



Highland

Family History Society

The Napier Commission

Inverness Burgh Constables

The Captain of Clan Chattan

MacDonalds, MacQueens, and MacQuians

Volume 41, Issue 4, August 2023



highland family history society

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EDITORIAL

It's a pleasure once again to be writing this column in the Highlands, having recently returned north from the "Kingdom of Fife" to live, at least for a while, in the beautiful town of Fortrose. This historic Royal Burgh in the Black Isle, with its spectacular cathedral ruins, has many MacKenzie connections and is not far from Inverness, where I am reacquainting myself with the research facilities in the Highland capital.

Chief amongst these is, of course, the Highland Archive Centre (where the HFHS is based), but we mustn't forget the Reference Room in the Public Library at Farraline Park. It was there that I learnt my trade as a clan and family historian in the days when Alan Lawson and then Bob Steward were the lone Archivists—with a cramped room down the corridor in the Library building (and many of the actual archives stored at other sites)—and Alastair MacLeod was the genealogist. He had an even more cramped office at the back of the Reference Room, where the HFHS then had all its books & fiche (then the only way to access the IGI—if you can remember what that was).

There's more to the Reference Room at Farraline Park than meets the eye, because up in the gallery is housed the library of the Gaelic Society of Inverness, and the over five thousand books left to what was then the Library of the Royal Burgh of Inverness by Charles Fraser Mackintosh, who is referred to—and indeed, pictured—in one of the two main features in this issue of the Journal, as a member of the Napier Commission [see page 8].

Anyone who gets deep into the development of clan and family history in the Highlands will inevitably end up reading his books and consulting his papers in the National Records of Scotland, along with those of the two other giants of highland history and genealogy who strode the streets of Inverness in the late 19th and early 20th centuries: Alexander Mackenzie ("The Clach"), who wrote histories of so many of the Highland clans; and William Mackay who was the founding Secretary of the Gaelic Society of Inverness.

Mackay, who wrote a pioneering history of his native parish ("Urquhart & Glenmoriston") should be among those who will feature in *A Celebration of Glenurquhart, its Culture, and its Impact on the World* which is to be held in the Glenurquhart Hall in Drumnadrochit on the 20th of September. One way in which the Glen has had an impact around the world is in sending so many of its sons and daughters to found new communities in North America and Australasia. Mackay himself noted that "... in Nova Scotia there has existed for more than a century a community which consists almost exclusively of natives of the Glen and their descendants ...". Part of it is called, to this day, 'The Garden of Eden', and like so many of those parts of the New Worlds that were settled by our cousins, the mountains, rivers, lakes and forests that attracted them were reminders of their original homes in the Highlands.

Graeme Mackenzie.

NEWS

Talks and Book Sales

Our second talk since we re-started them after the pandemic was held on the 1st of June 2023 when HFHS Committee Member, Jonathan McColl, spoke on *Dingwall and The British Empire*. To all who came along, thank you.

Thursday 21 September at 2.30pm upstairs in the Archive Centre, Bught Park Graeme Mackenzie will speak on ***Clann Ualraig – The Highland Kennedies***

Thursday 19 October at 2.30pm upstairs in the Archive Centre, Bught Park Anne Fraser will speak on ***Lessons by Loch Ness***

These talks will be accompanied by a sale of second-hand books and some older stock, as well as all our recent publications.

New Publications. We have two new M.I. publications:

Nonikiln Burial Ground, Parish of Rosskeen, Ross-shire.

Full survey of site with 181 stones recorded. Price £4.00 ex P & P.

Dundonnell & Gruinard Burial Grounds, Parish of Lochbroom, Ross-shire.

Full surveys of both with c200 stones recorded. Price £5.00 ex P & P.

Church Books – Special Offers

The following books relating to Inverness are now reduced to £5, ex P & P: Inverness East Free Church; Methodist Church, Queen Street, Inverness.

You can order all our books online by going to the HFHS stand on **GenFair:**

<https://genfair.co.uk/supplier/highland-family-history-society-comunn-sloinntearachd-na-gaidhealtachd-65/>

Details of all our publications are at: www.highlandfhhs.org/publications/

Please consider writing for the Journal

All contributions on topics that may be of interest to fellow historians of Highland families and clans welcome, be it a short note or a long story.

Email Address for articles, enquiries etc: HighlandFHS@gmail.com.

NEW MEMBERS

2860. Mr S. McRae.

2861. Mrs B. Richmond.

2862. Ms S. Miller.

2863. Mr N. MacDonald.

Re-joined:

2831. Mr I. Fraser.

Deaths:

2812. Mr D. Holt.

Mrs S. McLennan

HFHS SUBSCRIPTION RATES for year 01 Sep 2023 – 31 Aug 2024

Category	United Kingdom (PDF)	Overseas (PDF)
Ordinary	£12.00	£12.00
Institutional	£18.00	£18.00

RENEWING YOUR MEMBERSHIP

The new financial year for the Society commences on 1 September 2023 and this is your annual reminder that membership subscriptions are now due. The action you need to take depends on the method you use to pay your annual subscription. Each member will fall into one of the two categories below. *NB. For UK members and Overseas members, there are now only two rates – that of Ordinary Membership at £12 and Institutional Membership at £18. All members now receive our quarterly journal as PDF attachments to emails.*

1. If you pay your subscription by Banker's Order, make sure your bank sends the appropriate amount to Clydesdale Bank plc [Sort Code 82-65-18 and Account Number 20290121]. If you have been paying the Senior Rate of £8 or Family Rate of £16 previously, please change the amount to £12.

2. If you are used to paying by cheque (Sterling cheques only) please pay your subscription as soon as possible and preferably by the 15th October 2023. Write to **The Treasurer, Highland Family Society, Archive Centre, Bught Road, Inverness IV3 5SS**. Please include a note of your address. *If you prefer to pay using an on-line bank facility, the Society's bank details can be found in Option 1 above.*

The Society has a 'stand' on GENfair, the Online Family History Fair and Genealogy Bookstore. This has been very successful from our point of view as many members joined the Society for the first time using this method and it is a very easy way of renewing your membership. In addition several members and non-members have purchased publications using this very secure system of payment.

If you do use GENfair and are a UK tax payer please remember to tick the Gift Aid box to enable us as a Charity to claim from HMRC.

If you have a credit or debit card, and have access to the Internet, you can use this facility to renew your membership. This will be of particular benefit to overseas members who do not have a sterling bank account. At present they incur additional charges either in obtaining a sterling cheque or a bank draft. Using GENfair also saves postage and you will receive on-line confirmation that your subscription has been paid. To use this service: -

1. Go to www.highlandfhs.org
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3. On Membership page, click on GENFair
4. Click on either "Membership of Highland FHS - UK only" or "Membership of Highland FHS - Europe & Overseas"
5. Select the appropriate category (Individual or Institutional) and follow the instructions.

Thank You,
Treasurer, Highland FHS

The Napier Commission

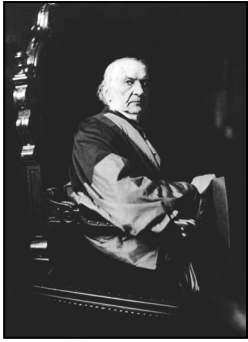
Don MacDonald



In 1883 William Gladstone's government set up a Royal Commission "to inquire into the conditions of the crofters and cottars in the Highlands of Scotland". Called after its chairman, Francis Napier, 10th Lord Ettrick [pictured above], this became *The Napier Commission*, and was an attempt by the Government to investigate some of the serious social and economic problems which had afflicted the Highlands for much of the 19th Century. The report and its findings informed the debate which ultimately led to the Crofters Holdings (Scotland) Act of 1886, which for the first time gave crofters some security of tenure.

To fill in some of the background, from the 1830s onwards, many crofting communities in the Highlands were suffering seriously from economic deprivation. As ever, there were several contributory factors, including an increase in population, the disaster of the potato blight in 1845-50, and the decline in the fishing industry. Add to these the passing of the old clan system and the coming of new and largely absentee landlords who often had more interest in the welfare of the sheep and deer than the people on their estates, and it is not surprising that poverty and destitution stalked many Highland villages.

The Gladstone government had been spurred into action perhaps because of a social conscience about the plight of the crofters, but also by the fact there was increasing pressure for land reform, not just in Scotland but also in Ireland. The 'Irish Question' as it was called, had already spilled over into violence in England, instigated by the Irish Republican Brotherhood, a precursor of the IRA.



William Gladstone
the "Grand Old Man"
of British Politics
photographed in 1884
by Rupert Potter

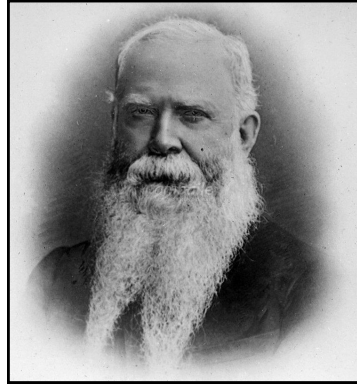
Incidentally, Gladstone, although born in Liverpool, had Scottish ancestry. His maternal grandfather was Andrew Robertson, Provost of Dingwall, and his paternal grandfather was a wealthy merchant in Leith. Whether or not this made him more aware of the problems in the Highlands is a matter for speculation. The plight of the crofting communities was widely known, partly because the brutal Sutherland clearances in the middle of the 19th Century had been widely covered by the national press. To focus the Government's mind further, there had been several instances of protests and rent strikes in crofting communities during the 1870s and 80s.

The 'Bernera Riot' of 1874 on the Isle of Lewis was hardly a riot, more of a rent strike and a bit of civil disobedience. The landowner's factor, Donald Munro, had arbitrarily removed grazing rights from the crofters of the island of Great Bernera, and the crofters then refused to pay their rents. A sheriff's officer was sent to serve some eviction notices, but was met by an angry crowd and forced to retreat. Three men were arrested and put on trial in Inverness, but were acquitted largely due to the efforts of their defending lawyer, Charles Innes. A similar situation led to the 'Battle of the Braes' in Skye a few years later in 1882. Crofters in the community of Braes near Portree went on a rent strike, and when a sheriff's officer was sent to serve them with eviction notices, he was forced to burn the notices. The authorities recruited 50 policemen from Glasgow to enforce the evictions but they were met with an angry group of protestors, and a melee ensued. Five people were arrested, but received only small fines, and the main effect was to bring the crofter's problems and grievances to the attention of the public through the wide reporting of these events.



The Bernera Riot Monument
www.visitscotland.com

So who were the members of the Napier Commission? Francis Napier himself was a pillar of the Victorian aristocratic establishment whose facility for languages had taken him into the diplomatic service and through a variety of postings including the USA, Governor of Madras, and temporarily, as Viceroy of India. Sir Kenneth MacKenzie of Gairloch and Donald Cameron of Lochiel represented the landowners. Both of them had also served in the diplomatic service, and at the time, Mackenzie was Lord Lieutenant of Ross-shire, and Cameron was the MP for Inverness-shire.

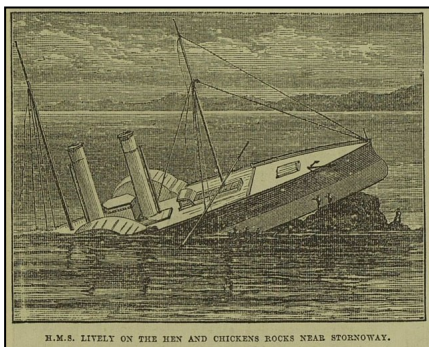


Charles Fraser Mackintosh
MP (1828-1901). *Lawyer,*
Entrepreneur, Politician,
Historian, Antiquarian
and Genealogist

They were joined by Charles Fraser Mackintosh, the MP for the Inverness Burghs, and the only Commons MP who spoke Gaelic. Although he had made his money by developing Union Street in Inverness, he was broadly sympathetic to the crofter's grievances. The fifth member was Alexander Nicolson, a lawyer and author, born in Husabost on Skye. He was a Gaelic scholar and a pioneer of Scottish mountaineering, who gave his name to *Sgurr Alasdair* in the Cuillin ridge. The final member of the group was Donald Mackinnon, a native of Colonsay and Professor of Celtic Languages in Edinburgh University. The Secretary to the Commission was Malcolm McNeill.

The Commission began its work in May 1883 and from then to December 1883 it travelled around the Highlands and Islands, taking evidence from crofters, fishermen, shopkeepers, clergymen, factors and landowners. Because there were so few roads in the region, the Admiralty put an old gunboat (a paddle steamer called "Lively") at the disposal of the Commissioners for their travel. The Commission embarked on the "Lively" at Oban on 5th May, and held their first meeting at Braes near Portree on 8th May. Portree was chosen as the first stop, perhaps because of the recent disturbances at Braes.

From Skye, they moved on to South Uist, Benbecula and Harris, and then on to St Kilda (still inhabited at that time) and Lewis.



H.M.S. LIVELY ON THE HEN AND CHICKENS ROCKS NEAR STORNOWAY.

Returning from the north of Lewis to Stornoway, on 7th of June, the “Lively” ran hard aground on the Hen and Chicken rocks at the entrance to Stornoway harbour and had to be rapidly abandoned by the Commission members and the crew. Shaken but undaunted, the Commission moved on to Harris, before taking a break, and resumed in Lerwick on 13th July. During the rest of July and part of August, they held meetings in Orkney, Shetland, Sutherland and Caithness, before moving down to Glenshiel, Arisaig and Argyllshire, finishing at Lismore on 10th August. They then seem to have taken a break until the 4th of October, perhaps for the grouse shooting, but more likely because the contract for their replacement boat, the “North Star” had ended. They began again in Lybster in October, moving on to Inverness and finishing in Edinburgh and Glasgow at the end of October.

In total they held 71 meetings and heard from 775 people, and in many cases, witnesses gave their evidence in Gaelic, via a local translator. When you realise that the minutes of all this were taken by hand, and subsequently transcribed into the Report, it gives you an enormous respect for the skills of the secretarial support for the Commission. The final Report and Minutes of Evidence runs to over 3000 pages, excluding Appendices. It is not an easy or a quick read, but it is an important historical and social document for the following reasons.

Firstly, the minutes of evidence are a verbatim record of the voices and opinions of Highlanders at the end of the 19th Century. The minutes go into a huge amount of detail about the returns from their crops, and economic indicators like the price of cattle and fish, all details which flesh out a picture of the way in which people lived and how Highland society operated. At the same time, they provide a record of what people felt and thought about their living conditions and prospects at that time, and they illuminate the variety of attitudes and opinions held by the different members of Highland society.



**Lieutenant General
Sir Frederick
William Traill-
Burroughs KCB, CMG**
*Born 1831 in India,
died 1905 in London*

Secondly , the evidence is striking in the way it highlights just how much power lay in the hands of the landlords and their factors. In many instances the first item in the minutes of a meeting is a reassurance from the Chairman that the crofters giving evidence can speak freely without fear of sanctions being applied if they are critical of the management of the estate. If you wonder why such assurances were necessary, it is a reflection of the power landlords exercised. In at least one case, a landlord, Lt Gen. Traill Burroughs, proprietor of Rousay (Orkney) was accused of having evicted two crofters from his estate after they criticised the way the estate was run. The Report expresses regret that such things should happen but

notes that it was powerless to intervene, which is a little bit like Pontius Pilate saying that the crucifixion was none of his business.

From the crofter's side the main complaints were that there was no security of tenure, holdings were too small, the land was too impoverished to support families, and rents were too high. There was however a great deal of difference between communities in how seriously these grievances were felt. Crofters relied heavily on having the use of common grazings to feed their cattle and sheep, and the rights to gather sea-ware (seaweed) for fertiliser and to cut peat for fuel were also important. However, access to all these were in the gift of the proprietor or his agent, and as always, there were good and bad individuals in both categories. Some proprietors allowed crofters some or all of these privileges, while in other cases, these perks could be arbitrarily withdrawn, or crofters could be charged for them. There are many instances of complaints of crofters having their grazings arbitrarily removed from them, in order for the larger farmers or tacksmen to increase their sheep stock to maximise the returns on the land.

The proprietor in many cases also had influence over their tenants which extended well beyond the running of their estates. Sir James Matheson, owner of Lewis, was for a time Lord Lieutenant of

Rossshire and, as such, had a major say in the appointment of members of the legal system, such as Justices of the Peace and Procurator Fiscals. It also appears that many landlords had little interest in the details of the management of their estates, which were left to factors or agents. In many cases these middlemen were in the



Reconstructed "black house" on Lewis – the sort of building inhabited by 19th century crofters. Pic by Neil MacDonald.

position of judge, jury and executioner as far as the crofters in their charge were concerned, and some of them do not emerge favourably from the evidence. For example, Donald Munro, Matheson's factor, was a solicitor, and a partner in a legal practice in Stornoway with a Mr Ross, the estate agent, and the two would sometimes appear on different sides of a legal dispute. Alexander Macdonald, proprietor of Treaslane in Skye, was factor for Lord MacDonald, but also a solicitor and bank agent in Portree. The concept of conflict of interest did not weigh heavily with such individuals, particularly when disputes went to law, and the whole justice system was feudal, nepotistic and ripe for manipulation and corruption.

There are striking contrasts between the evidence given by crofters, and that given by some factors and landowners. The latter usually denied any claims that crofters had been harshly treated, and produced lengthy rebuttals of any criticisms. It was also common for factors to allege that crofters who complained to the Commission had been radicalised by agents of societies campaigning for land reform, such as the Highland Land league [whose emblem is shown below].

In between these conflicting views is the evidence given by the clergy, shopkeepers and other tradespeople. These individuals were often less dependent on the landlord and his factor, and as a result perhaps more objective, and tellingly, their views are largely supportive of the picture painted by the crofters. The Commission obviously had problems in weighing such conflicting lines of evidence, but they could hardly fail to see that crofting communities had serious problems.



The final conclusion to the Report runs to something over 100 pages and appears to have been largely written by Napier himself. It is highly detailed, and the overwhelming impression it gives is that of treading a line between granting some of the crofters' requests while not alienating the landowners. Even so, it was clearly not unanimous, and there are a couple of lengthy dissenting appendices written by MacKenzie of Gairloch and Cameron of Lochiel.

One of the crofters' chief requests was for more land to be made available to them, but this request seems to have fallen on deaf ears as far as the Commission was concerned. The main thrust of their recommendations was that crofters needed some security of tenure to give them the incentive to maintain and improve their crofts. This was probably the most important thing to emerge, as it informed the Crofters Holdings (Scotland) Act of 1886. They also were concerned about the way in which factors and landowners held legal offices and could influence the legal process, and specifically recommended that no estate factor or agent should also hold a Crown office, such as procurator or sheriff.

I began my study of the Napier Report thinking I could write about a landmark in the history of crofting, but during my admittedly brief reading of the report it became something more than that. For example, I found the deposition given by my great-grandfather, John Mackenzie, as spokesman for the crofters in Torridon, and his voice resonated with me down the intervening years. The Report is a resource not just for social historians, but for anyone looking for information about their ancestors and how they lived. If your forbears lived in any of the locations visited by the Commission, there is chance that they too may have given evidence to the Commission, and their words will be recorded.

It also made me reflect that it was civil unrest in the crofting communities, carried out by individual crofters who were brave enough, or perhaps desperate enough, to mount a challenge to the authority of the landlords and the status quo, that spurred the government of the day into setting up the Commission. Plus ça change!

Napier Commission Documents are available as digitised copy at the Centre for History, University of the Highlands and Islands.

MacDonalds, MacQueens and MacQuians



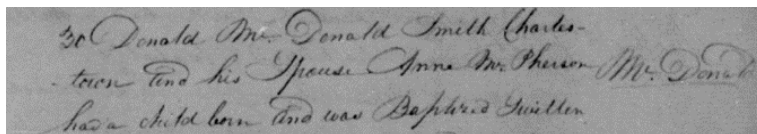
Graeme Mackenzie

A recent query from HFHS member Neil Macdonald, who has been researching his family history over the last forty years, asked how it might be that his 3xGreat-Grandfather John – a blacksmith in Kirkhill in the late 1700s and early 1800s, whose first five children were all recorded as Macdonalds – was given the “alias” Macqueen in the baptismal entry for his sixth child, and was indeed married to Mary Chisholm in 1792 as John MacQueen.

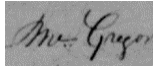
It was notable that the child who was baptised “Macdonald alias Macqueen” was called Sween, and that this given name was so important in the family that John and Mary’s last child was also given that name (presumably because the first Sween had died in the five years since his baptism). The importance of the name Sween in this family – which clearly pointed to them really being MacQueens (because the name MacQueen is said originally to have been MacSween) – was found, after some careful analysis, to be reinforced in the next generation.

Initially it seemed that no such name was to be found amongst the children of John’s son Donald McDonald (a blacksmith in Inverness and then Knockbain, who never appears as McQueen) and his wife Ann McPherson. ScotlandsPeople appeared to show, however, one very unusual name amongst their offspring – i.e. Gwillen – which clearly deserved closer investigation since, in my thirty or more years as a professional genealogist, it was one I had never come across before in any Scottish record; and, indeed, an exhaustive check on ScotlandsPeople showed that there was no other example of it.

So where did this name come from? The answer is to be found by looking at the original entry in the Kirkhill OPR, where the name in question is the last word written below:



One does not need to go any further to see that the first letter of this word is just like the “S” of the word Spouse in the previous line, and undoubted examples of the letter “G” from elsewhere on the same page of the register show that it cannot have been the letter here intended:

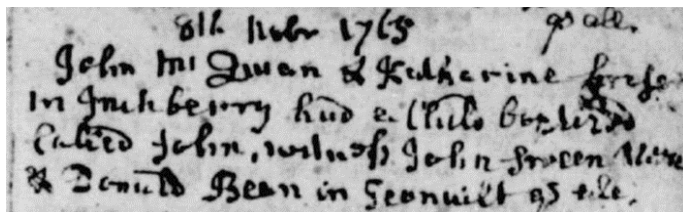


So, is this name then “Swillen”? I think not, since it is just possible to make out a cross stroke on the first letter after the “i” which suggests that it, and the next letter, is really “t”; thus, the name is probably meant to be “Switten”. Though this is also, on the face of it, an otherwise unknown name, it can be recognised as a phonetic form of the name *Sueton* which appears 19 times in ScotlandsPeople. It is known, particularly amongst the Grants, as a form of the name Suen or Sween; probably via the name Suetonius – it appears once in ScotlandsPeople (attached to a Cumming) – which would have been the sort of Latin form that we see used in legal documents, such as Aeneas for Angus, Dionysius for Duncan, and most famously, Jacobus for James (from which comes the term Jacobite).

The family tree of the Grants of Gartinbeg [to be found on pages 526-7 of “The Chiefs of Grant] includes: *Sueton or Swene Grant* of Gartenbeg (fl.1630-1669); *Sueton Grant alias McConachy* in Gartenbeg (fl. 1701); *Sueton or Suene Grant* in Inverlaiden, and his sons *James M’Sween or M’Quene* in Inverlaiden (died 1665) and *John M’Swine Grant or John Oig Makquene* of Dalrachnie-beg (died 1667). These Grant records also serve, of course, as a warning that not all MacSweens/MacQueens are bound to have belonged to those said to have come to eastern Inverness-shire from the isle of Skye where they belonged to Clan Donald. That is the tradition however regarding the bearers of these names in both Kirkhill and surrounding parishes, where they became followers of the Frasers of Lovat, and Strathdearn, where the MacQueens of Corrybrough were associated with Clan Chattan; and it’s probably the reason why Neil’s ancestor John Macdonald was recorded in 1805 with the alias Macqueen, and indeed was married in 1792 as John MacQueen.

Another notable name amongst John’s children – who were all born in the area of Englishton and Kinlea – and in subsequent generations of his family, was David (which was given to the second son of John & Mary Chisholm). It was rare amongst M’donalds or M’queens in this part of the Highlands; indeed, it is unique in the parish of Kirkhill to this one family bearing these names. We can assume in this case that it came from Mary’s family, who probably belonged to the descendants of the Rev. David Chisholm (1723-1768) who was the Minister of the neighbouring parish of Kilmorack. He and his wife Jean/Jane Inglis had, amongst their known children, a set of twins; as did John M’donald/M’queen and Mary Chisholm (the tendency to produce twins is inherited). The name David is not common in the Chisholms either, and it probably came to the Rev. David Chisholm from his mother’s family, since she is said in online family trees to have been a daughter of David Cuthbert in Inverness.

If the name David did come into this family from the Chisholms, that would suggest the names of the parents of John M'donald/M'queen were John (the name of his eldest son) and Elizabeth or Katherine (the names of the twins who were his eldest daughters); which the might point to this as the baptismal entry for John himself:



8th Novr 1765: John McQuian & Katherine Fraser in Inchberry had a child baptised called John.

It is now that this story becomes particularly interesting for me, since I have an ancestor who bore the name MacQuian, and I was told when I first discovered this, that the MacQuians in Dores & Stratherrick, and those in Glenurquhart, Kiltarlity, & Kirkhill, were a different clan to the MacQueens. If so, the above John McQuian born in 1765 in Inchberry—just west of Englishtown—could not have been the John McQueen who was otherwise known, in the late 1700s & early 1800s, as John McDonald (and there is of course no actual proof that they were). However, an in-depth examination of these names in Kirkhill would suggest they were indeed one and the same.

Early entries in the Kirkhill OPR include the baptism in 1726—the year the register commences—of Janet, the daughter of *Swin McEan vic Swin*, also in Inchberry. Her father's name may have been a patronymic, but later entries appear to show that Suin/Sween was a surname in Kirkhill until at least the 1770s.

So *Alexr Sween and Katharine Fraser* had a son John in 1788, and a son Alexander in 1772 when the father's surname is given as *Suin*; then in 1777, when they had a son Hugh, he appears as *Alexander Suin or McDonald*.

In 1779, *John Suin or McDonald and Margret McGarrick* had a son Donald, and in 1790 they had a son Alexander as *John McDonald or McQuine and Margaret McEarick*.

In 1792 *Alexander McQuian was married to Jannet Fraser*, and in 1794 and 1796 they had a daughter Magdalene and a son Hugh who were both baptised as McDonalds.

Also in 1792, *John McQuian and Margt Sinclair* had a son John, who was the first of a number of children born as McQuians; but in 1808 Elspet was baptised as the daughter of *John McDonald or McQuean and Margaret Sinclair*, and again in Inchberry.

In 1817, George John was born to *James McQueen and Betsy Campbell*; and in 1825, Jean was born to *James McQuien and Elspet Campbell*. This couple appear to have been married in Inverness, in 1816, as *James McDonald and Elizabeth Campbell*.

The most striking example of all is a family first recorded in 1754, when *Donald Sween and Marjorie Sligo or Forbes* had a daughter named Anne, whose sister Katharine was baptised in 1764 as the daughter of *Donald McSween and Marjorie Sligach*. In 1767 another sister, Janet, was born to *Donald McQuien and Marjory Forbes*, while in 1773 a son Alexander was born to *Donald McQueen and Marjory Forbes*.

An analysis of all the relevant entries in the OPR for Kirkhill between 1726 and 1800, shows some 44 births/baptisms of children bearing versions of the surname M'queen (varying from Suin/Sween to M'suin/M'sween/M'quian/M'queen) and 64 M'donalds; whereas between 1801 and 1854 there were just 16 M'queens (all either McQueen or Macqueen) and 180 M'donalds (Macdonald/McDonald). This is entirely consistent with the way in which the names of small clans – often known as septs of larger clans – diminished (and often just disappeared) in favour of the surnames of the larger clans with which they were traditionally associated. So, also in Kirkhill, Barrons and Lees became Frasers; while in Kilmallie, MacMartins and MacGillonies became Camerons.

The name MacQuien can be found in this parish in much earlier records. The late Hugh Barron mentions, in his “Notes on the Aird”, a *Donald MacQuyian in Rindowie* (Rhinduie is next to Inchberry) in 1670, *John M'Quien in Drumreoch* (Drumreach is south west of Inchberry) in 1676, and *Thomas Mckquien in Inshberry* in 1684 [Hugh Barron & R. J. MacDonald, “Kirkhill and District” (Inverness, 1987), 37-8]. He introduces the name by saying that: “In Skye, Uist and other parts of the Highlands the name MacQuien or MacQuien, which is not to be confused with MacQueen, is found. Known as *Clann Mhic Cuithein* they are rather an obscure race. In ‘Urquhart and Glenmoriston’, Dr William Mackay refers to *Clan 'Ic Uian* in that parish in the 15th and 16th centuries.” He goes on to quote examples of the name from the Inverness and Dores OPRs – the latter including the marriage in 1751 of my own ancestor *Elis NicCuian (Macdonald), Achmabat*, to Donald Fraser, Erchit – and traditional accounts of it in books relating to the Frasers of Lovat. He notes in particular that Rev. Thomas Sinton, in his “Places, People and Poetry of Dores” – after telling of a MacCuithein in Stratherrick whose name is perpetuated there in *Croit 'ic Cuithein* near Ballachraggan – states that MacCuithein was a Macdonald who originated from a place in the west. Thus we see that, not only are MacQuien and MacQueen in fact the same name, but that the traditions of both names – even when said to be separate – point back to a connection with Clan Donald in the west.

George Black says that MacQuien comes from the Gaelic, *MacAoidhean* – i.e. “Son of little Hughie” – noting that it is “sometimes erroneously rendered MacQueen” [George Black, *Surnames of Scotland* (New York, 1946), 483]. He says it is a name from Skye, which is where most of the names associated with the MacQueens are said to have originated. When it comes to the name MacCuithein, contemporary records of it are few and far between, even in the west; though Black informs us there is a place called *Bailie Mhic Cuithein* (translated as Macqueen’s Township) in Kilmuir on Skye, and a *Cnoc Cuithein* on North Uist. He also tells us that *Ruaraidh Duadh Maccuithean* had lands from Lord Macdonald for his services as a storyteller, and that J. F. Campbell obtained one of his “Popular Tales of the West Highlands” from a *Donald MacCuidhean*. One gets the feeling that many tales have been spun over the centuries to try and give versions of this name a special origin.

Frank Adam says that the “Macqueens, or Macsweyns, come of the same stock as the MacDonalds ...”. Then, having noted that they once held the lands of Garafad on Skye in return for an annual payment of salmon, he quotes a letter of 1778 when Lord MacDonald told MacQueen of Corrybrough – who was considered a chieftain of Clan Donald – that he was proud to have his son as an officer in his regiment because “the Macqueens have been invariably attached to our family, to whom we believe we owe our existence”. Clan Donald came from the *Sìol Cuinn* – the Race of Conn (of the Hundred Battles) – and its chief appears to be suggesting that the MacQueens not only shared that distinction, but actually took their name from that race; i.e. they were really MacCuinn [Frank Adam, “Clans, Septs, and Regiments of the Scottish Highlands (Ellon, 2003), 271-2].

This derivation is dismissed by Black in his account of the name MacQueen, which he derives from the Gaelic *MacShuibhne* (i.e. MacSween). This, as we’ve seen, would be supported by the evidence from the family tree of the Grants of Gartinbeg – which shows that M’Sween/M’Swine became M’Quene/Makquene – and the Kirkhill OPR, where McSuin/McSween became McQuien/McQueen. While MacSween in Strathspey appears to be a local patronymic, which soon gives way to Grant – since it was derived from a Grant called Swene/Sueton (the son perhaps of a marriage between a Grant laird and a now unknown MacSween/MacDonald?) – in Kirkhill it was a surname indicating a descent from the MacQueens associated with the MacDonalds on Skye. The attempts in the west, however, to say that the name comes from somewhere other than MacSween, and which appear to suggest a perhaps more ancient origin than that of Clan Donald, all point to the likelihood that the MacQueens in Scotland came from the MacSweens who once ruled Knapdale and Arran, and were a great power in the Hebrides before the MacDonalds ever existed [for whom see David Sellar, *Family Origins in Cowal* in *Scottish Studies*, No. 15 (1971), 21].

Inverness Burgh Constables for 1836-7

Prior to the introduction of a police force in Inverness, Constables and an Inspector, were sworn in annually by the Town Council. This list is dated the 13th of September 1836 and taken from the Town Council Minutes

The Magistrates and Council, conform to the ancient and uniform custom of the Burgh did Elect, nominate and choose the following persons to be Constables of this Burgh and extended Royalty and liberties thereof for the year ending Michaelmas eighteen hundred and thirty seven:

Petty Street: James Gair, Blacksmith; David Groal, Baker; Phineas Fraser, Baker; David MacPherson, Vintner; Alexander Collie, Vintner.

High Street: Duncan Kelly, Slater; John MacHendry, Tailor; Kenneth Munro, Tailor.

Church Street: Simon Fraser, Flesher; Alexander Mennie, Blacksmith; Robert Wilson, Innkeeper; Archibald MacDonald, Innkeeper.

Castle Street: James Beaton, Vintner; John Grant, Dyer; Duncan Sinclair, Vintner; William Grant, Wright; William Suter, Mason; John MacPhee, Vintner; Donald Mackintosh, Baker; John MacLean, Shoemaker; Alexander Mackay, Baker; Ewen Cumming, Vintner; William Mackenzie, Shoemaker.

Academy Street: John Mackenzie, Blacksmith; Thomas Urquhart, Janitor of Academy; William Urquhart, Carter; Harold Chisholm, Vintner; Donald Young, Plasterer.

Bridge Street: William Thomson, Tailor; Robert Mason, Painter; John Fraser, Painter.

Chapel Street: William Fraser, Sexton; Edward S. Fraser, Shoemaker; John Beaton, Grocer; John Munro, Dyer.

Baron Taylors Lane: William Mackintosh, Vintner.

Shore and Citadel: James Morrison, Labourer; William Munro, Ropemaker; Simon Mackenzie, Carter; Donald MacDonald, Carter; Francis MacBeath.

Friars Lane: John Munro, Carpenter.

Glebe Street: Alexander Hood, Wright; Donald Fraser, Brewer; John Mackay, Plasterer.

Maggot: William Muir, Ropemaker.

Waterloo Place: Thomas Fraser, Vintner.

Grant Street, Merkinch: Finlay Cumming, Baker; Thomas Aitchison, Star Inn.

Pump Gate Street: Simon Calder, Sawyer; Murdo MacLean, Flesher; James MacDonald, Flesher.

Kessock Street: Alexander Munro, Miller.

Gilbert Street: James MacLauchlan, Currier; Kenneth MacLennan, Plasterer.

Huntly Street: Duncan MacBean, Pensioner; Alexander Fraser, Carter; Donald Campbell, Vintner.

Kings Street: John Calder, Meal Dealer; John Calder, Flesher.

Young Street: Simon Fraser, Brewer.

Tomnahurich Street: Alexander Smith, Gardener; Alexander MacDonald, Cartwright; Alexander Martin, Vintner.

Thornbush: Kenneth Munro, Vintner.

Of the 65 people named above, 30 did not initially appear to be sworn in; so, after the absentees were listed, the following instruction was given:

“The Persons now absent were ordered to attend at the Police Office at eleven o’clock tomorrow, to be sworn in by the sitting Magistrate, and were ordered to be summonsed for that Purpose by one of the Officers.

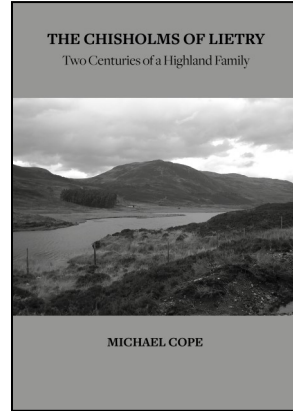
The Constables were directed to meeting in the Guildry Room tomorrow by Five o’clock to elect their Head Constable in the presence of Baillie John Tulloch.”

Stuart Farrell

THE CHISHOLMS OF LIETRY

by Michael Cope

The Chisholms of Lietry are a cadet family of Clan Chisholm that have their origin in the early seventeenth century in Strathglass in the former county of Inverness-shire. In the early 1700s Colin Chisholm (of the fourth generation) moved his family to Lietry in Glen Cannich and later generations would farm there until the late 1830s before moving to the Aird on the coast of the Beaully Firth and subsequently to Inverness itself and the wider world.



The lives of Colin and his descendants can be traced against a background of immense social change in the Highlands of Scotland: upheavals of the Jacobite rebellions; the decline of the clan system and changes in land tenure; land clearances and waves of emigration to North America and Australia; and the emergence of a new mercantile and middle class before the First World War.

I have been able to bring this story of the Lietry family together in a new book which looks beyond kinship to describe the social background of people's lives and tells the personal stories of a dozen individuals across several generations. In addition to the usual sources for family history research, I have had access to a manuscript rent book of the factor for the Chisholm Estate 1770-1794 which has proved valuable to document the family occupation of farms in Glen Cannich in the decades prior to the clearances; these findings are published here for the first time.

The family occupation at Lietry has been documented between 1715 and 1838 from Baillie Court records (Colin IV), the factor's rent book (Colin V) and estate rentals (Colin VI). All these record sources are supplemented by the anecdotal evidence of Colin VII (known as 'Colin of Namur'), a noted scholar of Gaelic language and Highland history, especially the Chisholm history in Strathglass. This tells us that Colin IV fought at Sheriffmuir and Culloden and retained his weapons in spite of the Disarming Acts of 1715 and 1746. Also, Colin of Namur was witness to the final clearances of Glen Cannich and Strathglass by clan Chief William Alexander XXV in the 1830s.

Colin Chisholm VI was the last traditional farmer to leave Glen Cannich in 1838, after which the glen was converted into a sheep walk and subsequently a deer forest. He moved his family to Lovat lands at Phopachy in the Aird and the family's subsequent occupation there by his sons Duncan and Aeneas has been traced through census returns and valuation rolls. His daughters Eliza and Helen would remain in Strathglass by marrying into farming families. Others from the seventh generation of children would branch into quite different occupations. The eldest son Colin VII became a customs official working in Liverpool and London. Brothers Archibald and Hugh, would become priests and be assigned to parishes in and around Glasgow, albeit with different relationships with their communities. Another brother, Theodore, would become a businessman in Inverness with interests in insurance, leather tanning and wool milling. Later Duncan would leave farming at Phopachy after a bankruptcy and establish himself as a coal merchant in Inverness.

Members of the seventh and eighth generations would participate in the waves of nineteenth century emigration to North America and Australia, although with quite contrasting fortunes and outcomes. The most notably successful was Duncan Chisholm, son of Aeneas who emigrated to Colorado, USA and became a mining and milling executive. His cousin Colin Alexander would become Chief of Police in Vancouver, Canada, after a successful career with the Metropolitan Police in London. More tragically Isabella Chisholm, who took passage to Australia sponsored by the *Highland and Island Emigration Society*, died on the voyage of cholera in 1854; a not uncommon outcome for the times.

Of those who stayed, the most notable of the eighth generation was Archibald Alexander (Archie) Chisholm, my wife's grandfather, who became Procurator Fiscal in Lochmaddy (1881-1913) and subsequently Sheriff-Clerk in Inverness (1913-1933). I have concluded the family story in the ninth generation with the death of Archie's son Alexander who was killed in action in France in 1917. So we come full circle in the family story from Colin who fought *against* a Hanoverian king called George to Alexander who fought *for* a king called George descended from the Hanoverians.

My book *The Chisholms of Lietry: Two Centuries of a Highland Family*, is published by Thirsty Books (www.thirstybooks.com) of Edinburgh, and was in part generously sponsored by the Highland Family History Society.

John Lyle of the 71st Regiment of Foot

Ed Brumby

John Lyle joined the 71st Regiment of Foot ("Fraser's Highlanders") in 1776 and sailed in a group of transports, along with the 42nd Regiment, from Greenock to fight in the American War of Independence. The promise of land and a short war lured many young men into the regiment, but promises didn't exactly come true.



A soldier of 71st Foot
www.clanfraser.org

He was discharged at Long Island on the 24th Oct 1783. His discharge certificate says he served in Captain McLeod's Co., probably Captain Norman MacLeod of MacLeod, the clan chief, but he may not have enlisted with him. It also says he was born in the parish of, in or near the market town of, Kinnisburgh in the County of Caithness; was aged twenty three, and served eight years; so he was born c.1760. A John Lyal is listed in the OPRs as being born at Canisbay in Nov. 1759, but there could have been many John Lyals.

Five of the transport ships were captured off Boston before even entering the war, with Lord Howe being blamed for leaving Boston for Halifax without posting a lookout ship. Others says that the lookout ship was blown off course in a storm. It resulted in 400 of the best men, including the grenadiers being captured. Many were distributed to towns in Massachusetts, while others, including John Lyle, were sent to Virginia.

The prisoners were released before the end of the war, and John Lyle was present at the final battle of Yorktown in October 1781 [John Lyle GD153-1-2-3 Vacant Company Taken at Yorktown]. He was imprisoned in Pennsylvania but appears to have made his escape, making his way to New York to join his fellow soldiers who were released in 1783.

He appears to have been a resolute character, and we are very fortunate that the account book that he kept has survived [Colonial Williamsburg, J D Rockefeller Library, Special Collections, Acc. No. 2003.8, Call No. MS 2003.8, Vol. 1, page 20, 1 item, donated April 8th 1903 by William I. Lyle].

He was a shoemaker to trade and he lists his address as Tappahannock, Essex County, which is probably where he was held prisoner in Virginia. Although the account book is badly worn, it gives some dates and places, the last page confirming the battle of Yorktown.

1782 shoe 11/- Due to making a pair of shoes 20th July 1782 6/-
....Mrs Buckart 5/- 11/-
Samuel Bawler .. Ramsay July 19th To making a pair of shoesitified
manner

May 1783

Nov 1783 ...Joseph Webb 6/-

(Lt Edward Satchwell Fraser of the 71st was paroled to the care of Joseph Webb in Connecticut, but this is may be a coincidence)

Mr Cooper? To making a pair of pumps for Mrs Coopin
(Cooper?) Captain Baker

Aug 1783 No date to enquire for the boats that go to Sing Sing at Eebert Alexander landing from that to Cantito in parish of Bedford.
Caleb Waistcoat

1783 Christopher Brown br? John Loyle

Last page 1781 Little York besieged batteries opened 19th capitulated
21st The army marched for Winchester and soon after to
Pennsylvania

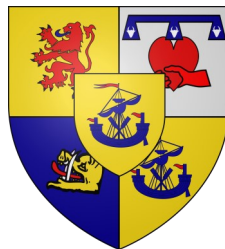
It was very clever keeping an account book, since, if he had been questioned after escaping from Pennsylvania, he could show he had been working, probably making boots for American officers.

It would appear he didn't return home and probably went back to Virginia, with perhaps good reason. Who knows?

The Captain of Clan Chattan

Allan Maclean of Dochgarroch

In the last but one journal [Volume 41, Issue 2, February 2023] there is a slip in the caption of the illustration of the inauguration of the new Chief of the Clan MacBean, where it identifies “John Mackintosh of Mackintosh, Captain of Clan Chattan”.



Arms of the Captain
of Clan Chattan

Alfred Mackintosh of Mackintosh, numbered 29th Chief of Clan Chattan and 28th Chief of Clan Mackintosh, died in 1938. Under his will he left all the Mackintosh lands and family heirlooms to his cousin Lachlan Mackintosh. Lachlan was not the nearest heir, or heir male, and the Lord Lyon decided [in 1947] that this was an instance of the exercise by a chief of the old power of nomination of a successor, which is termed ‘tanistry’. Lachlan [John’s grandfather] thus became 29th Chief of Clan Mackintosh and was granted the undifferenced arms of Mackintosh of Mackintosh.

However, since there was no specific nomination by Alfred of the Clan Chattan chiefship, the Lord Lyon decreed that the separate chiefship went to Alfred’s grand-daughter, Arbell, until she married outside the Clan Chattan in 1942. The chiefship then passed to her nearest cousin Duncan Mackintosh, as 31st Chief of Clan Chattan. He also received the title of “Gilliechattan mór”.

The two matriculations of arms were reproduced in the first edition of “The History of The Clan Mackintosh and The Clan Chattan” by Margaret Mackintosh of Mackintosh, printed in 1948, but not in the current, new and revised edition, printed in 1997.

It is sometimes considered that the “Captain” of a clan, such as the “Captain of Clan Chattan” or “Captain of Clan Cameron” is a sign that they were chiefs of a group that incorporated more than one clan. This theory is not accepted by all historians, who take Captain to be purely a synonym for Chief. The present Chief of Clan Chattan is Malcolm Mackintosh, *Gilliechattan mór*, who lives in New Zealand. The present Chief of Clan Mackintosh is John Mackintosh of Mackintosh, often termed “The Mackintosh” who lives at Moy, near Inverness.

The Rosemarkie Poor of June 1843

Stuart Farrell continues the Notes of Paupers Visited in the Town

28. **Widow Spence**, aged 76, in the receipt of 3s. a year. Paid 25s. a year rent. She had three daughters alive – all married but one. The unmarried one lived at Elgin, and worked in the fields there. Of the other two daughters, one was married to a road-contractor, the other to a shoemaker at Cromarty. Both had families – one ten children, the other two. She said her daughters helped her when they could. Her son, on whom she depended principally for support, had lately been lost at sea. He was master of a collier trading from Inverness. She was able sometimes to knit a stocking. She depended on the charity of neighbours. Her room was very clean and airy, and the furniture good. [1841 Census, High St – Widow Jno Spence 70; Christy Spence 40; John Spence 15; Janet Spence 11; William Spence 8; Andrew Spence 6; James Spence 4]

29. **Margaret Lavoch**, deserted by her husband, in the receipt of 2s. 6d. a year. She paid 25s. rent for her house, and a small garden attached. She had one child, a girl of thirteen, living with her. She had seven quarters of potato ground, for which she paid 2s. a quarter, with dung. She was out washing at the manse. She knitted stockings. The daughter also worked stockings, and sewed a little. The house was very neat and clean – a bed, six chairs, table and dresser, &c. [1841 Census, Court Hill – Possibly Margaret Fraser 35; Margaret Levoch 10; 1851 Census, High St – Margaret Levach 50, Widow, Merchant]

30. **Widow Hosack**, aged 61, in the receipt of 2s. 6d. a year. She paid 25s. a year rent. Had seven quarters of potato ground, for which she worked in harvest, and found the dung. She had three sons, two of whom were engaged in salmon-fishing. The third was a carpenter at Sir William Cumming's. The latter was married. The two former were unmarried, and lived with their mother during the winter. She worked at salmon nets, and could make 4d a day during the winter, and sometimes in summer. She got tea for breakfast. Her sons earned 8s. or 9s. a week during the fishing season. They did not pay her rent, but gave her meal in winter. House clean.

31. **Barbara Munro**, near 80, in the receipt of 3s. a year. Paid no rent. She was a regular beggar. She had been sitting by the road-side, and begged of the Commissioners the previous day. Her house was very poor and dirty. [1841 Census, High Street – Barbara Munro 65].

32. **Margaret Jack**, aged 74, unmarried, in the receipt of 2s. 6d a year. Her rent was 20s., which was in arrear. She said, "I am destitute. I owe the landlord 20s., and he was going to put me out; but when he heard me cry so hard he left me." She had no potato ground, but gave dung to the landlord for her rent. She went about collecting eggs, and got a halfpenny for every dozen she collected. Sometimes she made 2d or 2½d a day. She got potatoes and meal from the farmers to whose houses she went for eggs. She was the sister of Peter Jack. See Case 13.

33. **Widow Owen**, aged 51, in the receipt of 2s. 6d a year. She had six children between twenty-one and seven years old. She paid 20s. rent. She had been four years as a widow. Her husband was an army pensioner. Two children, one nine, the other seven, lived with her. She had nine quarters of potato ground, for which she paid 6s. Worked at harvest, and found the dung. She was able to spin a little, and could make 2d or 2½d a day for a few months in winter. House was poor - three chairs, a table, two chests, bed, and some firewood. Neither of the two children had been sent to school. They were both ill clothed, She said she could not afford to pay their schooling. Mrs Paterson had brought clothes for one of them, and he was to be sent to school. [1841 Census, High St - Widow Jno Owens 47; Margaret Owens 17; Thomas Owens 7; William Owens 5]

34. **Widow Arthur**, aged 56, in the receipt of - . Paid 25s. rent. Her daughter, who had one illegitimate child, four years old, lived with her. She had a small piece of garden, and a pig; also four quarters of potato ground, for which she paid 1s. a quarter, with dung. She planted the potatoes herself; she also worked at harvest, and could spin if she had work; but she said it was difficult to find work. Her daughter was lame, and unfit for outdoor work, but she made nets. Widow Arthur had one son, a mason, who was married, and had a family. She said that he did not help her. She used to pay the rent by her own labour, but was in arrear. Two rooms, in one of which there were four chairs, chest, dresser, crockery, and table. [1841 Census, High St - Widow D. Arthur 50, Margaret Arthur 25, Margaret Hood 1; 1851 Census, High St - Margaret Arthur, Widow 68, Pauper (Hemp Spinner); Margaret Arthur 4, Net Maker; Margaret Hood 11, Scholar - Note incorrect entry of age of daughter!]

35. **Wife of Hugh Cameron**, who was sixty, and had lost two fingers, in receipt of 2s. a year. The house belonged to her husband; he kept a pig, and had some quarters of potato ground. She was the second wife. Her husband had three sons and four daughters, all married. She had a bad leg.

36. **Donald Bremner**, aged sixty-one, in the receipt of 3s. 6d a year – a blind man, with wife and three children, all girls, from one-and-a-half to seven years old. His house was his own. He had a very small bit of garden, and six quarters of potato ground, for which his wife worked at harvest, and found the dung. The wife collected eggs, and made about 3d a day, twice a week, in that manner. He had been in the infirmary at Edinburgh and at Inverness. The house was very poorly furnished, and dilapidated. His wife said “We are supported by our neighbours; they are very good to us; none of the gentry help us.” He attended the mill and got meal, and his wife got potatoes and meal when out gathering eggs. [1851 Census, High St – Donald Bremner 70, Merchant now, Pauper; Ann Bremner 45; Janet Bremner 9; Jane Bremner 7].

37. **Widow Geddes**, aged twenty-nine, in the receipt of 2s. 6d a year. She had one child, a girl, six years old. Her husband, who had been a fisherman, was drowned. She paid 12s. a year rent; she had four quarters of potato ground, for which she worked in harvest, and gave dung. She was employed making nets, by which she could earn 4d a day; but the work was not constant. Her room was very small, but clean. When her husband was drowned, a subscription was raised for her by her neighbours, from which she got 2s. a week for nine months; but this had ceased for some time. She said some of her neighbours were kind to her; but Rosemarkie was a poor place, and they had enough to do for themselves. [1841 Census, High St – Widow Wm Geddes 35; Janet Geddes 4; 1851 Census, High St – Janet Geddes 47; Widow Pauper (Hemp Spinner); Janet Geddes 14, Scholar]

38. **Widow Reid**, aged seventy-three, in the receipt of 3s. a year. She paid 15s. rent, and lived by herself. She had a step-son, who lived at Inverness; he was a shoemaker there, and gave her help now and then. Her husband had been dead sixteen years. She got potatoes from her neighbours, some of whom were kind to her. She got tea very seldom, and lived mostly on potatoes. House poorly furnished, and small; two tables and two chairs. [1841 Census, High St – Eppy Reid 75].

To be continued.



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