

# THE SCOTTISH GENEALOGIST

#### **SEPTEMBER 2016**

ScotlandsPlaces/Leith Walk

Elgin Poor

Agnes of the Isles

Falconer and McLeish in Dunkeld

QUARTERLY JOURNAL OF THE SCOTTISH GENEALOGY SOCIETY

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This edition of *The Scottish Genealogist* was edited by Caroline Gerard, with the valued assistance of Chic Bower at Printing Services Scotland and of all our regular and occasional contributors.

Front Cover:
The Society's Coat of Arms

Back Cover:

Plan of Leith Road designed by James Craig, architect; c1774 reproduced with kind permission of Historic Environment Scotland

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#### **Newhaven's Forgotten Burial Ground**

The Newhaven Community History Group has purchased a memorial plaque for the Old Fisherman's Cemetery in Main Street, Newhaven, Edinburgh. It will be unveiled at 10.30am on 3 October 2016, and Mr Ian Bluett, Minister of Newhaven Church, will conduct a short ceremony.

The Cemetery was part of the Chapel of St James and St Mary, built by James IV around 1504. The earliest known burial is of a French shipwright who died in 1505 while working on the *Great Michael*.

Transcriptions of the burial records have been published by the SGS and are available at the Library or via our online shop at <a href="https://www.scotsgenealogy.com">www.scotsgenealogy.com</a>



#### 11th to 21st November 2016

Access for more information at www.historyfest.co.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.

#### Meetings

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.

#### Membership

Single UK membership £20; Family, Overseas and Institutional membership £25.

The Society is recognised by the Inland Revenue as a charity. Members who pay UK income tax are thus encouraged to pay subscriptions under the Gift Aid Scheme so that the Society may recover the tax paid on these sums. Details of arrangements for the scheme can be obtained from the UK Membership Secretary.

#### Correspondence, Subscriptions, Publications

General correspondence should be sent to the Honorary Secretary and subscriptions to the Membership Secretary.

Email: membership@scots genealogy.com

Information about the Society's publications and back numbers of The Scottish Genealogist can be obtained from the Sales Secretary.

Email: sales@scotsgenealogy.com

All postal correspondence should be addressed to:

15 Victoria Terrace, Edinburgh EH1 2JL, Scotland.

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#### The Scottish Genealogist

Relevant articles are welcomed by the Hon. Editor preferably submitted in MSWord or rtf format via email or on a CDRom. (Please, no formatting.) Illustrations are preferred in .jpeg format. Members' queries are also welcomed for inclusion in the magazine: a £2 per entry charge is made to non-members.

Email: editor@scotsgenealogy.com

#### Advertising

To place a relevant advertisement in *The Scottish Genealogist*, please contact:

Email: editor@scotsgenealogy.com

Full page £80; Half page £40; Quarter page £20.

#### **Scottish Genealogy Society Website**

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#### A Wander down Leith Walk with Scotlands Places

#### Kim Beasley

ScotlandsPlaces is a website that gives you online access to records from the National Records of Scotland, the National Library of Scotland and Historic Environment Scotland. All of the records are linked by a common theme - they tell us something about Scotland's places. Of course, in telling us about Scotland's places we also learn about Scotland's people, making it a great resource for family historians.

The website gives access to many resources, including this plan of Leith Walk, designed by James Craig in the 1770s (Fig. 1 on back cover), which shows the



Fig. 1 Plan of Leith Road designed by James Craig, architect; c1774

beginnings of one of the longest streets in Edinburgh today. It is particularly interesting to note the inclusion of the Botanic Gardens, which used to be just off Leith Walk until they moved to their current site in Inverleith in the 1820s. The cottage, which can be seen on the plan, was moved stone by stone to Inverleith and reopened in 2016.<sup>1</sup>

Leith Walk is described in the Ordnance Survey Name Books, an excellent resource that supplies information about the place names and points of interest in an area.

Extending in a North Easterly direction from Catherine St. (now the upper part of Leith Street) Edinburgh to Kirkgate Junction St. & Constitution St. Leith. This name applies to the lane & Street commencing at Catherine St. and running to Great Junction St. and Kirkgate Leith, at present it is not built up on each side, it is the connecting thoroughfare of Edinburgh & Leith and contains many good shops & dwelling houses and one or two manufactories<sup>2</sup>

Leith Walk wasn't always the main thoroughfare: prior to its construction Easter Road served as the main route between Leith and Edinburgh.<sup>3</sup> Once it had become a main thoroughfare - as the Ordnance Survey Name Book entry suggests - factories, businesses and homes lined the street.

One such factory was the Shrubhill Tramway Workshops and Power Station (Fig. 2). It opened in 1898 and for over fifty years built and powered the Edinburgh trams as they went about the city. After the trams were dismantled it became a museum and today the site lies dormant although the factory chimney can still be seen from Leith. Shrubhill used to be the site of Lady Maxwell's home: Lady



Fig. 2 Edinburgh, Shrubhill Tramsways Depot, interior view of Body Shop from North East

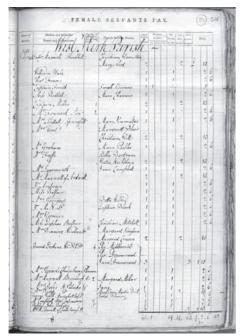


Fig. 3 Female servant tax rolls, volume 22 (1790-1, counties M-W), p.49

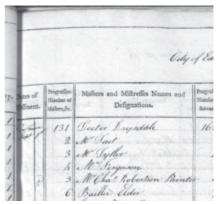


Fig. 4 Male servant tax rolls, volume 04 (1777-8, burghs), p.25

Maxwell was mother to the Duchess of Gordon who was a patron of Robert Burns.4 The Female Servant Tax Rolls show that in July 1790 Lady Maxwell had two servants named Christian Hamilton and Mary Shed (Fig. 3). We also know that she had a house servant called William Leichman (Fig. 4). This particular record is interesting as it shows that New Town was home to Jack Blair Hunter, "a black boy" who worked for Mr Hunter of Blair. The servant tax rolls are an excellent source for information about those who are normally lost to history: poor people working as servants, children and black people. Jack Blair Hunter, who clearly took the name of his master, may have been forgotten were it not for this record. Thus, even if your ancestors were not rich or powerful, it is still possible to find record of them on ScotlandsPlaces.

A little further down the Walk sits Pilrig Church, designed by Peddie & Kinnear (Fig. 5). At this point is the boundary between Edinburgh and



Fig. 5 Pilrig Church Elevation

Leith which famously had an impact on where about people drank in the Boundary Bar. (The bar straddled the two burghs, which had different licensing laws and therefore one part

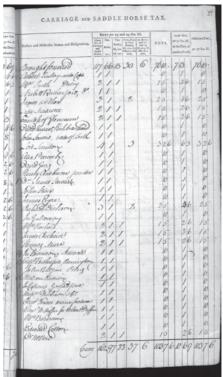


Fig. 6 Horse tax rolls, volume 30, p.34

closed half an hour earlier than the other!) The Balfours were famous residents of Pilrig House, who bought it with compensation money from the failed Darien Company.<sup>5</sup> From the Dog Tax Rolls we know that John Balfour had two pet dogs in the house at the end of the eighteenth century.<sup>6</sup> It is also possible to see that he had a farm horse and a saddle horse (Fig. 6).<sup>7</sup> Pilrig House is mentioned in two novels by Robert Louis Stevenson, whose mother, Margaret Balfour, had lived there.

Through ScotlandsPlaces it is possible to get a fuller picture of our ancestors' lives. We can see the things that they saw every day, find out for whom they worked and whether they were rich or poor. A major factor in being able to access these resources is the fact that the written records are transcribed. Transcriptions allow us to search the text which the computer wouldn't otherwise be able to read. Currently some of our records only have 20% of their content transcribed, making it harder to find information as the records are not searchable. If you are interested in these records, or any others, you could become a transcriber (simply sign up via our website) and help us shed light on Scotland's history.

Kim Beasley is a Project Officer for ScotlandsPlaces

ScotlandsPlaces can be accessed at www.scotlandsplaces.gov.uk.

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#### (Endnotes)

- http://www.rbge.org.uk/the-gardens/edinburgh/the-botanic-cottage-project accessed 19th August 2016
- <sup>2</sup> Midlothian OS Name Books, 1852-1853, volume 92, p.6
- <sup>3</sup> Marshall. The Life and Times of Leith 1986
- 4 http://www.leithhistory.co.uk/2012/04/21/shrub-hill-on-leith-walk/ accessed 24th August 2016
- <sup>5</sup> http://www.pilrighouse.com/further-info/history.htm accessed 24th August 2016
- <sup>6</sup> Dog tax rolls 1797-1798, volume 02, p.25
- <sup>7</sup> Farm Horse Tax 1797-1798, Volume 04, p.159

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## September talk East Lothian Poor Law Records

It wasn't only those paying taxes and/ or leaving estates who provided their descendants with financial records to help track lineages: sometimes our ancestors fell on hard times, due to poor harvests or other adverse conditions, and had to apply to the parish for assistance.

Fran Woodrow, Archivist, will explain what's available.

## October talk 18th Century - Town or Country, Everyone Knew Their Place

Or did they? Was the social hierarchy rigid, or was "social mobility" already more prevalent than we believe? Bruce Bishop will enlighten us!

#### November talk Earlier Records

Gregory Lauder-Frost says, "Not all genealogists are stuck in the 19th century and a great many have managed to go much further. There is a lot of rot on the internet, however, and for me, at least, being able to cite original source materials to support your ancestry is vital. I will therefore be speaking about "Earlier Records" and where to find them."

#### Parish of Elgin Poor Registers 1845-1891

#### Stuart Farrell

The Moray & Nairn Family History Society recently published the Poor Register for the Parish of Elgin from 1845-1891 (published in 3 parts 1845-1871, 1871-1881 & 1881-1891) which is a complete transcription of the Register for each pauper who was accepted to be given Poor Relief under The Poor Law Act of 1845 which ended the relief of the Poor by charity, ie by church collections, and made it possible for more financial support to be raised.

They note in detail the change in circumstances of the person named, who had to have been born in Elgin or whose father or husband was, and sometimes their family's circumstances, including any increase or decrease of relief given, occasionally entry into the poorhouse and often their date of death. Over 970 individuals are listed in the Register of paupers. They give a unique glimpse of the social attitudes to the poor in Victorian Elgin, though it was not always paupers who got relief, sometimes it was those who were sick or out of work.

Here are some examples of those registered and the details therein:

#### BAXTER, Jane

Residence: Blackhills;

Age: 44;

Date of Minute of Parochial Board authorising relief: Sep 1845;

Amount and Description of Relief: 9d per week;

Country and Place of Birth: Elgin; Religious Denomination: Protestant;

Condition: Single:

Trade or Occupation: Fieldwork; Wholly or Partially Disabled: Partially;

Description of Disablement: Illegitimate child;

Wholly or Partially Destitute: Partially;

Earnings: 6d per day when employed & has a free house;

Nature of Settlement: Birth & Residence:

Name & Age of Wife, Children: James Baxter or Walker 10; Name, Age and Weekly Earnings of Husband, Wife, Child:

In 1873 son above alluded to is in Aberdeen, and sends no aid to his mother; Other Information: This woman is of a very violent temper and very few will employ her:

Register:

Nov 1862 - Her allowance was increased to 2/- per week,

13 Dec 1873 – Has been sick and in bed and some small extras given, illegitimate son James Walker at Devenha Distillery Aberdeen made responsible for all outlays, 6 Oct 1875 – Admitted to Poorhouse 18 Sep 1875,

Dec 1875 - Died 16 Nov 1875 and buried by Parish.

#### **CORMACK, Jane Ann or WEMYSS**

Residence: City Parish, Edinburgh;

Age: 31:

Date of Minute of Parochial Board authorising relief: 5 Feb 1879; Amount and Description of Relief: 6/- per week on 5 Mar 1879;

Country and Place of Birth: Duffus; Religious Denomination: Protestant;

Condition: Widow:

Trade or Occupation: Housewife; Wholly or Partially Disabled: Partially;

Description of Disablement: Melancholy anxiety on account of husband's death;

Wholly or Partially Destitute: Partially;

Earnings: Appears to derive income from keeping lodgers;

Nature of Settlement: Husband's Birth;

Name & Age of Wife, Child or Children: Ann 8, at Leith Walk Public School, Johanna born 18 Jan 1879;

Other Information: Widow of John Reid Wemyss who died in Edinburgh in Jan 1879.

Husband, at date of his death, was in receipt of relief. She is daughter of Mrs Whyte residing at 205 High Street, Elgin. John Reid Wemyss was son of No.668 [Elizabeth Reid] of this Register. See children's separate Register, folio 74, where daughter Ann's case is entered;

#### Register:

7 May 1879 - Allowance reduced to 3/- per week,

2 Jul 1879 - Removed from Edinburgh to South Leith, and allowance continued,

6 Aug 1879 – Report to be obtained on present condition of this case,

3 Sep 1879 – Allowance continued,

5 Nov 1879 – Allowance withdrawn and Poor House relief offered. Daughter Annie Oughton Neill committed to Industrial School, Leith, on 12th March last, and claim made by Agent for board at rate of 2/6 per week from that date,

7 Jan 1880 – Account for board of Annie Oughton Neill, from 12 Mar to 14 Nov reported paid,

7 Apr 1880 – Allowance continued till daughters recovery (Joanna, daughter being in Leith Poor House),

12 May 1880 – South Leith directed to cause mother to take charge of child,

2 Jun 1880 - Child discharged from Poor House 24 May,

1 Mar 1882 – Chargeable in St. Cuthbert's offered Poor House of St. Cuthbert's or Elgin,

3 May 1882 - Continued in Poor House of St. Cuthbert's at present,

7 Jun 1882 – To be removed to Poor House of Elgin,

12 Jul 1882 – Removed to Poor House of Elgin on 5 Jul and application for out-door relief refused,

6 Sep 1882 - Application for railway fare to Edinburgh refused,

3 Mar 1886 - Again chargeable in St. Cuthbert's Poor House from cancer of jaw,

7 Apr 1886 – Dead 17 Feb, 12 May 1887 – Ann struck off.

#### GILL, William

Residence: Morningside Asylum, Edinburgh;

Age: 34;

Date of Minute of Parochial Board authorising relief: 14 Jul 1880; Amount and Description of Relief: Residence in Asylum of Elgin:

Country and Place of Birth: Elgin; Religious Denomination: Protestant;

Condition: Single;

Trade or Occupation: Painter;

Wholly or Partially Disabled: Wholly; Description of Disablement: Insanity; Wholly or Partially Destitute: Wholly;

Earnings: None;

Nature of Settlement: Birth;

Other Information: Son of James Gill, Baker in Elgin and for some years residing at 2 Pitt Street, Edinburgh. Patient has been in Asylum in London and it is believed that drink is the cause of his insanity, Became chargeable in Edinburgh on 23 May 1880 and removed to Elgin 9th July thereafter; Register:

6 Apr 1881 – Discharged cured from Asylum on 24 Mar.

#### INNES, William

Residence: 207 High Street, Elgin;

Age: 67;

Date of Minute of Parochial Board authorising relief: 2 Apr 1873;

Amount and Description of Relief: Poor House; Country and Place of Birth: Kirkmichael, Banffshire;

Religious Denomination: Protestant;

Condition: Married;

Trade or Occupation: Slater;

Wholly or Partially Disabled: Partially;

Description of Disablement: Old fracture of thigh bone;

Wholly or Partially Destitute: Partially;

Earnings: Keeps a shooting gallery & occasionally does a little work from both of

which he must earn a little; Nature of Settlement: Residence;

Name & Age of Wife, Child or Children: Wife Margaret Grant 601/2;

Name, Age & Weekly Earnings of Husband, Wife, Children: John 39 Slater, Paisley said to be going to America, William 22 Slater 23/- per week, Alex 17 Clerk £20 per annum, two daughters married in humble life;

Other Information: Pauper lame and unable from effects of accident; wife and two sons at home: able-bodied and in a position to support:

#### Register:

2 Apr 1873 - Poor House not accepted, was not admitted on Roll.

#### McKENZIE, Isobel or McKAY

Residence: 287 High Street, Elgin;

Age: 35:

Date of Minute of Parochial Board authorising relief: Aug 1857;

Amount and Description of Relief: 3/- per week;

Country and Place of Birth: Duthil; Religious Denomination: Protestant;

Condition: Widow;

Trade or Occupation: None:

Wholly or Partially Disabled: Partially

Description of Disablement: Young Children;

Wholly or Partially Destitute: Partially;

Earnings: None;

Nature of Settlement: Residence & Marriage;

Name & Age of Wife, Child or Children: Elspeth McKenzie 13, Isobella McKenzie

10, Margaret McKenzie 8, Alexr McKenzie 5, William McKenzie 21/2;

Name, Age & Weekly Earnings of Husband, Wife, Children: John McKenzie 18 Labourer, Jessie McKenzie 16 in service;

Other Information: This woman is the widow of the late Alexr McKenzie Sawyer who was a pauper for 2 years before his death;

Register:

Apr 1861 – Reduced to 1/- per week and a house at £2.16.0 per annum,

May 1865 - House rent struck off,

Feb 1866 – Offered Poor House,

1 Jan 1872 – Off Roll.

1873 – Offered Poor House not accepted,

1 Apr 1874 – Offered Poor House, not accepted.

nd - Dead.

#### MILLER, Jane

Residence: Lunatic Asylum;

Age: 37;

Date of Minute of Parochial Board authorising relief: Oct 1845;

Amount and Description of Relief: Board in Asylum;

Country and Place of Birth: Elgin; Religious Denomination: Protestant;

Condition: Single;

Trade or Occupation: House Servant; Wholly or Partially Disabled: Wholly; Description of Disablement: Lunatic; Wholly or Partially Destitute: Wholly: Earnings: None;

Nature of Settlement: Birth;

Other Information: This woman was in the Asylum at the expense of the Parish

before there was a Parochial Board;

Register:

Oct 1860 – Boarded by sanction of the Board of Lunacy with Mr Cumming Redevie at 4/6 per week & clothing,

4 Dec 1872 – Allowance increased to 5/- per week and clothing,

1 Apr 1874 – Died 15 Mar 1874. Funeral expenses repaid by James Grant, Esq. lately Editor of the Morning Advertiser.

#### REID, Isobel or CRUICKSHANK.

Residence: Lady Lane, Elgin;

Age: 37;

Date of Minute of Parochial Board authorising relief: Aug 1860;

Amount and Description of Relief: £18 per annum;

Country and Place of Birth: St. Andrews; Religious Denomination: Protestant;

Condition: Married:

Trade or Occupation: Attending her family;

Wholly or Partially Disabled: Wholly; Description of Disablement: Lunatic; Wholly or Partially Destitute: Wholly;

Earnings: None:

Nature of Settlement: Residence;

Other Information: This woman is the wife of William Cruickshank Labourer who has 4 children under 9 years of age and unable to pay any part of her board in the Asylum;

Register:

5 Aug 1874 – Allowed to leave Asylum for six months with sanction of Board of Lunacy;

7 Oct 1874 – Board of Lunacy grant leave to Medical Officer and Inspector to suspend their visits during her six months' probation, nd – Now self-supporting and struck off.

#### STEWART, James

Residence: Elgin;

Age: 41;

Date of Minute of Parochial Board authorising relief: Nov 1860;

Amount and Description of Relief: 1/- per week;

Country and Place of Birth: Elgin;

Religious Denomination: Protestant; Condition:

Single; Trade or Occupation: Strapper;

Wholly or Partially Disabled: Partially;

Description of Disablement: Of a silly mind;

Wholly or Partially Destitute: Partially;

Earnings: He goes through the country selling tack & old books also begging;

Nature of Settlement: Birth;

Other Information: This lads mother is a pauper on the Roll and entirely confined to bed; In November 1874, this man goes under the name of "Boxie" from a "peep-show" which he exhibits through the country – silly;

Register:

Jan 1862 – Allowance increased to 2/-,

- 4 Nov 1874 Removed from Nairn to Forres and allowance of 2/- per week continued.
- 5 Dec 1877 Allowance increased to 2/6 per week, in respect of failing health,
- 3 Nov 1880 Inspector instructed to inquire as to report that James is possessed of money,
- 5 Jan 1881 Board resolved to test James's case, and to offer him relief in the House only,
- 2 Feb 1881 Application for out-allowance refused,
- 2 Mar 1881 Entered Poor House on Feb 15, and disappeared on 19,
- 6 Apr 1881 Re-entered the House, March 4,
- 4 May 1881 Discharged April 7,
- 8 Jun 1881 Readmitted May 21 and discharged 30 of same month,
- 7 Dec 1881 Sent to Poor House Nov 12,
- 4 Jan 1882 Left Poor House on 5th and readmitted 15 Dec. Appeared before Board, and was refused out-door allowance struck off.
- 1 Nov 1882 Allowed 1/6 per week,
- 2 May 1883 Allowance increased to 2/- per week,
- 5 Dec 1883 To be paid in Keith if he goes to reside there,
- 1 Sep 1886 Allowed a pair of shoes,
- 2 Nov 1892 Increased to 5/- and boarded in Keith,
- 3 Apr 1894 Continued at 5/- in Huntly,
- 11 May 1894 Reduced to 4/-,
- 10 Jul 1894 Increased to 5/- pauper having returned to Keith,
- 7 May 1895 Continued at 5- per week,
- 3 Dec 1895 Continued at 5- per week,
- 6 Dec 1895 Continued at 5- per week,
- 4 Jul 1896 Died 14 Jan 1896.

#### **URQUHART**, John

Residence: New Elgin;

Age: 65:

Date of Minute of Parochial Board authorising relief: 4 Jan 1871;

Amount and Description of Relief: 2/- per week;

Country and Place of Birth: Resolis;

Religious Denomination: Protestant;

Condition: Married:

Trade or Occupation: Labourer;

Wholly or Partially Disabled: Partially;

Description of Disablement: Rheumatism;

Wholly or Partially Destitute: Partially;

Earnings: Makes a little as Labourer;

Nature of Settlement: Residence:

Name & Age of Wife, Child or Children: Catherine McDonald 58; Name, Age & Weekly Earnings of Husband, Wife, Children: Pauper has six of a family 5 married in humble life and a daughter 17 in farm service;

Other Information: Pauper suffers from chilblains in feet especially in winter. Keeps a grandchild (illegitimate) for whose maintenance rent 5/- which is paid by mother married in Glasgow;

#### Register:

5 Mar 1873 – Able to do some work; allowance of 3/- reduced to 2/- or Poor House.

7 May 1873 – Allowance withdrawn and Poor House offered,

4 Jun 1873 – Application for out-door allowance refused,

3 Sep 1873 – Allowed 1/6 per week in respect of reports by Inspector and Medical Officer.

6 May 1874 – III and allowed small sum extra,

2 Jun 1875 – Allowance increased to 2/- per week in respect of weak health,

3 May 1876 - Allowance reduced to 1/6 per week,

3 Jan 1877 – Allowance increased to 2/- per week,

9 May 1877 - Allowance continued at 2/- per week,

1 Dec 1879 – At this date his family are as under: Margaret wife of James Allan, Carpenter 5 children; Isabella wife of James Bruce Carter Buckie 7 children; Alexander Engine-man, Newton Colliery, Glasgow, keeps no communication; Thomas Labourer, Cambuslang 5 children; Eliza wife of Alexander Anderson, Farm Servant, Wester Alves 2 children;

3 Dec 1879 – Allowance increased to 2/6 per week in respect of increasing infirmity,

5 Jan 1881 – Allowance increased to 3/- per week owing to his wife is sickness,

8 Jun 1881 – Wife dead this date,

1 Apr 1885 - Dead 9 Mar.

#### WILSON, Isobella

Residence: 41 High Street, Elgin;

Age: 25; Date of Minute of Parochial Board authorising relief: 3 Apr 1866; Amount and Description of Relief: Admitted with her children to Poor House;

Country and Place of Birth: Elgin; Religious Denomination: Protestant;

Condition: Single;

Trade or Occupation: House Servant; Wholly or Partially Disabled: Wholly;

Description of Disablement: Two Illegitimate Children;

Wholly or Partially Destitute: Wholly;

Earnings: None;

Nature of Settlement: Birth;

Name & Age of Wife, Child or Children: Isobella Wilson 2, Jane Wilson 5m; Other Information: Applicant is the daughter of the late Alexander Wilson Shoemaker – She was brought up in Anderson's Institution her oldest child seems deaf:

#### Register:

Nov 1867 – Gone to service & allowed 1/6 per week during winter for her youngest child the father having taken the other,

7 Dec 1872 – Sent to Poor House, along with her children, aged 7 & 3 respectively; 26 May 1873 – Left Poor House and one child boarded out, the other being supported by herself. See Min. of Supply No.2254 4 Jun 1873,

7 Oct 1874 – Allowance of 2/9 for child continued during winter,

2 Jun 1875 – Allowance continued in respect that she is unable to maintain both her children.

4 Sep 1878 – Child Jane being nearly 13 ordered to be sent to service,

4 Dec 1878 - Struck off Roll.

This work by the Moray & Nairn Family History Society follows on from the work already published on the Poor Registers for the Parishes of Alves and of Bellie. Work is ongoing for those Poor Registers for St. Andrews Lhanbryde and those of Boharm. Please note that not every parish Poor Register has survived.

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#### Agnes of the Isles and her parentage

#### John P. Ravilious

On 9 March 1413, Robert Stewart, Duke of Albany and Governor of Scotland, confirmed the grant of the lands of Giffen by Sir John Montgomery to his younger son Robert¹. This charter is important from a genealogical perspective, in particular for the reference to Robert and his elder brother Alexander (the future 1st Lord Montgomery) as the issue by Sir John by his deceased wife Agnes 'of the Isles' ("de insulis"). The identification of Agnes as being "of the Isles" is indicative of her parentage, but the lack of a patronym in this record has been the source of uncertainty and disagreement ever since.

In Acts of the Lords of the Isles, she was identified by the authors as a daughter of Eoin 'the Good', Lord of the Isles (d. 1387) by his 2nd wife Margaret Stewart, daughter of King Robert II<sup>2</sup>. Based in part on a dispensation for the 2nd marriage of her daughter Agnes Montgomery to Sir George Campbell of Loudoun, the late Andrew B. W. MacEwen identified her as most likely the daughter of Eoin's son John (Eoin) MacDonald and his wife Helen Campbell (2ndly the wife of Duncan, Earl of Lennox)<sup>3</sup>. More recently, MacEwen noted the dispensation for the marriage of James Stewart, son of Sir John Stewart, Sheriff of Bute (an illegitimate son of Robert II) to Elizabeth Boyd, daughter of Sir Thomas Boyd of Kilmarnock (k. 1439) and put forward the theory that Elizabeth was a great-granddaughter of Robert, Duke of Albany, suggesting that Sir Thomas was the grandson of the Duke by a hitherto unidentified daughter<sup>4</sup>. MacEwen was led to this identification in part by the charter of 1413, having privately advised the author that if Agnes 'de insulis' had been a niece of Duke Robert the relationship would have been noted in the charter<sup>5</sup>.

Only recently, an examination of the charters of Duke Robert was undertaken in order to determine to what extent relationships between the Duke and the subjects or testators of his charters were identified as kin (other than spouses, siblings and immediate family). Out of 77 published charters granted between June 1406 and December 1413, 29 were identified in which one or more of the following individuals, near or distant cousins of the Duke, were either the subject of the charter or a witness thereto: Sir William Graham of Kincardine, Lady Janet Keith of Galston, her sons Andrew and William, Sir John Stewart of Lorn and Sir George Leslie of Rothes<sup>6</sup>. Of these, Lady Janet Keith was most closely related to Duke Robert: she was his first cousin, as her mother was a daughter of Adam Mure and Janet Cunningham and the Duke's aunt<sup>7</sup>. These charters are referenced in the appendix to this article, noting in each case which of the foregoing testators/subjects appear in the charter and whether or not their relationship to the Duke is indicated.

Of the 29 charters in question, the confirmation of charters of Janet Keith,

1st cousin of the Duke and wife of (1) Sir David Hamilton and (2) Alexander Stewart of Darnley provide good examples of the consistency, or lack thereof, in recognition of kinship in the Duke of Albany's charters. At Doune on 10 Feb 1406/07, the Duke of Albany confirmed a charter of Janet Keith (granted by her at Dalserf, 11 Dec 1406) granting her lands of Galston to her son Andrew Hamilton. The Duke's confirmation was witnessed by Sir William Graham and Sir John Stewart of Lorn, neither of whom was acknowledged as a kinsman. Interestingly, Andrew Hamilton is referred to in the confirmation as 'our dear cousin Andree de Hamylton' ["dil'co consang'neo n'ro Andree de Hamylton") but his mother is simply referred to as "Joha'ne de Keth de gallyston".

One year later, Duke Robert confirmed the charter of Janet Keith granting her lands of Bathgate to her son William Hamilton at Perth, 24 March 1407/08. This charter was witnessed by Sir William Graham, Sir John Stewart of Lorn and Sir George Leslie - none of whom were acknowledged as kin. However, the charter confirmed the grant 'which our dear cousin Janet Keith, lady of Galston [granted] to our dear cousin Sir William Hamilton, her son in her simple widowhood...' [" quas dilecta co'sang'nea n'ra Joneta de Ketht d'na de gallyston in sua simplici viduitate constituta . fect et co'cessit dil'co co'sang'neo n'ro Will'mo de Hamylton militi . filio suo..."]<sup>9</sup>.

The foregoing charters provide a clear example of the inconsistency with regard to relationship identifications in the charters examined, but there are several others. Sir George Leslie was identified as the Duke's cousin in 7 of the 15 charters to which he was a witness, a "recognition rate" of 47%. This was the highest such rate found in the group studied: Sir William Graham was identified as cousin in 43% of the instances in which he was a witness (9 out of 21), and Sir John Stewart of Lorn in 39% of the charters he witnessed (9 out of 23). One apparent consistency found in the charters where 2 or more of the above individuals were testators was similar treatment; in charters where one of the group was not recognized as a kinsman of the Duke, any of the others witnessing the charter were treated likewise. Aside from immediate family, it was found that any other kinship between an individual and Robert Stewart, Duke of Albany was more likely to be ignored than to be recognized. Whether the recognition of a relationship, or lack thereof, was purposeful or accidental on the part of the scribe in any particular instance, could not be determined.

With regard to the confirmation of Sir John Montgomery's grant to his son Robert Montgomery in 1413, what seems clear is that the lack of a relationship being referenced between Duke Robert and Agnes 'de insulis' neither supports or disproves any possible relationship between the two. The document is silent as to any relationship between Agnes and Duke Robert, but it does state that Sir John Montgomery was 'confederatus noster', our colleague, and not a relation of the Duke.

There was however a relationship between the issue of Sir John and his wife Agnes on one hand, and Duke Robert and his royal kinsmen on the other for which there is evidence. One indirect example is found in an agreement made at Irvine on 16 June 1425 when Sir John Montgomery agreed with Sir Robert Cunyngham of Kilmaurs that the latter would wed his daughter Agnes. Robert and Agnes were required to obtain a dispensation for their marriage, as the agreement stated "because of kynrend thar behufys to be a purchas" - that is, due to their kinship, a dispensation was required<sup>10</sup>. Sir Robert Cunyngham was a grandson of Sir Robert Danielston of that Ilk, a grandson of Robert II, King of Scots<sup>11</sup>. If in fact Agnes Montgomery was a granddaughter of Eoin the Good and his wife Margaret Stewart, she and Robert Cunyngham were related in the 4th and 3rd degrees of consanguinity, providing the kynrend requiring dispensation from the church for their marriage. Further evidence of such a relationship was provided when Alexander Cunyngham, son of Sir Robert and Agnes Montgomery, was belted Earl of Glencairn by King James III. The King acknowledged Cunyngham's service, and called him 'our dear cousin' ("nostrum dilectum consanguineum Alexandrum Comitem de Glencarne et Dominum Kilmawris") in a charter dated at Edinburgh on 28 May 148812. As a grandson of Sir John Montgomery and his wife Agnes, Earl Alexander would have been a 3rd cousin of King James III (see fig. 1).

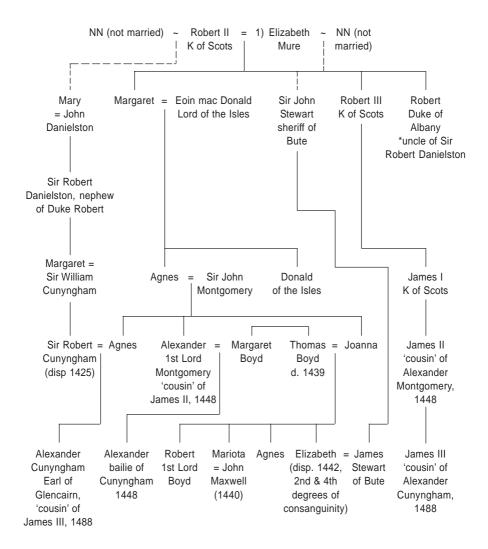
In between the 1425 agreement and the creation of the first Earl of Glencairn in 1488, the kinship of Agnes' descendants to the Scottish kings was also noted with regard to Alexander Cunyngham's maternal uncle Alexander Montgomery, first Lord Montgomery and eldest son of Sir John Montgomery and Agnes. In 1448, James II granted the bailiary of Cunyngham to Alexander Montgomery, 'firstborn son of our dear cousin Alexander, Lord Montgomery '("Alexandro de Montgumry, filio primogenito dilecti consanguinei nostri, Alexandri Domini Montgumry,..")<sup>13</sup>. Alexander Montgomery, the father, was married to Margaret Boyd: the two were uncle and aunt to Elizabeth Boyd. It was however not Margaret Boyd or her son Alexander who was noted as the King's cousin, but rather her husband. The lack of a kinship between the Boyds and the Scottish kings of this period is indicated (although not proven) by a review of the royal charters for the period 1424-1513, which has found no reference to Robert, Lord Boyd or any of his siblings as a royal 'cousin'<sup>14</sup>.

It is especially significant that the younger Alexander Montgomery was not noted as kin in this grant, but rather that James II called his father, the son of Agnes, 'our dear cousin'. Taken together with Alexander's father having been designated 'confederatus noster' by Duke Robert of Albany (1413) and Alexander being called cousin by Duke Robert's great-nephew James II in 1448, the near relationship evidently lay not with a Montgomery or Boyd connection but rather through Lord Montgomery's mother Agnes.

Returning then to the matter of the dispensation for James Stewart and

Elizabeth Boyd (1443), it appears that MacEwen was correct as to there being a common descent from Robert II: however, Elizabeth's relationship to James Stewart lay not through her Boyd ancestry, but rather through that of her maternal grandmother Agnes. She was most likely a younger daughter of Eoin the Good, Lord of the Isles by his wife Margaret Stewart.

Figure 1
Agnes 'de insulis' and her relationships



#### Appendix I

Subject or testator of charter recognized as cousin (*consanguineus*, or *consanguinea*) by Robert Stewart, Duke of Albany [recognition in each charter is indicated as being either positive (yes) or not indicated (no)]

•	•	()		\ /-	
	William Graham	Janet Keith	Andrew (or William) Hamilton	John Stewart	George Leslie
pp. 223-4, no. 10 12 Mar 1406/07	Yes			Yes	Yes
pp. 224-5, no. 11 12 Mar 1406/07	Yes			Yes	Yes
p. 225, no. 12 24 Aug 1406	Yes		Yes		
p. 226, no. 13 27 Feb 1406/07					No
pp. 226-7, no. 14 30 Nov 1406			Yes		
p. 228, no. 17 10 Feb 1406/07	No	No	(Andrew) Yes	No	
pp. 229-230, no. 19 13 May 1407	Yes			Yes	Yes
p. 230, no. 20 12 May 1407	Yes			Yes	Yes
p. 232, no. 24 27 Mar 1408	No			No	No
pp. 232-3, no. 26 13 Mar 1407/08	Yes			Yes	Yes
pp. 233-4, no. 28 27 Sept 1407					Yes
p. 234, no. 29 31 Dec 1407	No			No	
p. 234-5, no. 30 25 Feb 1406/07	No			No	No
p. 235, no. 32 20 Jul 1408	Yes			Yes	Yes
p. 236, no. 34 20 Jul 1408	No			No	
p. 236, no. 35 28 Oct 1408	Yes				

pp. 237-8, no. 38			(William)		
24 Mar 1407/08	No	Yes	Yes	No	No
p. 238, no. 40	NI-			NI-	NI.
25 Oct 1407	No			No	No
p. 244, no. 3 21 Feb 1409/10					No
pp. 244-5, no. 4 11 Mar 1409/10				No	
p. 245, no. 5					
20 Oct 1407	No			No	No
pp. 245-6, no. 6					
22 Jul 1410	No				
p. 246, no. 7					
4 Jun 1410	No			No	
p. 246, no. 8					
28 Jul 1410				No	No
p. 247, no. 9					
14 Mar 1409/10	No			No	
p. 248, no. 11				No	
6 Jul 1411				No	
p. 250, no. 14 17 Mar 1410/11				No	
				INO	
p. 252, no. 20 6 Jan 1406/077	Yes			Yes	
pp. 253-4, no. 22	. 50			. 50	
5 Jul 1413	No				
-	-				

#### **Footnotes**

- William Fraser, ed., Memorials of the Montgomeries (Edinburgh, 1859), II:21-22, no. 27.
- Jean Munro & R. W. Munro, eds., Acts of the Lords of the Isles 1336–1493 (Edinburgh: Scottish History Society (4th ser., vol. 22),1986), pp. 96, 298. The same parentage is given in the article on the Montgomeries in the ODNB by Hector MacQueen: <a href="http://odnb2.pubfactory.com/view/article/54294">http://odnb2.pubfactory.com/view/article/54294</a>
- The mandate for the dispensation, dated at Florence, 30 Jan 1441/2: "To the bishop of Glasgow. Mandate to dispense to marry *James* Stewart, donsel, and *Elizabet Boyd*, damsel, of the dioceses of Sodor and Glasgow, notwithstanding that they are related in the second and fourth *degrees* of *kindred*. Oblate nobis. (An. And Franchom[m]e An. Xxvi. De Adria.] [Stuart, Genealogical History of the Stewarts, p. 466.]" J. A. Twemlow, *Calendar of Papal Registers Relating to Great Britain and Ireland, vol. 0 (1431-1447)* (London: H. M. Stationery Office, 1912), p. 280. The Latin text is given in Andrew Stuart's history (1798) as noted by Twemlow (pp. 466-7).
- <sup>4</sup> Andrew B. W. MacEwen, The Boyd Tomb at Kilmarnock, The Genealogist 24(1)52-64.
- <sup>5</sup> Private correspondence dated 8 December 2005.

- <sup>6</sup> T. Thomson, ed., Registrum Magni Sigilli Regum Scotorum A.D. MCCCVI A.D. MCCCCXXIV (London: H. M. Record Commission, 1834), pp. 217-256.
- <sup>7</sup> Andrew B. W. MacEwen, private communication.
- 8 Thomson, ibid., p. 228, no. 17
- <sup>9</sup> Thomson, <u>ibid.</u>, pp. 237-8, no. 38
- Fraser, ibid., II:8-9, no. 7. Kynrend (also kinrent) was Scots for kindred. John Jamieson, D.D., A Dictionary of the Scottish Language, abridged by John Johnstone (Edinburgh: William Tait, 1846), p. 38.
- J. Ravilious, "Nephew of the Duke": the Danielstons of that Ilk, and a hitherto unknown daughter of Robert II, King of Scots, The Scottish Genealogist LIV(3) (September 2007), pp. 134-137. Cf. also J. Ravilious, Maria Stewart, illegitimate daughter of Robert II, King of Scots, The Scottish Genealogist LVI(1) (March 2009), pp. 29-30.
- Charter or Patent by James III., 28 May 1488, granting the Earldom of Glencairn with the lands of Drummond and Duchray, to Alexander, Lord Kilmaurs, in Alexander Lindsay, Report of the Speeches of Counsel and of the Lord Chancellor and Lord St. Leonards in moving the Resolution upon the claim of James, Earl of Crawford and Balcarres to the original Dukedom of Montrose (London: J. Murray, 1855), pp. 407-8, no. XXXVII]
- Fraser, ibid., II:8, no. 6. Cf. National Records of Scotland, Papers of the Montgomerie Family, Earls of Eglinton, GD3/1/1/15/3.
- James Balfour Paul, ed., The Register of the Great Seal of Scotland, A.D. 1424-1513 (Edinburgh: H. M. General Register House, 1882), pp. 1-847.

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## Falconers and McLeishes in Dunkeld – facts and stories

#### **David Falconer and Ronald MacLeod**

Genealogists are accustomed to gathering data from recorded births, marriages and deaths, censuses, and other official or religious documents. For most of us, however, true pleasure comes from more intimate information about our ancestors, which illuminates their lives, and often provides insight into their characters. For ancestors substantially removed in time, a tale of scandal spices up otherwise dry listings of the characters in the family tree. Such tales of our distant ancestors have passed through the memories of several generations, and their accuracy often cannot be verified. One imagines a grandparent telling stories of his or her predecessors to young children, who in turn, as they get older, relay what they recall of the tale to their children and grandchildren.

This article describes what we know of Thomas Falconer and his wife Helen Simpson and two of their children – Grizel (who married a McLeish) and Duncan. Our verifiable information comes from the usual church, public and newspaper records. We are also fortunate to have no less than five accounts of their lives, handed down through multiple generations of their descendants and acquaintances. So we are in a unique position of being able to compare these oral histories among themselves and with the existing public records.

Ronald MacLeod is a descendant of Grizel, and David Falconer descends from Duncan, so Thomas and Helen are our common ancestors.

#### Thomas Falconer and Helen Simpson – the facts

We do not know the 18th century origins of Thomas Falconer, but we have some hypotheses which are explored elsewhere<sup>1</sup>. From parish records of the births of some of his children we know that he was a smith, and in particular from his wife's subsequent statutory death record<sup>2</sup>, we know that he was a gunsmith.

Thomas's wife Helen Simpson was the eldest daughter of Richard Simpson and Ann Deans, and was baptized in Old Greyfriars Parish in Edinburgh on 21 September, 1767³. From Edinburgh directories⁴ and burgh records⁵, we know that Helen's father was a prosperous merchant in Grass Market and West Bow, in Edinburgh, and was a burgess and guild brother in that city. Richard died in 1798 in Innerwick, East Lothian⁶. He had been born in Innerwick⁻, and likely still held property there.

Thomas and Helen Simpson married in Dunkeld, Perthshire on 19 March, 1791<sup>8</sup>. There is no record of either of them living in Dunkeld prior to their marriage. They had 9 children between 1792 and 1807, all baptized in Dunkeld. We know details of the lives of only Grizel, the eldest, and Duncan, the sixth-born. The others (George, Thomas, William, John, Christian, a second George and Isobel)

either died young or became confusable with many other Falconers in Scotland bearing the same given names.

Thomas was admitted as a burgess and guild brother in Edinburgh<sup>9</sup>. The burgh record showed that Thomas, "smith in Dunkeld", was admitted in 1804 by right of his wife, the daughter of Richard Simpson, burgess and guild brother. This practice of men being admitted on the basis of their wives being daughters of burgesses was common at the time, and made marriage to such daughters an attractive proposition. Marrying Richard Simpson's daughter and becoming himself a burgess in Edinburgh certainly guaranteed Thomas an enhanced social position in early 19th century Scottish society.

Being at or near the top rung in rural Scottish society generally required being a landowner, but there is no indication that Thomas ever reached that level. We know that he and his family were living in Caputh Parish, at a place called Meadow of Kinkedston, in at least the period from 1810 to 1823. There were notices in the *Caledonian Mercury* newspaper in the fall of 1812 and early 1813, advertising certain farms in Caputh Parish for lease, which would be shown to interested persons by "Thomas Falconer of Kinkedstone" (sic). Kinkedston Meadow is on a road leading northeast from Dunkeld and is adjacent to Butterstone Loch. It is about 2.5 miles from Dunkeld and closer to the Dunkeld Parish church than to the Caputh church. The properties mentioned in the newspaper were owned by Stewart Menzies Esq. of Culdares, who, it turned out, was Thomas's landlord.

A further indication of Thomas's location and place in society is contained in a bond of caution and a subsequent letter of suspension<sup>10</sup> recorded in 1826 in the Court of Sessions regarding a legal dispute between Thomas Falconer and his landlord. The bond and letters stated that Stewart Menzies had appointed Thomas to be grounds officer at Kinkedston in about 1811. In the early 1820s Thomas was asked to renovate several houses on the property. Thomas sued Menzies for salary and expenses that he was owed. Menzies counter-sued. claiming that Thomas had damaged the property by cutting trees and selling the wood, grazing his animals and allowing others to do so, and by harvesting manure and crops, all without authorization. Furthermore, it was alleged that Thomas supplied his son-in-law, Donald McLeish (more about him later) with firewood for his illegal still in return for refuse from the still for Thomas's cattle. The court suspended the case, deciding that the two counter-suits cancelled each other (and perhaps reflecting a bias towards Menzies' higher societal ranking). The court records also revealed that Thomas and his family were living in Dunkeld in the 1824-1826 period.

We don't know when Thomas died, but Helen was living with her daughter Grizel's family at Over Cardney in Caputh Parish at the time of the 1841 census. Over Cardney is about 2.5 miles north of Kinkedston. The 1851 and 1861 censuses also show Helen as the widow of Thomas Falconer, gunsmith, living with her daughter and son-in-law, Grizel and Daniel (or Donald) McLeish. Helen died 30

November, 1861, and her death record<sup>11</sup> confirmed her to be the widow of Thomas Falconer, gunsmith and the daughter of Richard Simpson and Ann Deans.

#### Thomas Falconer and Helen Simpson – the story

At this point we offer our first family story artefact, which concerns the marriage of Thomas Falconer and Helen Simpson. It is a letter written to Ron MacLeod by his paternal grandmother's sister's daughter, Catherine Cameron Slater Stewart. The latter was a 2nd great granddaughter of Grizel Falconer and Daniel McLeish. Catherine Cameron Slater Stewart wrote that the story came from her grandmother, Catherine Cameron Slater, and that it concerned the latter's grandmother whom she called "Lady Grizel Falconer Simpson". The writer of the letter was thus four generations removed from Grizel Falconer and five generations removed from Thomas Falconer and Helen Simpson. She used the title "Lady" to mark the fact that the subject of her story was the daughter of a "gentleman farmer or laird, outside of Edinburgh, who was a freeman [burgess] of the City of Edinburgh".

In fact, the name given to the subject of the story causes some ambiguity, since it combines the names of two people: Grizel Falconer and her mother Helen Falconer, née Simpson. Thomas Falconer, a tenant of Menzies, could hardly be described as a gentleman farmer or laird; he apparently was not a landowner, although he did become a burgess after the death of his father-in-law, and lived outside of Edinburgh. The letter went on to state that its subject was "disinherited or disowned for what she did". What she did is not explicitly mentioned, but we presume it was to elope into a marriage without her parents' permission. We are convinced that the subject of the letter was in fact Helen Simpson eloping with Thomas Falconer. A key sentence in the letter strongly supports this conviction: When she ran away her brother Captain Simson went after her and tried to get her to go back. Another piece of evidence is that the McLeish name (Grizel's husband) is not mentioned in the letter, as it should have been if the elopement were Grizel's.

Further details in the letter include the fact that the disinheritance prevented the eldest daughter, from receiving a free education at St. George's School in Edinburgh, and that she was apparently forced to work for a while as a waitress in Perth. We feel that the bar to receiving a free education at an exclusive young women's school refers to Grizel's situation rather than that of her mother. Our reasoning is that Helen, as the eldest daughter of Richard Simpson, had probably already received her education at the school as a teenager *before* she met and married Thomas at age 23. After the marriage, Helen's estrangement from her parents likely disqualified her first-born daughter from receiving the free education.

The multi-generational separation between this letter and the events it describes led to some confusion and perhaps a mixture of tales about Helen Simpson Falconer and her daughter Grizel Falconer McLeish. However, the story of the

elopement certainly adds a romantic element to the story of Thomas and Helen.

In the 18th and early 19th centuries, marriage for love, against parental disapproval was not uncommon, and was a favourite theme in novels such as those of Sir Walter Scott and Jane Austen. Among upper class families, "marriage was a mechanism for reinforcing business networks and partnerships." 12 "The vast majority of marriages among aristocratic, wealthy and middle-class families were arranged by parents with the prospective bride and bridegroom having little or no say." 13 Richard Simpson probably did not envision his eldest daughter marrying a gunsmith. It is quite conceivable that he had some other more suitable husband in mind for her.

As we shall see, the Thomas/Helen marriage is not the only handed-down story of parentally-disapproved weddings and wedding drama within the Falconer family.

#### **Duncan Falconer and Annie McGlashan – the facts**

Duncan Falconer, born 2 January 1801 in Dunkeld, was the 6th child of Thomas and Helen<sup>14</sup>. He married Annie McGlashan in Perth on 14 March, 1822<sup>15</sup>. The marriage record showed Duncan and Annie to be residents in East Church Parish in Perth at the time of the wedding, and Annie's father to be a farmer in St.Martins Parish. Annie had been born in December 1799 in Little Dunkeld Parish<sup>16</sup>, the 7th of 8 children of Peter McGlashan and Agnes Borie. Duncan and Annie had five sons: Thomas, 29 May 1823 in Caputh<sup>17</sup>; James, 18 June 1826 in Dunkeld<sup>18</sup>; Daniel (also called Donald), 15 April 1829 in Forfar, Angus; John, 16 July 1830 in Forfar, Angus<sup>19</sup>; and William, 23 March 1832 in Coupar Angus, Perthshire<sup>20</sup>. The birth record of the oldest son Thomas showed the family living in Kinkedston in 1823, presumably with or near Duncan's parents Thomas and Helen. We have not found documentary information about the lives of two of the sons, James and William, after their births.

There were several peculiarities in the baptismal register entries for the last three children. The births of Daniel in 1829 and John in 1830, were belatedly recorded on the same page in the baptismal register of Forfar, Angus, in 1832, at some time after June of that year. Their entries differ from all the other entries in the baptismal register in that only their birth dates were mentioned, with no indication that they were baptized. William's baptism, on 23 March 1832, is recorded in Coupar Angus, Perthshire, at the bottom of a page, after several later birth entries. Coupar Angus is on the border between Perthshire and Angus, and Forfar is in Angus (which was then called Forfarshire). They are about 15 miles apart.

Like his father, Duncan was to become a gunsmith, practicing his craft in Perthshire, Angus and later in Canada West. Pigot's 1825 *Directory of Perthshire* showed him to be a gunsmith on High Street in Dunkeld. His occupation as a gunsmith was also recorded in the baptismal records of his three youngest sons. The gunsmith trade was undoubtedly an important one in the Dunkeld area,

situated as it was at the boundary between the Highlands and Lowlands. Hunting in the Scottish Highlands was a favourite pastime of well-to-do folk, and Duncan and his father probably did a good business in repairing and perhaps manufacturing guns. The birth records of his children showed that Duncan moved frequently, pursuing his trade.

Duncan evidently was not a shrinking violet. *The Chronicles of the Atholl and Tullabardine Families*<sup>21</sup> describes a drunken riot involving about 450 members of the Caledonian Society in Dunkeld on 26 June 1826. Duncan was said to have cut the hand of an Alexander Stewart with his sword. Duncan was mentioned in the 8 May 1828 edition of the *Perthshire Courier* as a gunsmith and witness in the trial in Dunkeld of a Conacher Hagart, who was accused of threatening the local tax collector. Duncan was also mentioned in the *Perthshire Advertiser* newspaper published in Perth on 22 October 1840 in an article titled *The Captors Made Captive*. The article described an aerial battle between two hawks and a lark, which resulted in "...a beautiful specimen of the merlin, are now in possession of Mr. Duncan Falconer, gun-maker here, who intends to forward them to the Edinburgh Zoological Gardens".

In 1842 Duncan emigrated with his family to Toronto in Canada West to be employed as an armourer by the Ordnance Board. The British Army was in the process of strengthening its forces in Canada after unsuccessful uprisings in 1837 and tensions with the United States. The Ordnance Board record<sup>22</sup> showed Duncan to be married with four children, and that his salary was to be five shillings per day. The Toronto Directory and Street Guide for 1843/44, published by H.W. Rowsell, listed Duncan as a gunsmith on Peter Street in Toronto. Peter Street formed the eastern boundary of the Toronto garrison precinct. Nearby was a military stores building and guardhouse. The 1850/51 directory showed Duncan as a gunsmith on Dundas Street Road. Toronto tax assessment records23 showed that Duncan lived on, owned and leased several properties, of between ½ acre and 10 acres on or near Dundas Street between 1843 and 1853. He owned a horse, a cow and a dog. The last assessment in 1853 showed Duncan's occupation to be a gardener. A close neighbour, and at one point, Duncan's landlord, was William Speers, who in 1845 became the father-in-law of Duncan's son Thomas.

In 1847, Duncan and Annie, still living in Toronto, adopted Mary Kelly, an orphan of the Irish potato famine, who had been born about 1843<sup>24</sup>. Mary must have been a happy addition to the family of five sons. Mary was later to marry a George Sutherland, who was probably a relative of Agnes Sutherland, whom Mary's step-brother Daniel was to marry later in Perth County.

In the late 1840s Duncan and his sons Thomas and Daniel leased and then purchased properties in Hibbert, Logan and Fullarton Townships in Perth County through the Canada Company. These farm properties were apparently mostly occupied by Thomas and Daniel, while Duncan and Annie spent most of their

time in Toronto. In 1854 Duncan purchased Lot 8 in the 1st Concession of Fullarton Township. Duncan's transition from gunsmith to gardener evidently occurred during his years in Toronto. The September 25 1857 edition of the *Stratford Beacon* newspaper contains a rather complete description and advertisement of a thriving plant nursery operated by Duncan and his sons Daniel and John on their Fullarton Township farm. The 1861 census for Fullarton Township<sup>25</sup> showed Duncan's occupation as nurseryman, living in a 1½-storey brick house on a 98-acre farm, with details of livestock, orchards, gardens and \$200 yearly income from produce. His son John died in 1861, and in 1862 Duncan divided his farm between himself and Daniel. During this time period, Duncan and Annie's oldest son Thomas was working as a carpenter and millwright, and leasing another farm in Fullarton Township. In about 1864, Thomas moved his wife Jane Speers and his large family to Elderslie Township in Bruce County.

Duncan died in Fullarton Township on 14 April 1866<sup>26</sup>. On the 1866 deed transferring Duncan's half of the Fullarton property to his son Daniel, Annie's signature was an "X". It appears then, that she was illiterate or incapacitated. She continued to live with her son Daniel after Duncan's death, first in Fullarton, then at a property that Daniel purchased in Elma Township (where he was eventually elected reeve of the township), and finally in 1873 to Saugatuck, Michigan, where Daniel moved, hoping for increased prosperity<sup>27</sup>. Another reason for Daniel's move to the USA was his escape from a shaky financial proceeding in Elma Township<sup>28</sup>. Daniel's older brother Thomas also moved to Saugatuck at the same time, with his wife Jane and their younger children.

Annie died in Saugatuck in 1879<sup>29</sup>. Thomas died in Saugatuck in 1890<sup>30</sup>. Daniel outlived two wives, and was married to a third at the time of his death in 1897.

#### Duncan Falconer and Annie McGlashan – the stories

We are now ready to discuss the two oral histories that concern Duncan Falconer and his family. The first comes from Annie Falconer Hopper (1849-1943), one of the 14 children born to Thomas Falconer and Jane Speers. The story came to us through David R. Falconer, who was David Falconer's father and a nephew of Annie Falconer Hopper. The second story was in the form of a letter written in 1925 from one of Daniel Falconer's children, John E. Falconer (1863-1930) in Colfax, California, to his step-brother James A. Falconer (1876-1941) in Tacoma, Washington. The copy of the letter was kindly provided to us by Beate Falconer, whose husband is a grandson of James A. Falconer. The two stories thus originate from grandchildren of Duncan Falconer and Annie McGlashan. We will refer to the first as the "Thomas tale", since it came from a daughter of Duncan's son Thomas, and we shall refer to the second as the "Daniel tale", since it came from a son of Duncan's son Daniel.

Both of these stories contain a tale of Duncan marrying against his parents' wishes and being disinherited. Our first inclination was to believe that they were

a distortion of the elopement story of Duncan's parents. However, Annie



Annie McGlashan Falconer (1799-1879)

McGlashan was a farmer's daughter, and perhaps illiterate, while Duncan had a higher societal status, being the son of what we might call an upper middle-class mother and a father whose burgess title was by right of his wife. Given the hierarchical nature of Scottish society at the time, we thus have the ingredients for possible parental disapproval of the match between Duncan and Annie. The fact that their marriage took place in Perth, away from their parental residences, is an indication of this, just as the marriage of Duncan's parents took place away from Edinburgh, in Dunkeld. In any case, both tales cast a romantic light on the Duncan/Annie romance; i.e. the young man grouse-shooting in the highlands, meeting up and courting the humble village girl who sang in the local choir.

The Daniel tale starts by referring to Duncan as the eldest son of the "Laird of Ashantelly" [sic]. Duncan had four older brothers, so he was not an eldest son (unless perchance all four of his older brothers had died by the time Duncan reached adulthood). Furthermore, his father Thomas, was not known to be a landowner, and hence hardly merited the formal title of laird. There does exist a castle called Ashintully, in the Parish of Kirkmichael in Perthshire. It is about 8 miles north-east of Dunkeld, and was owned by the Spaulding family until the late 1700s and by other owners (not Falconers) since then. There is no record of Thomas Falconer living near Ashintully Castle, although it is possible that he had some business with the owners of the castle.

The rest of the Daniel tale is rather colourful and romantic:

He [Duncan] was a dead shot and an expert fisherman and an expert poacher and a constant source of trouble to gamekeepers and bailiffs, keeping his family in hot water most of the time.

At an early age he formed an attachment for the daughter of the gamekeeper for the Duke of Athol at the Blair of Athol ...

Mary [sic] McGlashan was a beautiful girl, but was not the social equal of the son of a country squire, for that is what the word laird means, so their love did not run smoothly for it was frowned upon by his people and her father also, but their love could not be denied, and in due time they were married. One of his

methods of courtship as told to the writer by your grandmother [Annie McGlashan Falconer] was to come whistling up to the gate if he had been successful in the hunt or had been able to catch a fine salmon or trout and deposit or rather throw his spoil, whether it was a moor-fowl or black-cock or fish over the gate of the lodge and continue on his way, and you can be sure that it was always found by Mary [sic] to become a welcome addition to the larder.

Both of the handed-down stories contain a mixture of true, untrue and possibly true facts. Notice that in the above excerpt, the writer got Annie's given name wrong. The Thomas tale got Duncan's mother wrong; it gave her the name of "Sarah Wilson". There is no record of a Sarah Wilson giving birth to anyone named Duncan around 1801. Recall that a confusion of names was also a feature of the tale of Duncan's parents' elopement. Both of the above stories about Duncan had him obtaining or missing out on free education at the University of Edinburgh, or one of the other Scottish universities – another parallel with the Thomas and Helen story whose heroine missed the chance of a free education at an exclusive school. We have found no record of a Duncan Falconer being admitted in the relevant period. The Thomas tale had Duncan receiving a law degree, and practicing law in Canada and in Michigan, as well as being the first music teacher in the City of Toronto. There is no evidence for any of this. This tale also had Duncan and his family emigrating to Canada between 1825 and 1835, whereas we know that they emigrated around 1842.

The Thomas story claimed that Duncan's family temporarily hid the rebel William Lyon McKenzie after his abortive 1837 Upper Canada rebellion. This is patently untrue, since Duncan and his family arrived in Canada several years later. It is interesting that genealogists tracing the history of Thomas Jr's wife Jane Speers have a similar legend involving the Speers family<sup>31</sup>. The Thomas story also claims that Duncan practiced law in Saugatuck, Michigan, and died there. However, there is no evidence that Duncan ever went to Michigan; his sons Thomas and Daniel moved there only years later.

The Daniel story claimed that Duncan paid a visit to New York in 1835, leaving Annie and their children in Coupar Angus. The tale goes on to say that Duncan made a collection of shore and land birds that he had downed on Long Island, and that he sold the stuffed birds to a museum on his return to Scotland. This is plausible, given his interest in birds revealed in the 1840 *Perthshire Advertiser* article, but shipping records to US ports in this period (which are admittedly not complete) do not reveal the arrival of a Duncan Falconer.

The Daniel tale does go on to state that Duncan obtained a commission as gunsmith for the 92nd Highland Regiment<sup>32</sup>, which was sent to Canada along with Duncan and his family in 1842. This certainly is in accord with the Ordnance record of his appointment.

The voyage to Canada was said to be a stormy one, lasting 43 days, and the Falconers' youngest child, a girl, died during the voyage. Available Old Parish

Records of the Presbyterian Church of Scotland do not contain any record of Duncan and Annie having more children than the five boys mentioned above. Perhaps a sixth child was born during the 1830s, and was not recorded in any existing kirk register, but was baptized in another denomination. The Daniel tale mentions that Duncan became disillusioned with the "horrible dogma of Calvin" in the Presbyterian Church (possible evidence of this is the slap-dash entry of the births of the three youngest sons in the Forfar and Coupar Angus parish registers). The Daniel tale also mentions that he became a lay preacher in the Methodist Church. The family were Methodists and later Congregationalists in Canada and the USA, according to census records.

The Daniel tale mentions all of Duncan and Annie's sons except for James. Perhaps he died very young. The youngest son William was said to have died of consumption in his teens. The tale tells us that the fourth son John was studious and intended to become a minister, but in about 1859 received a brutal beating administered by a gang of drunken Germans as revenge for a real or fancied grievance held against his father. This led to his death, which was recorded in 1861 letters of administration filed by Duncan and his son Thomas. The Daniel tale went on to say that Duncan got the ruffians [who injured John] one by one, and some of them carried his marks to the grave. We are inclined to accept this tale, given Duncan's recorded violence in 1826. It is also in accord with the ancient Scottish "blood-feud" tradition. The Daniel tale also related Annie recalling one of her husband's fights in which he put out one of his opponents' eyes; there being no surgeon available, he turned to and replaced it again in its socket and happy to relate, there was no serious after effects and the two became fast friends.

Apart from his propensity to violence when called for, Duncan was said to be a great reader and to be a lay preacher for the Methodist Church in Canada as well as in Scotland.

Finally, John E. Falconer went on to extol the virtues and piety of his grandmother Annie McGlashan Falconer (in spite of mistaking her name for Mary). He wrote that towards the end of her life Annie developed cataracts and was dependent on people like her grandson John. John recalled praying and reading the Bible to her, and in return hearing stories about William Wallace and Robert the Bruce, and of course about her late husband whom she dearly loved.

#### Grizel Falconer and Donald McLeish - the facts

Grizel (also called Grace) Falconer was the eldest child of Thomas Falconer and Helen Simpson, baptized in Dunkeld 12 January 1792. She married Donald McLeish (also called Daniel) on 17 April 1812 in Caputh<sup>33</sup>. The parish register showed their names as "Donald McLish" and Grizel Factain". Donald, the eldest son of William McLeish and Margaret Stewart, had been born in Caputh in 1783. He was at various times a farm labourer, forester and county policeman. The latter occupation was recorded in the 1841 census for Caputh. Later censuses

listed his occupation as labourer. There may or may not have been ill feeling by Thomas and Helen towards their daughter's wedding, but the fact that it took place in the home parish of Caputh negated any possibility that Grizel "ran away" to get married. Furthermore, co-operation between Donald and his father-in-law Thomas Falconer in running an illegal still in the 1820s showed that the two were on good terms. Donald and Grizel had 11 children, born between 1813 and 1835. Of those we know about, four (Duncan, James, David and Daniel) eventually emigrated to Yea, in Victoria, Australia. George emigrated to Sebright in Canada West, and another four (Alexander Wilson, Catherine, Grizel and Helen Simpson) stayed in Caputh. Donald and Grizel lived out their lives in Middle Cardneys in Caputh Parish, eventually moving into Dunkeld to live at the Brae. Grizel died 14 May 1867 in Dunkeld, and Donald died 18 February 1879, also in Dunkeld<sup>34</sup>. Both are buried in the Little Dunkeld churchyard.

#### Grizel Falconer and Donald McLeish - the stories

Our next handed-down tale of this extended family comes from an unusual source: the transcribed *Diary of Beatrix Potter* (1866-1943)<sup>35</sup>, the author of children's



Seated:
Grizel Falconer McLeish (1792-1867)
and Donald McLeish (1783-1879)
Standing: their daughter
Helen Simpson McLeish (1833-1926)

books like Peter Rabbit. Beatrix wrote that during several visits to Dunkeld in the 1880s and 1890s, she heard a story from an elderly lady named Miss Anderson about one of the local McLeish families. In common with the other handed-down stories we have described. the names, places and dates were somewhat confused. There was a reference to the daughter of an old family near Edinburgh ran away with a gunsmith named McLeish. However, the main tale was about one of this couple's sons. named Daniel, whose sweetheart's father in Aberfeldy prohibited the couple's marriage. Daunted, the young lad decided to join his brothers in Australia. There followed a series of events like a romantic comedy: lost letters between the lovers, searches for Daniel by his sweetheart and his brothers in blinding snow before he could board the emigration ship, and finally a happy ending in which the lovers were reunited and married aboard the ship before their embarkation to Australia. The young lady was referred to as the "snow bride".

A version of this tale also found its way into a book about McLeish families by Norrie McLeish<sup>36</sup>. Mr. McLeish researched the tale, corresponding with some McLeish descendants in Australia. He concluded that the story took place in the 1840s, that it concerned Duncan McLeish, not Daniel, and that the "snow bride" was a Miss Catherine Cameron. Daniel and Duncan were in fact sons of Donald McLeish and Grizel Falconer, and both sons emigrated to Australia. The marriage between Daniel McLeish and Catherine Cameron was recorded on 1 January 1840 in Caputh Parish, not on board a ship<sup>37</sup>. Duncan McLeish died in Victoria, Australia in 1866, and Catherine died there in 1874<sup>38</sup>.

It is interesting that a daughter of Donald and Grizel, named Grizel, married a James Cameron in Auchtergaven, Perthshire, in 1851, and among their children was a Catherine Cameron, born in 1855.

Ron MacLeod's father's cousin, Catherine Cameron Slater Stewart, who had sent him the letter about Helen Simpson, related another interesting detail about her 3d great grandfather Donald McLeish; As well as being a county policeman, he was for a while a grave watcher. In the early decades of the 19th century, grave watchers were employed to guard the graves of people recently buried in order to prevent the bodies from being dug up and sold to medical schools. The well known case of Burke and Hare in Edinburgh comes to mind. They concentrated on the supply side of the cadaver trade by murdering the victims.

#### Conclusion

The Falconer and McLeish families were typical of many Scottish families in the late 18th and early 19th centuries, striving always to rise higher in society. One key strategy employed by middle- and upper-class families – arranging advantageous marriages for their sons and daughters – did not always work as planned.

The emigration of Duncan Falconer and his family to Canada and of some of Grizel's sons to Australia was undoubtedly a manifestation of the desire of many Scots to seek new opportunities for prosperity and social mobility that had been denied them and their forefathers in the land of their birth.

#### Acknowledgements

We are grateful to Beate Falconer for providing the 1925 letter from John E. Falconer to James A. Falconer. We also wish to thank Drs. Steve Murdoch and Alexia Grosjean Murdoch of St. Andrews University for their helpful comments on the social climate of 18th and 19th century Scotland.

#### (Endnotes)

- See <a href="http://dunkeldfalconer.tribalpages.com/tribe/browse?userid=dunkeldfalconer-&view=0&pid=80&ver=1783.">http://dunkeldfalconer.tribalpages.com/tribe/browse?userid=dunkeldfalconer-&view=0&pid=80&ver=1783.</a>
- <sup>2</sup> Statutory deaths 337 00 0030 Caputh.
- <sup>3</sup> OPR births 685/001 0320 0242 Edinburgh.
- <sup>4</sup> Williamson Edinburgh directories, 1773-1776.

- <sup>5</sup> Edinburgh Roll of Burgesses and Guild Brethren, 1761-1841.
- <sup>6</sup> OPR deaths 711/00 0038 Innerwick, showing mortcloth rental for Richard Simpson.
- OPR births 711/0030 0013 Innerwick.
- 8 OPR marriages 349/0010 0446 Dunkeld.
- <sup>9</sup> Edinburgh Roll of Burgesses and Guild Brethren, 1761-1841, names A-H. http://www.electricscotland.com/history/records/scottishrecordso53scotuoft.pdf.
- <sup>10</sup> National Records of Scotland ref.CS237/M/12/15.
- 11 Statutory Death Records 337/00 0030
- T.M. Devine and R. Micheson, eds., People and Society in Scotland, Chapter 5, The landed Classes, John Donald Publishers Ltd., 1988, P. 117.
- W. Moore, "Love and Marriage in 18th-Century Britain", Historically Speaking, June 2009, pp. 8-10.
- <sup>14</sup> OPR births 349/0010 0275 Dunkeld.
- <sup>15</sup> OPR marriages 387/00 03000094 Perth.
- <sup>16</sup> OPR births 373/00 0010 0234 Little Dunkeld.
- <sup>17</sup> OPR births 337/0050 0017 Caputh.
- <sup>18</sup> OPR births 349/0020 0039 Dunkeld.
- 19 OPR births 288/0060 0220 Forfar
- <sup>20</sup> OPR births 279/0040 0049 Coupar Angus.
- 4th volume of Chronicles of the Atholl and Tullabardine Families put together by the seventh Duke of Atholl in 1908. The book is online at <a href="https://archive.org/stream/chroniclesofatv41908atho#page/n7/mode/2up">https://archive.org/stream/chroniclesofatv41908atho#page/n7/mode/2up</a>.
- Home (Form G.G.) [on the Establishment], showing the Pay, Allowances and Length of Service of every description of Person in the Pay and Employment of the ordnance at Toronto, Canada, National Archives Ref. WO54/637.
- <sup>23</sup> Toronto tax assessment records, City of Toronto Archives.
- Report of the Managing Committee of the Widows and Orphans Asylum, for the Care and Maintenance of the Destitute Widows and Orphans of the Emigrants of 1847, published in Toronto in 1848. http://jubilation.uwaterloo.ca/~marj/genealogy/papers/children1847.html.
- <sup>25</sup> Census Returns for 1861, National Archives of Canada, Roll C-1064-1065, Fullarton Twp., p. 6 and p. 94.
- <sup>26</sup> Obituary in the Stratford Beacon, April 27 1866.
- There was a depression in Canada at the time, resulting from non-renewal of the trade reciprocity between Canada and the United States at the time
- http://dunkeldfalconer.tribalpages.com/tribe/browse?userid=dunkeldfalconer &view=0&pid=31&ver=1785.
- <sup>29</sup> Michigan certificate of death #261 filed 26 Aug. 1880.
- 30 Michigan Certificate of Death, for Thomas Falkener [sic].
- <sup>31</sup> Speers Genealogy, published privately by Dr. A.L. Speers, Ancaster, Ontario, 1953.
- <sup>32</sup> The 92<sup>nd</sup> Highland Regiment was not in Canada at this time. More likely was the 93d Sutherland Highland Regiment, stationed at Fort York. <a href="http://www.fortyork.ca/images/historical-essays/regiments-and-corps-at-fort-york.pdf">http://www.fortyork.ca/images/historical-essays/regiments-and-corps-at-fort-york.pdf</a>.
- <sup>33</sup> OPR marriages 337/00 0020 0277 Caputh.
- 34 Statutory deaths 349/00 0010 Little Dunkeld.
- Journal of Beatrix Potter 1881-1897, transcribed by Leslie Linder, F. Warne & Co., London; pp. 504-506.
- <sup>36</sup> Ancestral Voices: The Story of the McLeish Name, by Norrie McLeish; Alba Publishing, Hawick, 1991; pp. 135-140.
- <sup>37</sup> OPR marriages 337/00 0050 0290 Caputh.
- <sup>38</sup> Australia death index 1787-1985, database online at ancestry.com.



At the XXXII International Congress of Genealogical and Heraldic Sciences, the SGS was presented with an award in recognition of over 60 years' publication of a journal. The award was accepted on the Society's behalf by Richard Torrance (on left of photograph).



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