can be readily distinguished in two ways from other participants in the 1715 Jacobite Rebellion. He was the only brother of the Earl of Carnwath, and, of the six prisoners court-martialed, he was the only one acquitted. These two characteristics serve to resolve the confusion found in certain secondary sources between Capt. John Dalzell and his uncle James Dalzell.<sup>21</sup> In the event that such a confusion also exists in primary sources, the same two characteristics should resolve it.

Prior to the events of 1715, Capt. John Dalzell was a half-pay officer in the British army, serving in the Earl of Orkney’s regiment.<sup>22</sup> Upon hearing of the plans of the Earl of Mar to resurrect the Jacobite cause, Dalzell resigned his commission and traveled to his brother’s residence at Ellick in the summer of 1715 to “give the news and obtain the co-operation of the other Jacobite nobles of the south of Scotland.”<sup>23</sup> He took command of the South Country Scots Troop of the Earl of Winton<sup>24</sup> and carried an ornate standard created by his sister Mary, Lady Kenmure.<sup>25</sup> As part of the insurgent army of Highlanders and South Country Scots who marched south and were joined

by English Jacobites from Northumberland, he advanced into Lancashire and engaged in the battle at Preston where the combined Jacobite forces were defeated by the King's troops on 12-14 November 1715. Capt. John Dalzell represented the Scottish forces in negotiating a surrender<sup>26</sup> and was subsequently imprisoned at Preston with about four hundred others. As shown in Fig. 1, he is listed as prisoner #386, a resident of Kirkmichael in Nithsdale.

Capt. John Dalzell was one of six prisoners held at Preston for trial by court-martial. Since all six had been in government military service, they were charged with desertion and taking up arms against King George.<sup>27</sup> Five were found guilty, and four of them were shot, but Dalzell was able to show that he had given up his officer's commission, and that the commission had then been filled by another, before he took up arms.<sup>28</sup> He was thus acquitted of desertion but not released; he remained a prisoner among the hundreds of other Jacobite rebels.

Men's Names	Parishes	Countrys	Grades	Companies	Regiments
Edm <sup>d</sup> Murray	Falkland	High	Colonell of an	Regiment of Foot	381
James Dalzell	Edinburgh	Lowthian	Ret Lowthians	Dragoon	382
Capt <sup>t</sup> John Dalzell	Kirkmichael	Nithsdale	Came with the South Country	Gentlemen in Scotland	386
Hugh Dalzell	ditto	ditto	Forward to ditto	Capt <sup>t</sup> Dalzell	387
John Cameron	Dulay	North	Gentleman	Edm <sup>d</sup> Murray	Edm <sup>d</sup> Murray
James Hunter	Bellingham	Northumberland	Lieut <sup>t</sup> to Capt <sup>t</sup> Douglas	Dragoon	388
John Dalzell	ditto	ditto	Forward to ditto	James Hunter	389
Richard Hollenroth	Kirkmichael	Lancashire	Sailor	Came with 3rd	Gilliesby
Martin Gifford	Charley	ditto	Sailor	-	-
Thomas Lewis	Brantnavor	Galloway	Surgeon	Lieut <sup>t</sup> he was promoted by the	391
William Dalzell	Aylton	Bornick	Surgeon	Forward to Capt <sup>t</sup> Strathairn	394
William Fraser	Perth	Perth	Gentleman in	Capt <sup>t</sup> Dalzell's troops	395
William Brown	ditto	ditto	-	-	396

Fig. 1: Capt. John Dalzell (#386) listed among prisoners held at Preston (from <http://freepages.genealogy.rootsweb.ancestry.com/~tornabene/p/09.jpg>)

The British government acted quickly in dealing with select groups of the Jacobite prisoners. Some of the more prominent rebels, including Capt. John Dalzell's brother, brother-in-law, and uncle (Earl of Carnwath, Viscount Kenmure, and James Dalzell, respectively) were taken to London for trial.<sup>29</sup> Capt. John Dalzell and many others remained in prison at Preston, Lancaster, and Chester, and at least 74 of these men – not including Capt. Dalzell – were tried at Liverpool in January and February of 1716.<sup>30</sup> However, the vast majority of prisoners did not face trial but were able to petition the government to be transported to the American colonies for indentured servitude. As described by Hibbert Ware, "We are told that about 1000 prisoners at Lancaster, Liverpool, and Chester, submitted to the king's mercy, and petitioned for transportation."<sup>31</sup>



While transportation to the Americas became the main form of punishment for most prisoners, the petition process encountered complications, especially at Preston where Capt. John Dalzell and many others remained in captivity. Here again, Dalzell played a notable role. As described by Mrs. Thomson in her *Memoirs of the Jacobites*, many of the prisoners were “high-spirited gentlemen” who apparently either preferred death to transportation or thought that “another insurrection might act in their favour.”<sup>32</sup> The result, as she describes, was that

They mostly refused to sign the petition, which was offered to them singly: and the commandant at Preston, Colonel Rapin, in his correspondence with Lord Townshend, expresses his annoyance at their obstinacy, and expatiates on the inconvenience of the numbers under his charge at Preston. At length, after Captain John Dalzell, brother to the Earl of Carnwath, had signed the petition, a large body of the prisoners were ordered to be transported without their petitioning, and to be put in irons. They were hurried away to Liverpool, to embark thence for the Colonies...<sup>33</sup>

There are various lists of the transported prisoners and the ships that carried them.<sup>34</sup> Many of the voyages were in the spring and summer of 1716. Capt. John Dalzell eventually went into exile, but not on any of the well-documented 1716 voyages and not in any sort of usual way. His name is absent from most lists of transported prisoners, yet he is mentioned and listed in a 1976 article by Smith:

According to a receipt given to the commissary general of the rebel prisoners, 639 prisoners were transported, but, for reasons unknown to this writer, only 636 were named in the manifests. An additional prisoner (John Dalzyell) has been identified from other documents.<sup>35</sup>

In his list of transported prisoners, Smith shows “Dalzyell (or Dalzele), John” as having gone to Virginia or South Carolina, but no ship name is listed.<sup>36</sup>

### **Dalzell’s marriage and crucial details of his banishment**

Dalzell’s departure, regardless of the date, *did not occur until after he was married*. Sankey, in her book which consistently misidentifies Capt. John Dalzell as *James*, refers to his bride as “a wealthy woman he had married while in jail...”<sup>37</sup> Other sources refer to her as “a daughter of William Tildesley of Lodge, Esq.”<sup>38</sup> She was presumably related to one of the prominent Jacobite prisoners, Edward Tyldesley of the Lodge.<sup>39</sup> She may have had the opportunity to meet Capt. John Dalzell on one of two festive occasions prior to the battle of Preston, either when the Jacobite troops were entertained by the ladies of Lancaster on 8 November 1715,<sup>40</sup> or when they were entertained by the ladies of Preston on 9-12 November 1715.<sup>41</sup>

Although no marriage bond or record has yet been found, it may be reasonable to assume that the marriage occurred in the summer of 1716. At some point after they were married, Capt. John Dalzell and his wife are said to have

been transported to South Carolina. The general circumstances are described in a colorful but not entirely reliable account by Sankey:

Those [prisoners] who could press their connections for help beyond the most crucial favor, avoiding execution, soon mobilized their kith and kin networks to save themselves from indenture, if not from transportation. James [sic: should be John] Dalziel, brother of the Earl of Carnwath, enlisted both the Duke of Montrose and Sir David Hamilton to bring his case to the attention of the Prince and Princess of Wales. As a result, the indentures of Dalziel and John Porteous were purchased by John, Lord Carteret, even before the ships left harbor. Carteret, the governor of South Carolina, paid to have Dalziel and his wife, a wealthy woman he had married while in jail, transported on a private ship, while Porteous sailed on the *Elizabeth and Anne* to Virginia, then traveled south to Carolina. Once there, Carteret freed both men from their indentures, an act made unnecessary in Dalziel's case by the arrival of orders from the Prince of Wales to free him on the spot. Dalziel then disappears from the records, but not before receiving from Charles Eden, Carteret's deputy, a letter of introduction to the best society in South Carolina.<sup>42</sup>

Aside from her mischaracterization of John Dalzell as James Dalzell (and of Lord Carteret as governor of South Carolina), Sankey correctly describes the basic arrangements but either misstates or overstates what is known about the sequence of events and certain details. The factual basis and uncertainties are more clearly set forth in the two sources cited by Sankey. One of these is the 1718 *Faithful Register*; the other is the *Calendar of State Papers, Colonial Series: America and West Indies*. The 1718 account, after identifying Captain Dalziel as the brother of the Earl of Carnwath and recounting his court-martial and acquittal, says further that:

This Gentleman continu'd imprison'd for some Time after; during which, he married a Woman of some Fortune, and accepting of Transportation, went Abroad with her, where he remains in Banishment.<sup>43</sup>

The handling of Dalzell's indenture by Lord Carteret and the letter of introduction given to Dalzell are found in the *Calendar of State Papers, Colonial Series: America and West Indies*, entries 222 and 223, both dated 21 June 1716:

June 21.

222. Thomas Johnson's receipt for £25 recd. from Richard Shelton for the transportation of John Dalzele to Virginia or Carolina, in order to serve Lord Carteret 7 years (if required) (cf. June 15). *Signed*, Tho. Johnson. *Copy*. [Copy of receipt is held by Colonial Office.]

June 21, St. James's.

223. Lord Carteret to Governor Eden. H.M. having been graciously pleas'd to grant the request of some gentlemen, who were taken in rebellion at

Preston, that they may be transported into H.M. Colonies and Plantations in America; the bearer hereof John Dalzyl, Esq., brother to the Earl of Darnworth [sic] being one of those gentlemen, and H.R.H. the Prince of Wales having commanded me to give him his liberty; I do desire you to receive him kindly as an inhabitant, and do him what friendly offices may be in your power. *Signed, Carteret.* [Held by Colonial Office.]<sup>44</sup>

Comparison of these sources to Sankey's more fanciful account shows that:

- There is no evidence that Capt. John Dalzell had already gone to the American colonies before either being granted freedom from his indenture or learning that he had been granted such freedom. Entries 222 and 223 in the *Calendar of State Papers* achieve several seemingly simultaneous purposes, all dated 21 June 1716: Acknowledgment that Dalzell's punishment for his role in the 1715 rebellion would consist of transportation to America and indenture to Lord Carteret; release of Dalzell from his indenture ("the Prince of Wales having commanded me to give him his liberty"); documentation of payment for Dalzell's transportation to Virginia or Carolina; and issuance to Dalzell of a letter of introduction to Governor Eden of [North] Carolina.<sup>45</sup> In the absence of contrary information, it appears that Dalzell was still in England as of 21 June 1716.
- There is no reference in the *Calendar of State Papers* to Dalzell's marriage or wife, which leaves open the question of whether he was married before or after this date.
- There is no indication of Dalzell's date of departure, nor any indication whether there was any urgency attached to his departure, nor any indication of the circumstances of his captivity if he remained in England beyond 21 June 1716. His transportation was paid for as of that date, but the Prince of Wales had also commanded that Dalzell be given his liberty. Such liberty meant a release from indenture, not a release from being transported and banished – yet both the timing of his transportation and the nature of his captivity after 21 June 1716 remain unclear. If he remained in England beyond that date, were the requirements of his confinement relaxed, perhaps allowing conjugal relations with his new wife, perhaps even taking the form of house arrest rather than confinement in prison?
- There is no clear indication that Dalzell was actually transported to North or South Carolina. The available information shows that his transportation was prepaid to either Virginia or Carolina, and that Dalzell and his wife were transported "abroad." However, he and his wife could apparently afford to be taken to any destination they wanted, so long as it fulfilled the purpose of banishment from Britain. Going first to one of the Carolina colonies and then to the Caribbean is one possibility; going

directly to the Caribbean is another. Alternatively, some sources imply that Dalzell's exile was in Europe, not the Americas.

Thus, Capt. John Dalzell may have been transported on or about 21 June 1716, or he may have remained in England beyond that date – perhaps even several months beyond that date. If he stayed for a few months or more, even if not fully and formally incarcerated, he was likely kept in close proximity to the other Jacobite prisoners who remained imprisoned in Lancashire and Cheshire. In that event, he may have been affected by a decision that was made to consolidate the prisoners into a single group at Chester:

Anxious to rejoin his regiment, which had left him behind, [Col.] Rapin repeatedly suggested to the government that they consolidate the remaining prisoners to save money on guards, who were being paid to watch 201 prisoners at Lancaster, 12 at Chester and 7 at Liverpool, at a cost of £2 19s per day, while maintaining all the prisoners was costing £3 13s 4d per day. The local authorities were also eager to have the soldiers leave their towns, relieving them of the 'great prejudice and difficulty it is to quarter the regiment and remaining prisoners.' Rapin's consolidation of the prisoners in Chester Castle reduced the daily expenditure on guards to £1 10s, and eliminated all the duplicate apothecaries, physicians and agents who attended the prisoners and supplied their needs. The prisoners remained there in Chester until the spring of 1717, when they were released under the Act of Grace, except for one particularly unfortunate man, Richard Shuttleworth, who had fallen so far down the cracks of the legal system, that he was forgotten until released from Lancaster Gaol in April of 1718, having been neither indicted nor tried.<sup>46</sup>

While the previously quoted information about Capt. John Dalzell's marriage "while in jail" and his possible location among or near the remaining prisoners at Chester cannot be considered conclusive, they add credence to the possibility that he was the father of the son Robert baptized at Chester in 1717. Coincidentally or otherwise, the length of time between 21 June 1716 and the baptism of Robert Dalzell in Chester on 3 April 1717 is 9 months and 13 days. Looking backward through the lens of time, one is tempted to think that Dalzell was married in late June of 1716, that his son Robert was conceived a few days later, and that he and his wife waited in England until the baby was born before being transported to America or the West Indies or another location. However, even if marriage and conception took place in June of 1716, it is difficult to discern Dalzell's logic of waiting until 1717 to be transported – assuming he had any choice at all about delaying his mandated transportation and exile.

### **Exile in Spain and Italy, military commissions and intrigue, and a son's Jesuit education**

The next known reference to Capt. John Dalzell is a military promotion. This

was not granted by the British army; it came from the Stuart court – the Jacobite government-in-exile – in Rome. Records preserved among the Stuart Papers show that Dalzell was granted a commission as lieutenant-colonel in 1722. The commission had been requested in a letter that Dalzell's brother Robert, Earl of Carnwath, wrote to James, the exiled Stuart king. Robert's letter to the king, dated 30 June 1722 at London, provides a glimpse of Capt. John Dalzell's life in what appears to be a European rather than an American or Caribbean setting. In the letter, after expressing his reluctance to be troublesome to the exiled king, Robert tells him that he had

prevented my only brother from personally offering his service to you at Rome. As he has had the honour to serve in a Military way as Capt of horse under Lord Kenmure, and had been formerly in the Army, I presume to beg you would be pleas'd to distinguish him, with a mark of your favour by some commission which upon occasion he may exert for your service here. And in the mean time may be a means of advancing him in some foreign service is to be bread to him. For as it is not in my power to support him here, like a Gentleman, he resolves to goe in to Muscovy or some service to waite for that period which can only make this country happy, and which I can't think is at a great distance...<sup>47</sup>

The commission was duly granted:

[1722] Aug. 24. Honourable John Dalziel (brother to Lord Carnwath), to be a Lieutenant-Colonel.<sup>48</sup>

A few years later, Dalzell's commission was renewed and endorsed as follows:

Renewed Ap. 5, 1728, and sent to D.[uke of] Ormonde.<sup>49</sup>

As of 1731, Dalzell was in Spain, serving as an officer in the Spanish army, as indicated by a letter he wrote from Valencia to the Stuart court in Rome. In the letter, dated 11 December 1731, Dalzell asked James Edgar, secretary to the exiled king, to give the king an enclosure of some type.<sup>50</sup> Dalzell specified in the letter how any reply should be addressed, which served no immediate purpose – there does not appear to be any response among the surviving Stuart Papers – but shows his military rank and affiliation as Lt. Colonel John Dalzell of the Andalusian Regiment (“Dn Juan Dalzell..., Thente Coronel al Regto De Andalucia”).<sup>51</sup> This was presumably the Andalusian Regiment of Horse, established in 1703.<sup>52</sup>

Beyond this, there is clear evidence dated 1734 that shows Dalzell's son James attending the Scots College in Madrid,<sup>53</sup> a Jesuit school or seminary founded a century earlier by Scots in Spain.<sup>54</sup> Its closure in 1734 caused some of the students, including Dalzell's son James, to be transferred to a sister institution in northern France, the Scots College at Douai.<sup>55</sup> The student rosters refer to Dalzell as “Joanne, Colonello, fratre Comitis de Carnwath”<sup>56</sup> and (in the genitive case) as “Colonelli (Joannis) Dalzell fratris Comitis de Carnwath,”<sup>57</sup> i.e., as Colonel John Dalzell, brother of Lord Carnwath.<sup>58</sup>



At about the same time, tensions among the major European powers caused Spain to send large numbers of troops to Italy, including thousands of cavalry. Questions of royal succession to the thrones of Poland and Tuscany were nominally at issue, but the Spaniards' main battles were against the Austrians in southern Italy.<sup>59</sup> If he was still an officer in the Andalusian regiment, Dalzell was likely involved in this Italian campaign which culminated in the Spanish victory at Gaeta in August of 1734.<sup>60</sup>

Two years later, Dalzell was in Tuscany, as indicated by a letter he wrote to James Edgar, dated 5 June 1736 at Florence.<sup>61</sup> This was one of several letters exchanged that year among Dalzell, James Edgar, and Count Thomas Tyrrell, apparently starting in late February of 1736. Count Tyrrell was a Jacobite agent in Florence who served as a sounding-board for James Edgar on various matters, and Edgar thus sought Tyrrell's opinion on a mysterious project that Dalzell had proposed to the Stuart court:

I recd yesterday a letter from Col. Dalzel upon the contents of which H.M. would be glad to have yr opinion, and for that end, he commands me to send it to you, wch I do here inclosed. I am indeed very apt to believe that Mr Dalzel's project is a chimerical one, and that there is little [or] no probability of it's taking effect.<sup>62</sup>

Dalzell's letter has apparently not survived, but we can infer from Edgar's response that Dalzell wanted to request a letter of recommendation from Cardinal Giovanni Antonio Guadagni. Seeking such a letter was evidently considered a fool's errand by both Edgar and Tyrrell. Edgar wrote back to Dalzell on March 10th but did not send him the letter directly; he enclosed it in a letter to Tyrrell, asking Tyrrell to review it, then seal and mail it as if it had come directly from Edgar. In his cover letter, Edgar wrote to Tyrrell:

Upon what you say of Mr Dalzel's project, I wrt him the inclosed letter open for yr perusal, after wch pray seal it down and send it to Mr Dalzel, without taking any notice to him of yr knowing any thing of the contents of it.<sup>63</sup>

In the letter to Dalzell, Edgar conveyed the king's general willingness to be helpful but said:

...the affair you propose of getting a letter from Cardl Guadagni in yr favor [is] of such a nature that he [the king] does not see any probability of yr succeeding in it, and therefore he does not care to meddle in such a matter, wch is all I can say to you upon it.

I am sorry a former letter you mention to have writ to me, should have never come to my hands.<sup>64</sup>

Dalzell apparently wrote a reply on the 20th which is not extant. Edgar replied in turn on March 31st:

I have recd yours of the 20th.... H.M does not believe Cardl Guadagni's or any other recommendation could be of service to you, But if you should

however entertain any hopes of succeeding in yr design, without H.M.'s concerning himself in it, H.M. is so far from having any objection to it, that he heartily wishes you success in any steps you take for that effect. I am very sorry for yr bad state of health, and wish you with all my heart a speedy recovery.<sup>65</sup>

Dalzell was in Florence on June 5th when he wrote back to Edgar. The letter mentions money that Dalzell expected to get at Leghorn (Livorno), apparently being pay that was due to him or money drawn against such pay, which reinforces the idea that he continued to serve in the Spanish military. In the letter, he also expressed a desire to return to Spain, seemingly to retire there, and asked Edgar for "his majesty's recommendation to that Court in order to facilitate my aggregation."<sup>66</sup> Whether Edgar replied is unclear, but Dalzell sent him another letter dated 11 August 1736 which has apparently not survived. Edgar wrote back two weeks later:

I have had the honor to lay yrs of ye 11th of this month before the King. H.M.'s thoughts upon it are That if you were a Gentleman advanced in years and of Long service, it might be reasonable for you to seek a retreat and aggregation upon some Town or Province, But in yr present situation, wch thô perhaps not so agreeable to you as he could wish, yet he is of opinion, yr age and all things considered, you would do better to continue in ye service as you are, than to sollicite a retreat. H.M. does not believe that in yr case it will be easily obtained, and 't is fit you should know that should you continue fix'd in that resolution that H.M. cannot recommend you directly to ye Court of Spain, and that as at present he has no Minister there, all he can do in yr behalf is to desire father Clerk when he writes to him to befriend you in yr pretentions at that Court, So If I find by yr return to this that you would be glad H.M. should write in that manner in yr favor, I shall put H.M. in mind to do so in the first Letter he writes to that father....<sup>67</sup>

There is no evidence that Dalzell responded to this offer. Edgar and the king maintained a correspondence with Father William Clarke, the priest who was confessor to King Philip V of Spain, but the *Index to the Stuart Papers* shows no letters exchanged in 1736.<sup>68</sup> The two letters that the Stuart Court exchanged with Father Clarke in 1737 do not refer to Dalzell.<sup>69</sup>

Thus ends the known record of Capt./Col. John Dalzell. His age was then about 47. The Stuart Papers contain no further correspondence, and no other records have been found, so it cannot be readily determined whether Dalzell died soon, returned or retired to Spain, remained in Italy beyond 1736, or moved elsewhere. If he remained in Italy, he probably moved south to the Kingdom of Naples which remained allied with Spain. He is not likely to have stayed in Florence beyond January 1737 when "Spanish garrisons throughout Tuscany were withdrawn and Austrian troops took their place"<sup>70</sup> in accordance with an agreement made in Vienna among the major European powers.

Further work beyond the scope of this paper might ultimately show what

happened to Dalzell after 1736. He was never a particularly prominent player in the world of Jacobite intrigue, but in view of the British government's constant efforts to stay informed about what the Jacobites were doing, there may be undiscovered information about him in sources such as the uncalendared George II State Papers relating to Spain (SP94) or to Tuscany (SP98) or other Italian states.

### **Return to Scotland?**

The records cited above from the 1720s and 1730s, documenting various dealings with the Stuart court in Rome and the choice of a Jesuit education for his son James, show that Capt./Col. John Dalzell retained a strong commitment to the Jacobite principles that had drawn him into the 1715 rebellion. Whether such a man would either choose or be allowed to return to Scotland is unclear.

A very loosely documented family history published in 1997 asserts that Dalzell was transported in 1716 to the American colonies,<sup>71</sup> was set free there,<sup>72</sup> and went that same year from Virginia to the Caribbean island of St. Christophers (St. Kitts)<sup>73</sup> where he married a daughter of William Tildesley who bore him a son James in 1718.<sup>74</sup> Soon thereafter, according to this source, Dalzell returned to Scotland and settled at Fairgirth in Dumfriesshire with his wife and young son.<sup>75</sup> The same source indicates that his wife died after the return to Scotland,<sup>76</sup> that he remarried and had two more sons,<sup>77</sup> that he joined his uncle (said to be James Dalzell of Whitehaven in Cumbria) in the shipping trade,<sup>78</sup> and that he died and was buried at Fairgirth about 1750.<sup>79</sup>

These later episodes of Capt./Col. Dalzell's life appear doubtful;<sup>80</sup> they would need further investigation and documentation to overcome the contrary evidence presented here. The brief biographical sketch of Dalzell in Anderson's *The Scottish Nation* says that he "had a son settled in St. Christophers."<sup>81</sup> This seems to reinforce the family's link to St. Kitts yet lacks support from other sources, particularly the Stuart Papers. Another possible impediment to Dalzell's having lived in St. Kitts is the documented antipathy of that island's residents to Jacobites.<sup>82</sup>

The connection to Fairgirth appears similarly speculative. M'Kerlie, in his *History of Lands and Their Owners in Galloway*, says that a "John Dalzell is found of Fairgirth in 1732."<sup>83</sup> Several years later, a John Dalzell of Fairgirth contributed £32 in response to solicitations to support Prince Charles during the 1745-46 period when the prince was in Dumfries.<sup>84</sup> These records – including the Jacobite sentiment implicit in the tribute paid to Prince Charlie – are consistent with the idea that Capt./Col. John Dalzell returned from St. Kitts to reside at Fairgirth in Scotland. However, the John Dalzell documented in Fairgirth in 1732 and again in 1745-46 is almost certainly a different person from the cavalry officer named John Dalzell whose presence in Spain and Italy is established by the letters described above. The date of Dalzell's

death also appears problematic. According to the family history published in 1997, he died at Fairgirth about 1750, yet there do not appear to be records of his death and/or estate.

The *Commissariat Record of Dumfries* lists a 1764 testamentary record for a John Dalzell of Fairgirth,<sup>85</sup> which, when consulted, shows January 1764 (“in the month of January last”) as his date of death<sup>86</sup> and identifies the following people as next of kin:

Elizabeth Dalzell Relict of Captain Gilbert Young, Ann Dalzell Relict of Robert Hopkins Merchant in Kilmarnock and Nicholas Dalzell Relict of William Denholm Merchant in Dumfries sisters German of the defunct & Executors Dative qua nearest in kin...<sup>87</sup>

This 1764 testamentary record for John Dalzell of Fairgirth is large (56 pages!) and consists mainly of listings of money owed to or by his estate. For a potentially related document, see Kirkcudbrightshire Sheriff Court Deeds, SC16/58/14,<sup>88</sup> which is a 1753 protest involving a £14 loan to Edward Grierson of Upper Caldene by John Dalzell of Fairgirth.

Thus, there is no apparent basis for identifying Capt./Col. John Dalzell as John Dalzell of Fairgirth.

### **Dalzell's descendants**

According to the family history published in 1997, Dalzell was married twice. No name or other information is known for either wife, except that his first marriage was to a Miss Tildesley, daughter of William Tildesley, about 1716.”<sup>89</sup>

Dalzell's children or potential children, as identified from the Chester baptismal record, 1997 family history, Scots College records, and other sources, are:

1. *Robert Dalzell*, baptized at Chester, 3 April 1717.<sup>90</sup> If Capt. John Dalzell was the father of this child, as hypothesized in this article, it seems likely that \_\_\_\_ Tildesley was the mother, as outlined above. The possibility that another woman was the mother cannot be excluded (e.g., Robert could have been conceived by another woman prior to the battle of Preston, if Capt. John had been favored by someone other than Miss Tildesley when the Jacobite troops were entertained by the ladies of Lancaster on 8 November 1715 or by the ladies of Preston on 9-12 November 1715 – in which case the child would have been born mid-August of 1716 and would have been about 8 months old when baptized at Chester), yet under such circumstances it seems likely that the Chester baptismal record would have been more derogatory (e.g., “base begotten son” of Capt. John Dalzell). Robert's later life remains a mystery. He may have died young. As another possibility, note that Anderson's *The Scottish Nation* says that Capt. John Dalzell “had a son settled in St. Christophers” whose mother was apparently Dalzell's first wife, the daughter of William Tildesley of Lodge, Esq.<sup>91</sup> No evidence

has been found that this description would fit Robert. A potentially better match for Robert's adult life may be found in Lancashire-beyond-the-Sands, now Cumbria, in the person of Robert Dalzell who died and was buried in Broughton-in-Furness in 1802 at age 86 (date of burial 9 Jan 1802).<sup>92</sup> This Robert Dalzell – apparently the same Broughton-in-Furness resident who had a grandson born in Cunsey in 1779<sup>93</sup> and possibly the same Robert Dalzell of Ulverston whose son James died young in 1758<sup>94</sup> – is a good match in terms of age, and his life prior to the mid-1750s is otherwise unknown.

2. *James Edward Dalzell*,<sup>95</sup> born ca. 1717<sup>96</sup> or 1718,<sup>97</sup> possibly at St. Kitts in the West Indies,<sup>98</sup> as a son of Capt. John and \_\_\_\_ (Tildesley) Dalzell. Where he lived as a child, and who raised him, remain unclear. The 1997 family history makes an interesting but unsubstantiated claim that James was raised in Scotland by his aunt (Mary, Lady Kenmure) and that she arranged for his education.<sup>99</sup> This is plausible and perhaps more likely than the idea that he lived with and was raised by his father, whose life as an exiled cavalry officer was clearly peripatetic. In any case, as already described, James became a student at the Scots College in Madrid in 1734 or earlier.<sup>100</sup> He left Madrid on 11 October 1734 when that college closed, and was one of nine Scots (two priests and seven students) who “set out, with their luggage, in four carriages for Bayonne, *en route* to Douai.”<sup>101</sup> His age at that time was listed as 17.<sup>102</sup> He completed his education at the Scots College at Douai, majoring in syntax,<sup>103</sup> and later joined the army.<sup>104</sup> Here the trail of evidence grows cold. An army career raises the possibility that he served in the American colonies and was the Capt. James Dalzell “of the Carnwath family” who was killed and mutilated during an encounter with Pontiac's band near Fort Detroit on 31 July 1763;<sup>105</sup> if so, he was then about 45. The James Dalzell who died thus in 1763 was a member of the St. Andrew's Society of the State of New York – having been elected a member in 1757, shortly after his arrival in the American colonies<sup>106</sup> – and was also an aide-de-camp to Gen. Jeffrey Amherst, a fellow officer with Maj. Robert Rogers, and had fought alongside Maj. Israel Putnam at Ticonderoga and Fort Edward in 1758, as reported by various sources, including Rogers.<sup>107</sup> Alternatively, the 1997 family history suggests a very different and seemingly fanciful adult life for James:

When he had completed his studies at the Scots College and became of age, c1738, he took the “grand tour” as was the custom of the sons of noble families to cap off their education. He visited the great cities of the world and then sailed for St. Christophers (St. Kitts) to visit his grandparents, the Tildeslys, who still resided there on their sugar plantation.<sup>108</sup>



The idea that he went to St. Christophers receives some support from Anderson's statement in *The Scottish Nation* that Capt. John Dalzell "had a son settled in St. Christophers"<sup>109</sup> – however, no clear evidence has been found that this description fits James. In any case, the 1997 family history continues the story by suggesting that James left St. Christophers about 1740, moved to Philadelphia where he became associated with the Society of Friends, and married a Quaker woman with whom he had six children.<sup>110</sup> He and his family are said to have moved from Philadelphia to western Pennsylvania and then to Virginia.<sup>111</sup>

3. *John Dalzell*, known only from the 1997 family history, is said to have been born ca. 1721 in Scotland as a son of Capt. John Dalzell and his unnamed second wife. He is said to have been a merchant who emigrated in 1760 to Maryland and later to Pennsylvania.<sup>112</sup> Note that the identity of this person as a son of Capt. John Dalzell is doubtful, given the circumstances of Dalzell's exile as set forth in the Stuart Papers and other sources.
4. *William Dalzell*, known only from the 1997 family history, is said to have been born in Scotland as a son of Capt. John Dalzell and his unnamed second wife. He is said to have been a merchant who remained in Scotland.<sup>113</sup> Note that the identity of this person as a son of Capt. John Dalzell is doubtful, given the circumstances of Dalzell's exile as set forth in the Stuart Papers and other sources.

## Conclusion

Capt./Col. John Dalzell, brother of the Earl of Carnwath and of Lady Kenmure, was a Scottish cavalry officer exiled for his part in the Jacobite Rebellion of 1715. Educated at Glasgow, he served first in the British Army, then in the Jacobite forces that fought and surrendered at Preston, then in exile in the service of Spain (Andalusian Regiment) and perhaps other foreign states as well. His life and circumstances have been clarified and substantially expanded here relative to other existing accounts. Available evidence favors the hypothesis that Robert Dalzell, the child baptized at Chester in 1717, was his son. Another son James can be identified conclusively through the Scots College records, but this son's adult life and army career remain speculative. Reports of additional sons John and William, and the idea that family members settled in the American colonies, appear doubtful. Fates of the sons and the ultimate fate of Capt./Col. John Dalzell remain uncertain.

## Notes:

- <sup>1</sup> J.P. Earwaker (and R.H. Morris, ed.), *The History of the Church and Parish of St. Mary-on-the-Hill, Chester* (London: Love & Wyman, 1898), 146.
- <sup>2</sup> The logic of identifying John Deyall as John Dalzell is set forth in this work. Note that Deyall is a plausible phonetic spelling of the Scottish surname Dalzell. Throughout this work, the many variant spellings of the name will be standardized to Dalzell except where quoted or directly paraphrased.

- <sup>3</sup> C. Dalton, *George the First's Army, 1714-1727*, Vol. I (London: Eyre & Spottiswoode, 1910), 223, footnote 79.
- <sup>4</sup> *Ibid.*, 223 (footnote 79) and 336.
- <sup>5</sup> *Ibid.*, 336 and index.
- <sup>6</sup> John Pickering, previously an Ensign in the 37th Foot (*ibid.*, 366), was promoted to Captain in the same regiment on 27 July 1717 (*ibid.*, 212).
- <sup>7</sup> Earwaker and Morris, *op. cit.*, 146. The bracketed date, referring to 1717/18, is in the original.
- <sup>8</sup> *Ibid.*
- <sup>9</sup> Dalton, *op. cit.*, 208, showing Ensign Wm. Wightman commissioned 24 April 1717 to succeed Ensign Shappard (deceased) in Kirk's Foot.
- <sup>10</sup> Earwaker and Morris, *op. cit.*, 146.
- <sup>11</sup> C. Dalton, *English Army Lists and Commission Registers, 1661-1714*, Vol. VI, 1707-1714 (London: Eyre & Spottiswoode, 1904), 189, showing Henry Jackson commissioned 5 October 1711 as Ensign to the Company of Invalids at Chester.
- <sup>12</sup> Dalton, *op. cit.*, *George the First's Army*, I, 134-35, esp. footnote 11 on page 135. For absence of other listings for John Dalzell, see *ibid.*, index; also Vol. II of the same work (London: Eyre & Spottiswoode, 1912), index; also Dalton, *op. cit.*, *English Army Lists*, VI, index. In Volume I of *George the First's Army*, note that the index listings for John Dalzell (p. 130) and Thos. Dalzell (p. 134) are transposed. Note also that the ancestry given for John Dalzell in Vol. I, p. 135, footnote 11, is incorrect.
- <sup>13</sup> James Dalzell, the uncle of Capt. John Dalzell, is described as follows by W. Anderson, *The Scottish Nation*, Vol. I (Edinburgh: A. Fullarton & Co., 1877), 594: He was "an officer in the army of King James the Seventh, but who, at the Revolution, quitted the service. He engaged in the rebellion of 1715, and was taken at Preston, in November of that year. He married a Miss Graham, by whom, [in addition to] a daughter, he had a son, John [of Barncrosh, collector of customs at Kirkcudbright], who took to wife Harriet, daughter of the sixth earl [viscount] of Kenmure; and 3d, Colonel Thomas Dalzell of the Scots guards, who died in 1743...."
- <sup>14</sup> The order of birth for children Robert and Mary is uncertain; Mary may have been older. In addition to children Robert, Mary, and John, [www.thePeerage.com](http://www.thePeerage.com) lists a daughter Agnes (#208842) who married Sir John Johnstone. This may be possible if she was a twin of John but otherwise seems questionable, given the 1689 will of Sir John Dalzell which apparently refers to only one daughter (Mary) in addition to son Robert and "the bairn then *in utero*," generally considered to have been John. See J.B. Paul, ed., *The Scots Peerage*, Vol. II (Edinburgh: David Douglas, 1905), 410, which cites the will.
- <sup>15</sup> DNB, 443; Paul, *op. cit.*, II, 410 and 415-417; W. Anderson, *op. cit.*, I, 594.
- <sup>16</sup> Anderson, *op. cit.*, I, 594; J.B. Paul, ed., *The Scots Peerage*, Vol. V (Edinburgh: David Douglas, 1908), 126-130. Cf. Paul, *op. cit.*, II, 410, who lists but incorrectly places Lady Kenmure.
- <sup>17</sup> Paul, *op. cit.*, II, 410; C. Innes, ed., *Munimenta Alme Universitatis Glasguensis*, Vol. III (Glasgow: Maitland Club, 1854), 196, where the listing is for "Joannes Dalzell."
- <sup>18</sup> Paul, *op. cit.*, II, 410. Cf. Dalton, *op. cit.*, *George the First's Army*, I, 133-34, where Dalzell's army commission prior to 1715 (in the Earl of Orkney's regiment) is shown as Ensign rather than Captain.
- <sup>19</sup> Anderson, *op. cit.*, I, 594; Paul, *op. cit.*, II, 410. See also footnote 28.
- <sup>20</sup> As described below, he received a commission as lieutenant-colonel in the 1720s and was referred to as "colonel" in the 1730s.
- <sup>21</sup> For example, S. Hibbert Ware, *Lancashire During the Rebellion of 1715* (The Chetham Society, 1845), intermittently confuses John and James Dalzell, while M.D. Sankey, *Jacobite Prisoners of the 1715 Rebellion: Preventing and Punishing Insurrection in Early Hanoverian Britain* (Ashgate, 2005), consistently confuses John and James. Hibbert Ware, in his list of Scots and English noblemen and gentlemen taken prisoner at Preston, correctly distinguishes "Captain James Dalziel" (first column on p. 160) from "Captain John Dalziel, brother to the Earl of Carnwath" (first column on p. 161), and he correctly lists "James Dalziel, uncle to the Earl of Carnwath," as one of the prisoners taken to London (first column on p. 186), but he incorrectly refers to the officer who was court-martialed and acquitted as "Captain James Dalziel, brother to the Earl of Carnwath" (p. 175 ff.).

- <sup>22</sup> Anderson, *op. cit.*, I, 594. See also Dalton, *op. cit.*, *George the First's Army*, I, 133-34 and footnote 11 on p. 135.
- <sup>23</sup> DNB, 443.
- <sup>24</sup> Hibbert Ware, *op. cit.*, 43.
- <sup>25</sup> *Ibid.*, 41-42.
- <sup>26</sup> Anderson, *op. cit.*, I, 594; Hibbert Ware, *op. cit.*, 141-143. Capt. Dalzell's role in negotiating the surrender and the larger role of Brigadier William Mackintosh (the Jacobite commander who made the decision to surrender) were remembered bitterly a year later by Jacobites who had escaped to France and apparently imagined that the outnumbered Jacobites could have prevailed at Preston. See letter from Dr. Patrick Abercromby to the Duke of Mar, written 18 January 1717 from Paris, in Historical Manuscripts Commission, *Calendar of the Stuart Papers belonging to His Majesty the King, preserved at Windsor Castle*, Vol. III (London: H.M. Stationery Office, 1907), 456-457.
- <sup>27</sup> Hibbert Ware, *op. cit.*, 163-164.
- <sup>28</sup> Anderson, *op. cit.*, I, 594; Paul, *op. cit.*, II, 410; DNB, 443; Hibbert Ware, *op. cit.*, 175-177. Cf. Dalton, *op. cit.*, *George the First's Army*, I, 135, footnote 11, for the view that "It was entirely owing to Lord Orkney's intercession" that Dalzell was pardoned.
- <sup>29</sup> Most of those taken to London for trial are listed by Hibbert Ware, *op. cit.*, 186-187. Viscount Kenmure, among others, was convicted and beheaded.
- <sup>30</sup> See Hibbert Ware, *op. cit.*, 192-195, for a list of those tried at Liverpool, totaling 74 men. Most were condemned to death; some were acquitted.
- <sup>31</sup> *Ibid.*, 195.
- <sup>32</sup> Mrs. Thomson, *Memoirs of the Jacobites of 1715 and 1745*, Vol. II (London: Richard Bentley, 1845), 23.
- <sup>33</sup> *Ibid.*, II, 23-24. See also Dalton, *op. cit.*, *George the First's Army*, I, 118, esp. footnote 3, for more complete identification of Solomon Rapin, an officer in Brigadier Dormer's Regiment of Dragoons (14th Dragoons), and for reference to his correspondence signed "Col. Rapin" among the uncalendared George I State Papers for 1716.
- <sup>34</sup> See, for example, Hugh Tornabene's "Passenger lists for 10 immigrant ships in 1716," <http://files.usgwarchives.net/md/statewide/immigration/scotamerica.txt>, which correlates passenger lists with prisoner lists and was compiled by Tornabene from sources found at the National Archives in London.
- <sup>35</sup> C.N. Smith, "Transported Jacobite Rebels, 1716," *National Genealogical Society Quarterly*, Mar. 1976, Vol. 64, 27-34 (Mar. 1976); internal footnote omitted; <http://genforum.genealogy.com/md/messages/11037.html> or <http://freepages.genealogy.rootsweb.ancestry.com/~ruthann/ships/jacobiterebels.htm>. Note that the various accounts of the transported prisoners are not entirely consistent. Smith, *op. cit.*, identifies 636 prisoners transported on ships that departed from Liverpool on dates between 30 March and 31 July 1716, but he finds the total number of prisoners transported to be 639, with John Dalziel or Dalzele being one of the three *not* counted in the group of 636. Sankey, *op. cit.*, 56, finds that a total of 638 prisoners were transported under indenture to the American colonies. The most authoritative source appears to account for 639 transported prisoners, and provides names and ship assignments for each, but does *not* list Capt. John Dalzell. See lists prepared in 1716 and published by C. Headlam, ed., *Calendar of State Papers, Colonial Series: America and West Indies, Jan. 1716-July 1717*, Vol. 29 (London: H.M. Stationery Office, 1930), vii and esp. 159-177, online at [www.british-history.ac.uk/report.aspx?compid=73995](http://www.british-history.ac.uk/report.aspx?compid=73995). In any event, the circumstances of Capt. John Dalzell's transportation remain unique and unknown. John Porteous, the other prisoner whose indenture was purchased by Lord Carteret at about the same time, is listed as one of 126 prisoners onboard the 29 June 1716 voyage of the *Elizabeth and Anne*.
- <sup>36</sup> Smith, *op. cit.*
- <sup>37</sup> Sankey, *op. cit.*, 66. See the longer passage from Sankey, quoted below in this text, which refers to Dalzell as "James [sic] Dalziel, brother of the Earl of Carnwath," and refers to his wife as "a wealthy woman he had married while in jail..." The reference to him as "brother of the Earl of Carnwath" confirms his identity as Capt. John Dalzell.
- <sup>38</sup> Anderson, *op. cit.*, I, 594.
- <sup>39</sup> See, for example, Hibbert Ware, *op. cit.*, 91, 162, and 187; also biographical sketch of Edward Tyldesley (1679-1725) at <http://www.peterjtyldesley.com/tyldesley/pages/17/>

EdwardTyldesley1679-1725.html; also J. Gillow and A. Hewitson, eds., *The Tyldesley Diary: Personal Records of Thomas Tyldesley During the Years 1712-13-14* (Preston: A. Hewitson, 1873).

- <sup>40</sup> Hibbert Ware, *op. cit.*, 96-97, esp. under the section headings "The Gentlemen Soldiers Drink Tea with the Laydys of Lancaster" and "The Parting."
- <sup>41</sup> Hibbert Ware, *op. cit.*, 105-110, esp. under the section heading "Novr. 9th to 12th, Courting and Ffeasting."
- <sup>42</sup> Sankey, *op. cit.*, 66-67; internal footnotes omitted.
- <sup>43</sup> *A Faithful Register of the Late Rebellion* (London: Printed for T. Warner, 1718), 21.
- <sup>44</sup> Headlam, ed., *op. cit.*, 128 (and also lxviii, Corrigenda, where "Darnworth" is corrected to "Carnwarth" – still not quite right, but closer! – and 384, Index, where "Carnwath" is spelled correctly). In entry 222 above, the notation "cf. June 15" apparently refers to entry 215, which is the letter of introduction given to John Porteous by Lord Carteret. For slightly different renditions of Headlam's entries 202, 215, and 222, see "A List and Abstract of Documents Relating to South-Carolina, Now Existing in the State Paper Office, London, Prepared for the South-Carolina Historical Society, by an Authorized Agent, in London," *Collections of the South-Carolina Historical Society*, Vol. I (Charleston, SC: S.G. Courtenay & Co., 1857), 164-65.
- <sup>45</sup> Charles Eden was governor of North Carolina. The government of South Carolina, then under Gov. Charles Craven, was in transition at this time, both in terms of the emergence of North Carolina and South Carolina as separate colonies, and in terms of its transition from proprietary to royal government.
- <sup>46</sup> Sankey, *op. cit.*, 55-56.
- <sup>47</sup> Letter to James dated 30 June 1722 from Robert Dalzell, Earl of Carnwath, *The Stuart Papers from the Royal Archives, Windsor Castle* (East Ardsley, Wakefield, Yorks.: Microform Academic Publishers, 1968-70), Vol. 60, letter 97.
- <sup>48</sup> Marquis de Ruvigny et Raineval, *The Jacobite Peerage, Baronetage, Knightage and Grants of Honor; extracted, by Permission from the Stuart Papers now in Possession of His Majesty the King at Windsor Castle...* (Edinburgh: T.C. & E.C. Jack, 1904), 245.
- <sup>49</sup> *Ibid.*, footnote 2 on p. 245.
- <sup>50</sup> Letter to James Edgar dated 11 December 1731 from J[ohn] Dalzell, *The Stuart Papers from the Royal Archives*, *op. cit.*, **150**, letter 96.
- <sup>51</sup> *Ibid.*
- <sup>52</sup> E. Clarke, *Letters Concerning the Spanish Nation* (London: T. Becket and P.A. DeHondt, 1763), 213.
- <sup>53</sup> M. Taylor, *The Scots College in Spain* (1971), Appendix III, entry 68; New Spalding Club, *Records of the Scots Colleges at Douai, Rome, Madrid, Valladolid and Ratisbon*, Vol. I, *Registers of Students* (Aberdeen: New Spalding Club, 1906), 201.
- <sup>54</sup> Taylor, *op. cit.*, 17 ff.
- <sup>55</sup> New Spalding Club, *op. cit.*, **I**, 79; Taylor, *op. cit.*, Appendix III, entry 68.
- <sup>56</sup> New Spalding Club, *op. cit.*, **I**, 79.
- <sup>57</sup> *Ibid.*, **I**, 201.
- <sup>58</sup> Taylor, *op. cit.*, Appendix III, entry 68.
- <sup>59</sup> See generally *The Historical Register* (quarterly, London), vol. 19 (1734), and more modern sources for the War of the Polish Succession.
- <sup>60</sup> Note that Charles Edward Stuart, the 13-year-old Stuart prince later known as Bonnie Prince Charlie, briefly joined the Spanish troops as an observer and guest during their siege of Gaeta.
- <sup>61</sup> Letter to James Edgar dated 5 June 1736 from J[ohn] Dalzell, *The Stuart Papers from the Royal Archives*, *op. cit.*, **187**, letter 150.
- <sup>62</sup> Letter to Thomas Tyrrell dated \_\_\_ March 1736 from James Edgar, *The Stuart Papers from the Royal Archives*, *op. cit.*, **186**, letter 20.
- <sup>63</sup> Cover letter to Thomas Tyrrell dated 10 March 1736 from James Edgar, *The Stuart Papers from the Royal Archives*, *op. cit.*, **186**, letter 41.
- <sup>64</sup> Letter to John Dalzell dated 10 March 1736 from James Edgar, *The Stuart Papers from the Royal Archives*, *op. cit.*, **186**, letter 40.

- <sup>65</sup> Letter to John Dalzell dated 31 March 1736 from James Edgar, *The Stuart Papers from the Royal Archives*, *op. cit.*, **186**, letter 111.
- <sup>66</sup> Letter to James Edgar dated 5 June 1736 from J[ohn] Dalzell, *The Stuart Papers from the Royal Archives*, *op. cit.*, **187**, letter 150.
- <sup>67</sup> Letter to John Dalzell dated 25 August 1736 from James Edgar, *The Stuart Papers from the Royal Archives*, *op. cit.*, **189**, letter 65.
- <sup>68</sup> *Index to the Stuart Papers (1579-1823)*, from the Royal Archives, Windsor Castle, CD-ROM edition (East Ardsley, Wakefield, Yorks.: Microform Academic Publishers, 2006).
- <sup>69</sup> Letter to Edgar dated 31 May 1737 from Fr. Clarke, and letter to Fr. Clarke dated 22 September 1737 from Edgar, *The Stuart Papers from the Royal Archives*, *op. cit.*, **197**, letter 57, and **200**, letter 127, respectively.
- <sup>70</sup> G.F. Young, *The Medici* (New York: Charles Boni, 1930), 734.
- <sup>71</sup> J.M. Delzell, *The Dalzell Survivors of Ancient Scotland* (East Palatka, FL: JoDell Publications, 1997), 94 and 127-29.
- <sup>72</sup> *Ibid.*, 94.
- <sup>73</sup> *Ibid.*, 129-30.
- <sup>74</sup> *Ibid.*, 129-30.
- <sup>75</sup> *Ibid.*, 131.
- <sup>76</sup> *Ibid.*, 131-32.
- <sup>77</sup> *Ibid.*, 136.
- <sup>78</sup> *Ibid.*, 131 and 136; see also 76.
- <sup>79</sup> *Ibid.*, 136.
- <sup>80</sup> J.M. Delzell's book, *The Dalzell Survivors of Ancient Scotland (ibid.)*, is not sufficiently documented that its various factual assertions can be checked or traced. In some cases, the author evidently confuses two similarly named people and assumes they are one and the same.
- <sup>81</sup> Anderson, *op. cit.*, **I**, 594.
- <sup>82</sup> See, for example, J. Redington, ed., *Calendar of Treasury Papers, 1714-1719* (London: Longmans & Co., 1883), 326-328 (CCIX, §4), online at <http://www.british-history.ac.uk/report.aspx?compid=85040>, for "A parcel of papers (the last being dated 16 Oct. 1717) relating to the Island of St Christopher, the principal of which are:— A memorial to the King, unsigned (but from inhabitants of St Christopher's), showing what was to be considered in settling the [formerly] French parts of the island. The persons admitted should be known Protestants, and no Jacobites or non-jurors..."
- <sup>83</sup> P.H. McKerlie, *History of Lands and Their Owners in Galloway*, vol. III (Edinburgh: Wm. Paterson, 1878), 339.
- <sup>84</sup> W. M'Dowall, *History of the Burgh of Dumfries* (1867), 908. See generally pp. 642-647 and Appendix M (pp. 906-908) for context and lists of contributors.
- <sup>85</sup> F.J. Grant, ed., *The Commissariat Record of Dumfries, Register of Testaments, 1624-1800* (Edinburgh: Scottish Record Society, 1902), 20.
- <sup>86</sup> Dumfries Commissary Court, record CC5/6/14, John Dalyel, 1764.
- <sup>87</sup> *Ibid.* Regarding the first-named next of kin ("Elizabeth Dalyell Relict of Captain Gilbert Young"), note that the UK National Archives holds a copy of her will, designated PROB 11/976, proved 30 March 1772 at London. In her will dated 13 August 1771, Elizabeth describes herself as a resident of Dumfries and as the widow of Capt. Gilbert Young who had been in the service of the states of Holland. She names one son (Thomas Young of Youngfield) and one daughter (Elizabeth, spouse of Capt. John Campbell) but no other relatives. Thus, the will sheds no further light on the identity of John Dalyell of Fairgirth.
- <sup>88</sup> As cited in <http://genforum.genealogy.com/greier/messages/318.html>, letter dated 9 April 1991.
- <sup>89</sup> Anderson, *op. cit.*, **I**, 594.
- <sup>90</sup> Earwaker and Morris, *op. cit.*, 146.
- <sup>91</sup> Anderson, *op. cit.*, **I**, 594.
- <sup>92</sup> *Registers of Broughton-in-Furness Chapel, 1634-1812* (Lancashire Parish Register Society, 1950), 144.
- <sup>93</sup> Transcripts of All Saints Chapel, Satterthwaite, Lancashire, baptism dated 23 May 1779.
- <sup>94</sup> C.W. Bardsley and L.R. Ayre, *The Registers of Ulverston Parish Church* (Ulverston: James



- Atkinson, 1886). See esp. Baptism, 3 Sept 1757: "Jas Son of Robt Dalzell of Ulverstone"; Burial, 2 Sept 1758: "Jas Son of Robt Dalzel of Ulverston."
- <sup>95</sup> Middle name "Edward" is known only from the records of the Scots College at Douai, as transcribed by New Spalding Club, *op. cit.*, I, 79 and 310, and paraphrased by Taylor, *op. cit.*, Appendix III, entry 68. First name "James" is known not only from these sources but also from Delzell, *op. cit.*, and from Paul, *op. cit.*, II, 410.
- <sup>96</sup> Taylor, *op. cit.*, Appendix III, entry 68. Year of birth, given as "c. 1717," was apparently calculated by Taylor (1734 minus 17) based on year and age listed in the records of the Scots College at Douai, New Spalding Club, *op. cit.*, I, 79.
- <sup>97</sup> Delzell, *op. cit.*, 130.
- <sup>98</sup> *Ibid.*, 130 and 149.
- <sup>99</sup> *Ibid.*, 134-35.
- <sup>100</sup> Taylor, *op. cit.*, Appendix III, entry 68; New Spalding Club, *op. cit.*, I, 201.
- <sup>101</sup> Taylor, *op. cit.*, 43.
- <sup>102</sup> New Spalding Club, *op. cit.*, I, 79 and 201. Cf. Paul, *op. cit.*, II, 410 (citing *Fifth Report of the Historical Manuscripts Commission*), who refers to James' attendance at the Scots College at Douai in 1734 but incorrectly gives his age as seven rather than seventeen.
- <sup>103</sup> New Spalding Club, *op. cit.*, I, 79; Taylor, *op. cit.*, Appendix III, entry 68.
- <sup>104</sup> Taylor, *op. cit.*, Appendix III, entry 68.
- <sup>105</sup> For a typical description of this Capt. James Dalzell, see J.G. Wilson and J. Fiske, *Appletons' Cyclopaedia of American Biography* (New York: D. Appleton and Company, 1887) II, 61. This source says, "Of his early life nothing is known." For identification of this Capt. James Dalzell as being "of the Carnwath family," see both W.M. MacBean, compiler, *Roster of the St. Andrew's Society of the State of New York, with biographical data. Part I: From its organization to the end of the American Revolution, 1756-1783* (New York, 1911), 19, and A. MacV. Grant, *Memoirs of an American Lady: With Sketches of Manners and Scenery in America, as they existed previous to the Revolution* (London: Strahan and Preston, 1808), 107. The latter author (Anne MacVicar Grant, born 1755) was the daughter of a Scottish officer. Note that other sources such as D. Dobson, *Scottish Soldiers in Colonial America*, Parts 1 and 2 (Baltimore: Clearfield Company/Genealogical Publishing, 2002), 6, assert an entirely different ancestry for this Capt. James Dalzell ("second son of Sir Robert Dalzell of the Binns") without acknowledging or addressing these statements that he was "of the Carnwath family."
- <sup>106</sup> W.M. MacBean, *op. cit.*, 19 and 83.
- <sup>107</sup> R. Rogers et al., *Diary of the Siege of Detroit in the War with Pontiac* (Albany, NY: J. Munsell, 1860), 54 ff.
- <sup>108</sup> Delzell, *op. cit.*, 137.
- <sup>109</sup> Anderson, *op. cit.*, I, 594.
- <sup>110</sup> Delzell, *op. cit.*, 149-50 and 152.
- <sup>111</sup> *Ibid.*, 152-56.
- <sup>112</sup> *Ibid.*, 136.
- <sup>113</sup> *Ibid.*

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## May outing

This year's excursion will be to RCAHMS (The Royal Commission on the Ancient and Historic Monuments of Scotland) at 16 Bernard Terrace, Edinburgh, on Monday 11<sup>th</sup> May 2015 at 2.30pm. There will be a presentation by Philip Graham, "Exploring Your Heritage". RCAHMS publishes a range of books, most recently *A Work Of Beauty: Alexander McCall Smith's Edinburgh*. However, its vast collection is not restricted to the built (or natural) environment. See Hilary Kirkland's article about Photograph Albums in the March 2010 issue of the Journal. Please book your place by calling the Library.

# Some of the Prisoners in Edinburgh Castle following the 1715 Jacobite Rebellion

Bruce B Bishop FSA Scot

Whilst indexing and cataloguing the many donated family history boxes in the SGS, the following document was found in amongst the papers, and having no relationship to the remainder of the papers in that box it has been removed and catalogued separately. The document has the Reference RS958A, B and C, reference number 5856, and is a photocopy only. All reasonable attempts have been made to locate the original source for this material, and to find any earlier published or unpublished transcriptions, without success. All spellings are as in the original.

The prisoners identified seem to be mostly soldiers under, and deserters from, McIntosh of Borlum. The leader of the 1715 Jacobite rising, John Erskine, 22nd Earl of Mar, detached a small force of 2000 Highlanders led by Borlum from the main army. He moved into Fife and crossed the Firth of Forth after which he briefly held Leith and came close to capturing Edinburgh. He linked up with some English and Lowland Jacobites in the Scottish Borders, then marched south as far as Preston until they were captured at the Battle of Preston. He was charged with treason, but escaped from Newgate Prison with seven others the night before his trial was due to start.

List of Rebels of the Common Sort who are Prisoners in the Castle of Edinburgh

And who deserted from McIntoch of Borlum befor their surrender at Prestoun found stragling in Calder Muir be William Martin of Harwood on[e] of His Ma[jes]ties Justices of the Peace

Pat Steuart	Duncan Steuart	Patrick Rutherford
Alexander Steuart	Malcom McLearie	Gilbert McIntoch
James Steuart	John Kennedy	Donald McGuinnie
James Steuart	Tawiss McAwiss	Alexr McGuinnie
James Steuart	Donald McLaren	Pat Mcdugall
Duncan Carmichael	Duncan Mcartie	Pat Camerone
ffinlay McLaren	Jas Menzies	John Steuart
Patrick Reid	James Menzies	James Camerone
Donald Shaw	Pat Drumond	Donald Kennedy
William McLachlin	Malcom Murray	James ffergusone
William McIntoch	Duncan McAllen	John ffergusone
Alexander McElarie	Archibald Menzies	James Smith
Alexr Robertsons	James Menzies	Duncan McNae
James Duff	John Scott	Malcom McNae
Daniell Steuart	John Scott	Alexander McArth

Pat Mcbeath	Walter McLachlane	John Mcinroy
Wm Mitchell	Duncan ffergusone	John Kinnaird
John McLachlane	Pat ffergusone	John King
Duncan McLachlane	John ffergusone	Murdoch King

Ed[*inburg*]e May 1716

William Martin of Harwood on[e] of His Ma[jes]ties Justices of the Peace compeared personally in p[rese]nce of the Lord Provost & Magistrates of the City of Ed[*inburg*]e and being solemnly sworn and examined deposeth that about the middle of Octr last the deponent was called for be the Lord Provost of Ed[*inburg*]e on account that his Lo[rdsh]p recvd a new intelligence & that a bodie of ye highlanders that were marching south under McIntoch's comand had come off from him near Langan [*Langholm?*] and making yr way towards Cauder Muir [*upon which the deponent went to the ...*] The declarant was called for be deputy Liuts of the Shyre of Midlothian who then desired to goe to his residence att West Calder that he might use his endeavours to take up and bring in to Edr any he could find deserting or stragling from the rebels there on their march to the south and deposes yt on ye 22d of ye sd month the deponent saw about 23 of ye rebels stragling in Calder Muir, yt as he approached to them and that they wtout resistance surrendered themselves to him and on ye deponents return the party yt were with him spyed out ane oyr bodie of ye rebells whereupon went up to them who to ye numbers of 37 did likewise surrender and were brought up to ye rest yt were formerly taken and att the time of surrender.

They told the deponent they had deserted McIntoch of Borlum and designed to go straight to surrender themselves to His Grace the Duke of Argyll at Stirling – upon which the deponent caused that night secure them and then came to Edr and waited on the deputy Liut of the sd county and told them what he hade done whereupon they ordered William Hamilton on[e] of the Liuts of the militia to goe out and bring to Edr Castle ye forsd prisoners which he did accordingly ye nixt day and this is truth as he shall ansvere to God.

*There is then a page which appears to be out of sequence:*

List of the Rebells of the Common sort who were prisoners in the Tollbooth of the Canongate of Edinb and who deserted from McIntoch of Borlum att Langan in his march to the south and came to the Lord Provost of Edinbr and surrendered themselves prisoners on the fourth and twelfth days of November last 1715.

Robert McKie	Alexander Bouy	Alexander Loucas
Adam Hay	Arthur Thom	John Steuart
William Crauford	David Abol	James Glenday
Charles fforbes	Alexander Thomsone	John Adamsone

Edbr May 1716

John Graham Keeper of the tollbooth of Canongate of Edinb compeared in presence of the Lord Provost and Magistrates and solemnly sworn accepts and acknowledges the recpt of the beforenamed twelf prisoners at ye time before mentioned and depones he has subsisted the saids prisoners as deserters ever since sentence to ye said prisoners and yt to ye deponents knowledge they never recovered any subsistence money from Mar or in his name. And that they always declaired to the deponant that they deserted McIntoch of Borlum at Languin in his march to ye southart and this is truth as he shall answere to God.

List of the Rebells of the Common sort who were prisoners in the Tollbooth of Edinb and who deserted att Leith & Langharn viz ye first 6 att Leith and ye oyr 13 att Langharn in ye month of Octob[er] last who were then taken in as straglers [*& sent to Dumfries on ye 1st of Novbr last and from there to ye toll booth on ye 25 of ye sd month*].

Andrew Morisone	Wm Mcbean	Wm Steuart
John Clark	Donald Mcbean	Jo: Steuart
Zacharias Cook	Gilmichaell Mcbean	Duncan Steuart May
Ret fforbes	Bain Mcbain	Rod Steuart
Donald McGrigor	Donald Mcdonald	Donald Cunningham
John McGrigor	John Mcbain	
Angus Mcbean	Rod Mcdonald	

Edr May 1716

George Drumond Keeper of ye tollbooth of Edr compeared in presence of the L[ord] P[rovost] & Magistrates depones and acknowledges ye receipt of ye forementioned prisoners ye first 3 got of by order of ye magistrats & ye hail oyr by order of ye Deputy Lieut of ye County and depones yt he has subsisted ye 19? prisoners ever since yr entry to prison and yt he depones and acknowledges they never received any subsistence money from Mar or oys in his name & yt they allways declaired yt they deserted McIntoch of Borlum in his march to ye southart and this is truth as he shall answer to God.

*To return to the original page sequence:*

Wm Hamilton on[e] of the Liuts of the militia compeared befor the Lord Provost & Magistrats and *Judicialy?* acknowledges his receipt of the number of 60 prisoners att Mid Calder by vertue of ye Deputy Liuts of mid Lothian then order yt to come to Edbr Castle on ye 23d of Ocober last and for yet [*which*] he took receipt att the entry into ye said Castle and delivered unto ye tollbooth of Edbr three more deserters yt were sent in to ye declarant on ye 24 of ye sd month and this is truth of he shall answer to God

List of the Rebells of the Common sort who are prisoners in ye Castle of

Edinbr and who deserted from McIntoch of Borlum betwixt ye 15 of Octob  
and threttein of November last ffound stragling about Edinb and oyr adjacent  
places

Donald fergusone	John Mcnae	Duncan Mcforline
Donald Mcforline	John Mcnae	James Buller
James Dow	John Mcnae	Andrew Ramsay
Pat Dow	Duncan Mcnae	Wm Sime
John Clerk	Alexr Smith	James Lindsay
Robert Mclairen	Donald Steuart	John Reid
Donald Mclairen	Hew Menzies	James ffairweather
John fergusone	Robert fforbes	William Gray
John Malcome	James Steuart	William Allan
Donald ffraser	John Barclay	Alexander Ratry
Duncan fergusone	Daniel Robertsonsone	
John Mcnae	Robert Steuartr	

Edr May 1716

ffrancis Lindsay Major of the Castle of Edsr compeared personally befor the  
Lord Provost and Magistrats of Edsr and being examined by ym in rela[tio]ne  
to the prisoners contained in ye aforesaid two lists extending to [92] in number  
depones and acknowledges the receipt of the haill prisoners before named  
and declaring that dureing the time that Mar was heading the Reblls at Perth  
he the sd Mar transmitted money to be payed to several of the prisoners who  
he knew hade not deserted for ther sustenance and declareing yt non of ye  
fornamed prisoners were intitled to paiye of yt money nor did they or oyr of  
them ever receave any paiye of ye sd subsistence money since they came to  
ye Castle of Edinr but were subsisted be ye Government [*General*] as  
deserters and this is truth as he shall answer to God

*There then follows a list of men, as on the first list, identifying where they  
came from:*

Edr Castle 23 June 1716

Pat Steuart tend [tenant] to my Lord Drummond in Kirktoon of Ballwhidder  
paroch Dill [Dull] Perthshyre

Alexr Steuart tend to ditto in Tulloch paroch of Dill

James Steuart tend to ditto in Lichforiden, paroch ditto

James Steuart tend to ditto in ditto toun and paroch

James Steuart tend to ditto in Auchtowell paroch ditto

Duncan Carmishaell tend to ditto in toun & paroch ditto

ffinlay McClain tend to ditto in Wester Auchtowell paroch Bollwhidder  
[*Balquhidder*] Perth Shyre

Pat Reid tend to ditto in ditto toun & paroch

Donald Shaw tend in Kinrara paroch of Albea [*Aultbea*] Invernes Shyre

William McClacllan tend to ye Laird of McIntoch in Dollisry ffarst in paroch of

Albea [*Aultbea*] Invernes Shyre  
 Wm McIntoch tend to ditto in ditto paroch & Shyre  
 Alexr McClarie tend to ditto in ditto paroch & Shyre  
 Alexr Rob[*ert*]son tend to Duncan Rob[*ert*]son in Nether Ballwoolan paroch  
 of Mullian [*Moulin*] in Atholl Perth Shyre  
 James Duff tend to Archbold Butter of Pitlochrie in ye toun of Collymullian in  
 paroch of Mullian Perth Shyre  
 Thomas Duff tend to ditto in Pitlochrie ditto paroch & Shyre  
 Daniel Steuart tend to James Steuart of Ionfoill in ye toun of Glass in Tollich  
 paroch of Logierait Perth Shyre  
 Duncan Steuart tend to ditto ditto toun & paroch  
 Malcolm McClean tend to Rod McCarter of Drumacoster in ditto toun & paroch  
 John Kennedy tend to David Reid of Pitnacree in ye toun of Pitincruie ditto  
 paroch  
 Taviss McAwid tend to Lady Weem in ye toun of ffossackhill in paroch of  
 Fortingall Perth Shyre  
 Donald McClairin tend to ditto in Croftcur Dill Perth Shyre  
 Duncan McCarter tend to ye L[*ord*] Drumond in ye toun of Auchinlouch paroch  
 of Collender Perth Shyre  
 James Menzies tend to ditto in ye part of Bosrock paroch of ffortingall ditto  
 shyre  
 James Menzies tend in Ballnavert in Litle Dunkell paroch Perth shyre  
 Pat Drumond tend in Nolan in Comrie paroch Perth Shyre  
 Malcom Murray tend to the Duke of Atholl in Drummullich in Bollwhidder paroch  
 ditto shyre  
 Duncan McAllen tend to Lady Weem in toun of Orlon paroch of Fortingall  
 ditto shyre  
 Archbold Menzies tend to Lady Weems in ye toun of Donacruiein ye paroch  
 of Fortingall Perth Shyre  
 James Menzies residerter of Bolfracks paroch of Fortingall Perth Shyre  
 John Scott tend to Lady Weem in ye toun of Danscriach paroch ditto & shyre  
 John Scot tend to ditto in Farrochkill ditto paroch & shyre  
 Pat Rutherford tend to ditto in ditto toun paroch & shyre  
 Gilbert McIntoch tend to ditto in Orlon ditto paroch & shyre  
 Donald McGuinnie tend to ditto in Farrochkill ditto paroch & shyre  
 Alexr McGuinnie tend to ditto in Croftcur in Dill paroch & ditto shyre  
 Pat McDugall tend to ditto in Orlon parish of Fortingall ditto shyre  
 Pat Cameron tend to ditto in toun of Danscriach paroch ditto & shyre  
 John Steuart tend to John Rob[*ert*]son Laird of Leed [*Lude*] in ye town of  
 Senagoig paroch of Mullian Perth Shyre  
 James Cameron tend to David Reid of Pitnacree in Dill in paroch of Logie  
 Rat Perth shyre  
 Donald Kennedy tend to Rot Fleeming Laird of Moness in ye toun of Craftwroy  
 in paroch of Dow Perthy shyre



James Ferguson tend to L[ord] Drumond in ye toun of Clash in Collendrie  
 [Callender] paroch Perth shyre  
 John Ferguson tend to ditto in ye toun of Clash in paroch ditto  
 James Smith tend to ditto in ye toun of Clash in ditto paroch  
 Duncan McNae tend to ditto in ye toun of Bollyclauchlin ditto paroch  
 Malcom McNae tend to ditto in ye toun of Gar[th] ditto paroch  
 Alexar Mcerthin tend to ditto in toun of Bollyban ditto paroch  
 Pat Mcleath tend to ditto in ye toun of Balland in ye paroch of Collender  
 Perth shyre  
 Patrick Mitchell tend to ditto in Kirkton of Collender paroch of Collender  
 John McLachlan tend to ditto in Auchleuch in ditto paroch  
 Duncan McLachlan tend to ditto in Garth of Collender paroch  
 Walter McLachlan tend to ditto in ditto toun & paroch  
 Duncan ferguson tend to ditto in Dallchroun paroch of Comry  
 Patrick fergusone tend to ditto in Malbroune paroch of Comrie ditto shyre  
 John ferguson tend to ditto in ditto toun & paroch  
 John McInrow tend ditto in ditto toun and paroch  
 John Kinnoul tend to ditto in Malerbeg ditto paroch & shyre  
 John King tend to ditto in ditto toun and paroch  
 Murdoch King tend to ditto in Auchenen in ditto paroch  
 Donald fergusone tend to my Lord Drumond in Gart[h] paroch of Collender  
 Perth shyre  
 Donald McLevin tend to ditto in Tomfinner ditto paroch  
 James Dow tend to ditto in toun & paroch ditto  
 Rot Dow tend to do in Auchviny in Comry paroch  
 John Clark tend to ditto in Greenock in Collender paroch  
 Rot McClaren tend to ditto in Kirkton of Balwhidder in Dill paroch  
 Donald McClaren tend to ditto in Auchlichkin ditto paroch Perth shyre  
 John ferguson tend to ditto in Lichkin... ditto paroch  
 John Malcome [tend] to ye Duke of Atholl in In[v]erloch... ditto paroch  
 Donald ffrazer tend to Alexr ffrazer of Bochrewly in ye partoch of Donok  
 Inverness shyre  
 Duncan ferguson tend to ye Duk[e] of Atholl in ye toun of Craigrowie in  
 paroch of Balwhidder Perth shyre  
 John McNae tend to ditto in Merlycom ditto paroch  
 John McNae tend to ditto in Lesfroich ditto paroch  
 John McNae tend to ditto in Mockellmore dit[to] paroch  
 John McNae son to ye sd last Jo: McNae  
 Duncan McNae tend to ditto in Letfreich paroch ditto  
 Alexr Smith tend to ye L[ord] Drumond in Clesh paroch of Collender Perth  
 shyre  
 Donald Steuart tend to Jo: Campbell of Glenlyon in Ardrose in Ac...hull Perth  
 shyre

Hew Menzies tend to John Campbell of Glenlyon in Drumachie in Fortingall paroch

Rot fforbes residenter in ...

James Steuart residenter in Cannongate

John Barclay tailor in Cannongate

Daniel Rob[ert]sone tend to John Rob[ert]son in Glenbraenich in Perth shyre

Rot Steuart tend to Barron ferguson of Dunvallendie in Logie Rate paroch Perth shyre

Duncan McFarlie tend to John Potter of Easter Dunfallangie in ditto paroch of Logie Rate

James Butter tend to Archbold Butter of Pitlochrie in Cillie Mullian in Mullian paroch Perth shyre

Andrew Ramsay servt to James Cormick in Easter Ogill in paroch of Tannachies Angus shyre

William Syme tend to John Wilkie in Hillsyde in ditto paroch

James Lindsay svt to Robt Gall tend in Wester Ogill in paroch ditto

John Reid servt to John Bowman tend to Rot ffletcher of Bonslow in Killymuir [Kirriemuir] paroch Angus shyre

James ffairweather servt to James ffortan tend in Bodickie in ditto paroch Wm Gray ... ..

William Allan tend to John fferquersone of Invercall in ye Mains of Deir paroch of Kindochodie Aberdeen shyre

Alexr Ratry servt to Lauchlan McGrigor tend to the Laird of Invercoll in Millend of ditto Aberdeen shyre

Att Edinburgh ye 26th day of May 1716 yeas

In persueance of ane order directed by the Ryt Honorable James Stanhop Esqr on[e] of his ma[jes]ties prin[cipa]ll secretaries of state to the Lord Provost of Edinburgh dated at Whyt Hall ye 15 day of May instant Requiring the Lord Provost and Magistrats of Edinburgh to make strict inquiry upon oath and what oyr documents could be hade concerning the rebells of the common sort now in prison to the end it may be known which of them deserted befor the surrender at Prestoun and to transmit lists of such prisoners with summaries of the prooffs whereupon the report is founded.

The Lord Provost of Edynr and with him John Weightman Esqr on[e] of the present magistrats of the City repaired to the Cstle of Edinr on ye 23d of May instant and haveing called befor them the rebell prisoners of the common sort supposed to have deserted foundd found their numbers and names to be conforme to the following lists on the oyr pages.

*This list then duplicates the earlier lists.*

And having summoned ... [illegible]

A trew [true copy?] ... of the within... sent to London signed by ... Lord Provost and [sent] on ye 26 May 1716 wt ye prin[cipa]ll affadavits

# Biggar Mill

Alan Sheppard and Jim Forrest

“Biggar and the House of Fleming” by W Hunter was published in 1867 and mentions the age of Biggar Mill as being at least 150 years old, which suggests that the Mill existed before 1700. The Mill and the widow living there was mentioned in a Poem by Dr Pennicuik called “The Tragedy of the Duke of Alva alias Graybeard” from the early part of the 18th Century.

Thomas Forrest was born in 1646 and died in 1703. In the Monumental Inscriptions for Lanarkshire it clearly states that Thomas was miller in Biggar, and this would also put the age of the original mill a lot earlier than 1700.

On the 10th March 1726, John Forrest, miller in Biggar, died, leaving a Testament Dative which named Robert Forrest of Heavyside and James Telfer as the executors of the will. It also named Jean Telfer as his wife and his children as James, John, Thomas, Mary and Margaret. It is assumed James carried on the work as Miller in Biggar. Robert was perhaps John's brother and James Telfer was Jean's brother.



**Biggar Mill** (ca.1935)

Reproduced by kind permission of the Biggar Museums Trust

Earl John Fleming in 1739 carried on a series of litigations with his vassals and feuars at Biggar regarding their respective rights to the Common. This was most likely done preparatory to his effecting the new entail of his estates in 1741. By this new deed of entail, he became bound to resign his estates and titles in favour of heirs-male, or failing, then Charles Fleming and his heirs-male and failing all these, in favour of heirs-female.

The Earl died in 1742 and was succeeded by his brother Charles, who died,

unmarried, in 1747, and the estates including Biggar went to his niece, Lady Clementina Fleming.

Lady Clementina, only child of John, sixth Earl of Wigton in 1735 married Charles, a son of Charles, 9th Lord Elphinstone. Her husband became Lord Elphinstone in 1757. Her Ladyship had four sons, John, Charles, William and George Keith, and several daughters.

In 1753 Alexander Forrest married Grizzel Tweedie in Biggar and Alexander was named as miller, working with James, his father.

In 1759 James Forrest was tenant in Biggar Mill. Now 69 years of age, he would probably have found the work too hard, and it is assumed he could no longer pay the rent and Lady Clementina wanted him out of the Mill. So she took him to court. The person that was named in the Court papers standing surety for James Forrest was Andrew Forrest, merchant in Leith and likely the son of James. Andrew had moved from Biggar to Leith on his marriage to Jean Aikman in 1756.

In 1762 a sasine indicates that James Forrest was sold land including two crofts in Biggar, granted by James Tennant and William Gladstone. The land included grounds called Millstone.

In the year 1773, Lady Clementina "did...sell, alienate and in feu farm, dispose to and in favour of Sir Michael Bruce of Stenhouse, Bart, his heirs and assignees", those parts of the lands of the Barony of Biggar and Boghall which she inherited from her father and uncle.

In the year 1774, Sir Michael by disposition and entail, sold, alienated and disposed the same lands to and in favour of Lady Clementina, her heirs, failing them to the heirs-female of Jean Fleming or Maude, widow of George Lord Ramsay, or heirs-male of William Fleming. This disposition and deed of entail was however, not recorded in the Register of Tailzies.

In the year 1779, following the death of James Forrest, the lands sold to him passed to his son John Forrest, minister in Port Glasgow.

According to local Historian Brian Lambie in Biggar, the mill was occupied by the Watt family from about 1784. This suggests that after the death of James Forrest circa 1779, his son John had no further wish that the Forrest family retained an interest in the Mill.

With the death of Lady Clementina in January 1799, the connection of the direct line of the Flemings with Biggar terminated. (She was interred in Biggar Kirk).

Her grandson, John, 12th Lord Elphinstone, who became an Admiral, laid claim to the estates of Biggar and Cumbernauld resisted by his elder brother Charles. The Court of Session on 19th January 1804 decided in favour of Charles, who took possession of the estates.

In the year 1809, the tenant in the Mill was Alexander Watt [House of Fleming by W Hunter]. This concurs with the statement earlier that the Watt family occupied the mill.

John, Lord Elphinstone, having fallen into pecuniary difficulties, obtained an Act of Parliament in 1826 to sell certain parts of the lands and Barony of Biggar and Boghall in payment of his debts.

About 1829/1830, the estates were sold into the hands of five or six different proprietors. In 1831 an advertisement appeared in *The Scotsman* on Wednesday, 4th May, headlined by "Upset Prices Reduced" suggesting an earlier sale of the estates mentioned was not successful at the original "Upset" price in 1830/1831. The advertisement of 4th May 1831 contained the following detail:

Lot IV.

1. Longlees and Knock 171 acres £3521.00
2. Knockhill and those Parts of the Westrow Crofts, possessed in 1829 by William Wilson, Jas. Bell, Jas Brown and Jas Watson  
36 acres £2319.00
3. Biggar Mill and Mill Lands, Foreknows, Rowhead Croft and Meadow Land, and those parts of the Westrow Crofts, possessed in 1829 by Ebenr. Brown, Wm. Jameson, and John Gibson 111 acres £5120.  
£11,269. 0 11.

Lot V.

- 1 Spittal 211 acres £4710.4.0
- 2 HEAVYSIDE and those fields in the Bogs, possessed in 1829 by William Mitchell, Robert Gray, William Johnson, Biggar Mill and the Proprietor.  
258 acres £5858.13.3  
£10568. 17.3

The Lands contained in Lot IV will be exposed to sale In cumulo.....

Of Lot IV about 261 acres are arable, 15 meadow, 30 sound pasture and 13 under wood.

On Wednesday, 7th November 1832, an advert again appeared in *The Scotsman* entitled "To be Sold".

To be sold on Wednesday 21st November at two o'clock afternoon, the following lands as formerly advertised, being the parts remaining unsold of the Lands and Estate of Biggar, lying in the Parish of Biggar and the County of Lanark, and of which the Upset prices have been reduced to the sums aftermentioned:-

Part of Lot IV.

1. Biggar Mill, and Mill Lands, Foreknowes, Rowhead and parts of Westrow Crofts... £5214.12.6

Part of Lot V

1. Spittal £4511.14 0

2 Heavyside and Fields in Bogs £5641. 13.6  
£10,153.0.2

Foreknowes Farm and Biggar Mill were the property of the Free Church about 1860-1865. Foreknowes and Rawhead Farms some years previous belonged to Hon Mountstuart Elphinstone, a brother of Admiral Fleming. A Mr George Gillespie bought the Farms from Mr Elphinstone (who died in 1859) and sold the property to the Senatus of the Free Church College for £4,000. It seems likely that the Mill, as part of these lands, was also sold. The £4,000 was presented by Mr Henry Miller to the Free Church of Scotland to fund scholarships.

### Appendix:

Rental of the Estate of Biggar and Boghall 1809 (belonging to Admiral Fleming):

George Clark, Heavyside, Toftfoot Park	£50.00
Alexander Watt, Biggarmill & Foreknowes	£72.00
James Alexander Watt, Hillriggs	£39.00
James Tweedie, Port of Westraw	£ 8.70
James Forrest, Boghall Mains	£50.00
John Forrest's widow, Park in Bogs	£15.00

*Biggar Mill is now in a dilapidated condition.*



## Exciting news from Biggar!

The Biggar Museums Trust, founded by the vision, drive and enthusiasm of the late Brian Lambie, currently cares for six local properties: Moat Park Heritage Centre; Gladstone Court (a collection of historic shops, etc); Brownsbank Cottage (the home of poet Hugh MacDiarmid); Greenhill Covenanters' House; Biggar Gasworks (the only preserved gasworks in Scotland) and Holy Trinity Chapel, Lamington (built in 1857 as a private place of worship for the Baillie Cochrane family).

The first two properties are currently closed while the new Biggar & Upper Clydeside Museum is prepared on the site of Stephen's Garage in the High Street.

The Biggar Albion Archive now operates independently.

The Biggar & Upper Clydeside Museum is due to open in July 2015 (and is certain to be featured in the national media), with a recreation of some of Biggar's old shops, businesses, etc. It will also feature "the treasure and experience" of several millennia of human habitation in the area.

Visit [www.biggarmuseumtrust.co.uk](http://www.biggarmuseumtrust.co.uk) for more details, opening times, etc.



# RECENT ADDITIONS TO THE LIBRARY

Compiled by Joan Keen & Eileen Elder

A Reid and Shakespeare Family History	Malcolm Ward
A List of Rebels of the Common Sort who are Prisoners in the Castle of Edinburgh 1716; Rebels who deserted from McIntosh of Borlum before their surrender at Preston	Bruce B. Bishop
An Historical Account of the Senators of the College of Justice from its Institution in MDXXXII	George Brunton & David Haig
List of Births Bowmore Part 1 1820-1824	C.G. Booth (Comp)
List of Births Bowmore Part 2 1825-1829	C.G. Booth (Comp)
List of Births Bowmore Part 3 1830-1834	C.G. Booth (Comp)
List of Births Bowmore Part 4 1835-1839	C.G. Booth (Comp)
List of Births Bowmore Part 6 1846-1855	C.G. Booth (Comp)
The Dictionary of National Biography 1981-1985	Lord Blake & C.S. Nicholls
The Dictionary of National Biography: Missing Persons	C.S. Nicholls
Genealogical Tables of the Sovereigns of the World from the Earliest to the Present Period	William Betham
A Complete Concordance to the Holy Scriptures of the Old and New Testaments in Two Parts (Contains Family Record of James Taylor, Anstruther 1721-1767)	Alexander Cruden
Debrett's Peerage, Knightage and Companionship 1920 The Borders:	Arthur G.M. Hesilrige
Counties of Berwick, Peebles, Roxburgh and Selkirk Kinloss (Findhorn) Free Church; Births & Baptisms 1843-1856, 1878-1925 and Findhorn War Memorial	Scottish Tourist Board Stuart Farrell
Daniel and Annie Wright, Airdrie to Adelaide 1877, with Australian descendants to AD 2000	Barrie J. Wright
Historic South Edinburgh Vol. 4 More People	Charles J. Smith
Descendants of William Spens	Adam Spence
City by the Grey North Sea: Aberdeen	Fenton Wyness
History of Peebles 1850-1990	J.L. Brown & I.C. Lawson
Edinburgh Housemails Taxation Book 1634-1636	Aaron Allen & Cathryn Spence (Ed.)
Children of the Fasti	Brian J. Orr
Musselburgh Roll Of Honour The Great War 1914-1918	Compilation
Kennedy	Suzanne Torkington
Names of Settlers in the Red River Settlement (1812-1814)	Elizabeth Jonasson
Horn/Steele – A Story of Informal Adoption McIsaac	John W. Steele
What happened to the Hodge Home Children? (Quarriers Homes)	Bryan D. Cook
Scottish Bicycles and Tricycles	Alastair Dodds
Vital Registration – A Manual of the Law and Practice concerning the Registration of Births, Deaths and Marriages	G.T. Bisset-Smith
A History of the Royal High School	John Murray
Complete Guide to tracing your First World War Ancestors	Who do you think you are?

Roslin Chapel, Midlothian Communion Roll 1829-1842	Russell W. Cockburn
Roslin Free Church, Midlothian Communion Roll 1843-1855	Russell W. Cockburn
Free Church, Roslin, Midlothian Baptisms	Russell W. Cockburn
Himalayan Headstones from Ladakh, Kashmir	Eileen Hewson
Graveyards in Kashmir, India	Eileen Hewson
Digboi War Cemetery, Assam, India	Eileen Hewson
Guwahati War Cemetery, Assam, India	Eileen Hewson
Assam & North-east India Christian Cemeteries and Memorials 1783-2003	Eileen Hewson
Protestant Marriages Nuwara Eliya, Ceylon	Eileen Hewson (Comp.)
Edinburgh: Mapping the City	Christopher Fleet & Daniel MacCannell
Scots International Church, Rotterdam, Baptisms 1643-1900	Thistle Times 18/1
Origin and History of the ancient name of Kilgour 40th revision, CD	Roy Kilgore
MLs, Alvie Churchyard, Badenoch & Strathspey	Stuart Farrell (Comp.)
"Remember now thy Creator" Scottish Girls' Samplers 1700-1872	Naomi E.A. Tarrant
Britons in Spain, the History of the British Battalion of the XVth International Brigade	William Rust
Pharmacy and Medicine in Old Edinburgh	C.G. Drummond
Fisher's Close and Neighbourhood	J.P.S. Ferguson
Rosebank Cemetery, Edinburgh, MLs, CD	Caroline Gerard (Comp.)
North Berwick Cemetery, East Lothian, MLs, CD	Alistair & Irene Stewart
Gordon Stewart Kinloch, Stewart Alexander Kinloch, Canada June 2014	Gordon Kinloch
Forres War Memorial 1914-1918	Stuart Farrell
The Kirkyards of Logie Buchan and Newburgh Holyrood	ANESFHS
Fraserburgh Kirkton (Old Ground)	ANESFHS

**The Scottish Genealogy Society holds  
Scottish Family History Evening Workshops....**

# **“YOUR AIN FOLK”**

**.... at their Library and Family History Centre at  
15 Victoria Terrace, Edinburgh.**

**We welcome enquiries from Local History Societies,  
Family History Groups, Church Groups, Clubs, etc.... in fact any  
groups interested in researching family history.**

**All facilities in our Library, including 'our complete collection of  
Scottish Old Parish Records microfilms' will be available to you.**

**The maximum number per group is 12,  
and volunteers will be there to offer advice.**

**For further details contact  
John D. Stevenson or Charles Napier  
at enquiries @ scotsgenealogy.com or 0131-220 3677.**

## **DATES FOR YOUR DIARY - 2015**

All SGS ordinary meetings take place at 7.30pm in the Augustine United Church, 41 George IV Bridge, Edinburgh EH1 1EL (unless otherwise stated). Admission free to all.

- 16 March "Explore Your Family History On-line." (Scran) by Helen Foster.  
20 April "Gretna and Gallipoli Royal Scots Memorials." by Ken Nisbet.  
11 May Visit to RCAHMS, 16 Bernard Terrace, Edinburgh at 2.30pm.  
"Exploring Your Heritage." by Philip Graham.  
Please book at the SGS Library.  
21 September "Scotland – The Genome of a Nation." by Alistair Moffat.  
19 October "Jane Gaugain: Edinburgh's Celebrated Author of Knitting Manuals."  
by Naomi Tarrant.  
16 November "Echoes of the Scottish Resurrectionists." by Martyn Gorman.  
SGS meetings are open to all – bring your friends!  
(Small donations from non-members will be appreciated.)

### **New Register House Research Evenings 2015**

(in conjunction with Standard Life FHS)

Please telephone the Library (0131-220 3677) for dates and to reserve your place.

### **Around Scotland**

To discover programmes of our sister societies, log onto [www.safhs.org.uk](http://www.safhs.org.uk), to access the list of members and follow their links.

The 2015 Conference will be at Stirling, hosted by Central Scotland FHS.

### **Anglo-Scots**

#### **(a branch of the Manchester & Lancashire FHS)**

Anglo-Scots meet at 2pm on Saturdays at Clayton House, Piccadilly, Manchester.

### **Scotslot Meetings 2015**

Scotslot is a group of family historians with Scottish ancestry, who meet in Hertfordshire to talk about topics of mutual interest.

- 12 April (Sun) Family brushes with the law – Criminal activity and prosecutions and also careers in the police and the law.  
11 July (Sat) Decorative plasterwork and related trades.  
27 Sept (Sun) Eureka moments in your family history research.  
At this gathering, we will also review the future of Scotslot.

Scotslot meets in Southdown Methodist Church Hall, Southdown, Harpenden, Herts, at 2pm. Venue, dates and topics are subject to change and visitors, who are very welcome to come along, should check in advance either by post to: Scotslot, 16 Bloomfield Road, Harpenden, Herts, AL5 4DB or by email to [stuart.laing@virgin.net](mailto:stuart.laing@virgin.net)