

Mergers in Messengery

A CONFUSION OF LIVET AND CLYDE

*Officers of law and law-breakers, debt collectors and bankrupts,
secret agents and advertising detectives – an inquiry, occasioned by
the sixtieth anniversary of the formation in Glasgow in 1947 of
Rutherford & Macpherson, Messengers-at-Arms*

R. A. MACPHERSON



ARMS GRANTED FOR ALEXANDER MACPHERSON (1905-85), MESSENGER-AT-ARMS

From a bookplate by Mrs. Patricia Bertram. (See p. 94, n.12)

Suspended below the shield, by a twisted silk cord in the royal livery colours, is the messenger's badge of arms, or *blazon*. The motto's verb, *deforce*, is peculiarly associated with messengers-at-arms; the baton in the crest, held in the dexter paw of the cat, represents the messenger's *wand of peace*. Probably the cat of the crests of Badenoch Macphersons and the Mackintosh captains of Clanchattan alludes to the name of their forbear, Gillichattan *Mor*, "servant of St. Cattan". The *lymphad* or galley points to the West: the tribe is first recorded in Lochaber, where the Lords of the Isles held sway. This is the only Macpherson shield to bear a thistle – a charge in the arms of Lyon King of Arms, but here particularly recalling the rough carving on the stone at Alexander Macpherson's ancestral grave, beside the door to Kincardine church in Strathspey. It was at this place, on 19th November 1664, that the principal men of the *Sliochd Ghilliosa* of Clapherson (see p.6) banded with other "Gentlemen of the name of Clanchattan" in assisting Mackintosh, "our Chieffe".

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by

R. A. MACPHERSON

B.A. (OXON.), F.S.A. SCOT.

Messenger-at-Arms

MESSENGER, *n.* Sc. Usage in comb.: *Messenger-at-arms*, †-*of-arms*, and curtailed form *Messenger*, an officer appointed by the Lord Lyon King-at-Arms to serve under the Courts of Session and Justiciary, his chief function being to execute summonses and letters of DILIGENCE Hence *messengery*, the office of *Messenger-at-arms* with attendant duties.

The Scottish National Dictionary, vol.vi (Edinburgh, 1965), p.259

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Foreword

The Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3) (s.60) enacted that the historic office of messenger-at-arms is abolished. 2007, as the diamond jubilee year of the firm name of *Rutherford & Macpherson, Messengers-at-Arms*, must thus have lost much of its sparkle. However, that part of the statute has not yet been brought into force; indeed, I still trust that it will be decided that this is one law that should *not* be kept – as being neither a necessary nor a lawful enactment by the Scottish Parliament. This is a law, to borrow a famous phrase, made to be broken. Wishing to publish for the anniversary of the firm's founding merger some little memoir of messengery, I present not just the plain business history of the firm in 1947 that I had first intended, but also the results of my family research, allowing this to become quite a tale of keepers and breakers of the law.

I wish to thank the Lyon Clerk and Keeper of the Records, Mrs. Elizabeth A. Roads, for her invaluable assistance over many years. I have greatly appreciated her generously detailed letters in answer to my questions. Indeed, looking at my letters from the Lyon Office, I also remember with thanks her predecessor, the late J. I. D. Pottinger, with whom I began my correspondence in 1984. A glance at the endnotes will show how heavily I have drawn on the archives of the chiefs of the Grant and Gordon families, held in the National Archives of Scotland. I record my thanks to the staff there for unflinching assistance over many years. The kind permission to publish received from the Earl of Seafield and His Grace the Duke of Richmond and Gordon is gratefully acknowledged. The same courtesy from the Roman Catholic Bishops' Conference of Scotland has allowed many interesting extracts to appear. I am most grateful to Andrew Nicholl, archivist at the Scottish Catholic Archives, for the considerable help that he has given. The same is true of Graeme Wilson, Moray Council Local Heritage Centre, Elgin. The heritage centre has been my base during many holidays and I could not praise too highly the outstanding service to researchers that is provided there. The staff at the Mitchell Library in Glasgow have been my constant helpers. The library of the Scottish Genealogy Society provided much precious information. I thank Dr. Alan G.

Macpherson, historian of the Badenoch clan, whose published works are acknowledged in my endnotes, for his private messages. Iain F. Russell gave me valuable information about the Gordons and Smiths in Glenlivet. The representatives of Sir Robert Bruce Lockhart have kindly allowed copyright material to appear; I also thank, in this regard, Neil Wilson Publishing Ltd., who keep *Scotch* (1951) flowing from their press. I hope that the owners of other copyright material whom I failed to locate will please forgive any encroachment on their rights. I am a debtor to several, but borrowed most from those interested in my pages 69-70 and 79-80. I thank Robert S. Gillies for lending me the files of Nelson, Gilmour, Smith & Co., chartered accountants, Glasgow, relating to the 1947 partnership. The late Robert Forbes, messenger-at-arms, Aberdeen, lent me a rare copy of the 1753 edition of *The Office of a Messenger*. Alan Hogg, administrative secretary of the Society of Messengers-at-Arms and Sheriff Officers, gave me some important details. I thank Hugh Andrew and Professor Colin Kidd for their most welcome advice on several points. I remain most grateful to my mentors in Rutherford & Macpherson, Austin Horne, George Lindsay and James Burns, for the fund of information that they provided long ago.

The memory of Alastair, my grandfather, was always a stimulus for these investigations; his giving me, for example, his father's copies of the 1924 Glenlivet Distillery brochure and a 1910 Masonic historical directory prompted many of these researches. The late Dr. James A. Mackay, whose work on Robert Burns is acknowledged in the following pages, was engaged to prepare a history of the firm of Rutherford & Macpherson in the centenary year of 1999 – a celebration that we did not, in fact, have the heart to complete, partly because of the untimely death on 11th March 1999 of my uncle, Sheriff A. C. Macpherson. Although I was happy to produce a first edition of this text on time for 1st October 2007, it was with renewed sadness that I realised I could not show it to those for whom it would have held great interest. I am thankful, however, that Gordon, my father and late partner, can see this work, which touches so closely upon his names and professions.

R. A. M.

GLASGOW, 11th March 2008.

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1. 1947 and the Office of a Messenger

On 1st October 1947 the amalgamation took place in Glasgow of two separate practices of messengers-at-arms, accomplished through a partnership between Alexander N. Rutherford (1876-1948), 102 Bath Street, and Alexander Macpherson (1905-85), 162 Buchanan Street, under the firm name of Alex. N. Rutherford & Macpherson. Rutherford, the senior messenger-at-arms in Scotland,¹ had long been without a partner, the following notice having appeared in *The Edinburgh Gazette*, 6th January 1939: “The Copartnery of ALEX. N. RUTHERFORD & M’KINNON, carrying on business as Messengers-at-Arms, Sheriff Officers, Burgh Officers and Constables of the Peace, at 102 Bath Street, Glasgow, of which the Subscribers [A.N. Rutherford and C.B. M’Kinnon] were the sole Partners, was DISSOLVED, of mutual consent, as on 31st December 1938.” He would hardly have needed a partner during the war years, the Courts (Emergency Powers) (Scotland) Acts, 1939 and 1944, having prevented the enforcement of decrees, if inability immediately to obey the orders of the courts had been attributable directly or indirectly to the war. However, following the outbreak of peace in 1945 and the gradual return to normal business, Rutherford had increasingly been using Macpherson as a sub-agent for certain clients. Evidently he was impressed by the service. After more evidence had been led – the forum being Seamill Hydro, where Mr. and Mrs. Macpherson, with their smart little schoolboy sons, Gordon and Sandy, compeared, by virtue of Mr. and Mrs. Rutherford’s summons to afternoon tea – the conjoining of Rutherford and Macpherson was duly pronounced.

Fleetingly, in the pre-war era, there had been so many as three partners in Rutherford’s firm. A notice in *The Edinburgh Gazette*, 1st January 1932, refers to its shortest-lived

style: Alex. N. Rutherford & Company. This partnership, between A. N. Rutherford, C. B. McKinnon and Jack Lewis, had been dissolved at 31st December 1931. "The Subscribers Alexander Nimmo Rutherford and Charles Beaton M'Kinnon will carry on business as Messengers-at-Arms and Sheriff Officers at 102 Bath Street, Glasgow, under the Firm name of ALEX. N. RUTHERFORD & M'KINNON. The Subscriber Jack Lewis will carry on business as a Messenger-at-Arms and Sheriff Officer on his own account, under his own name at 102 Bath Street." It is remarkable that the three-roomed office on the first floor at 102 Bath Street had not only accommodated in 1931 such large figures in the profession as Rutherford and McKinnon, but also Jack Lewis, who established the practice now known as Stirling Park LLP, and George Walker, founder of George Walker & Company, who had entered Rutherford's office straight from school, qualifying as a messenger-at-arms in 1932.

Their profession was a particularly small one, the abolition of imprisonment for debt and the introduction of citation by registered letter, both in the 1880s, having seen to that. However it was now beginning to grow in numbers, as Sir Thomas Innes of Learney (1893-1971), in his article on messengers-at-arms, published in 1930, explains:

Between 1587 and 1672 sundry statutes were passed for regulating the numbers and behaviour of these officers, who in the Middle Ages appear to have become over-numerous and ill-controlled. Nowadays a different state of affairs has supervened, as, owing to the alterations introduced by the Citation Act of 1882, the business of a messenger-at-arms has become so restricted as to be hardly profitable. In a case occurring in 1912 the Court pointed out there were only thirty-two messengers-at-arms in Scotland, fifteen of these being in Edinburgh or Glasgow. Fortunately it is now being appreciated that this ancient and distinguished office, and the

right to wear its ancient insignia, is a privileged and historical appointment; the numbers and standing of messengers-at-arms are now increasing, and the difficulties of readily obtaining their services, apprehended at the close of last century, are soon unlikely to be a matter of concern to the lieges.²

Rutherford, aged 71 in 1947, a native Glaswegian, a messenger-at-arms since 1899, established at “102” from 1905,³ and the founding vice-president of the Association (from 1936, the *Society*) of Messengers-at-Arms and Sheriff Officers in 1922,⁴ brought unrivalled experience and connections to the new partnership. The senior partner, being remembered also as a hard-drinking boxing enthusiast and freemason,⁵ did not have these interests in common with his new junior partner, a teetotaler, swimmer and horseman in his youth. The forty two year old Macpherson had also been born in Glasgow – but only just, for his place of birth at 167 Kilmarnock Road, Shawlands, was in a terrace bisected by the city’s border with Renfrewshire. He would quickly establish himself as the decisive force in the firm’s development. The first year’s trading profit of the new firm, for example, would be ten times more than that achieved by the old-established office of Rutherford, in its last nine months of business.⁶

The earliest listing for Macpherson in the *Glasgow Post Office Directory* is for 1934-1935: “Macpherson, Alastair (at Daniel Boyd, Stockbroker), 162 Buchanan st., C.1 (tel. add., ‘Bourse’; tel. No. Douglas 4848); ho., 42 Grant street, C.3.” In 1934 he left stockbroking, bought his first car and, beginning in business on his own account, would now use his baptismal forename of Alexander; socially, however, he was always *Alastair*.⁷ On 2nd November 1934 the Sheriff of Lanarkshire, at Glasgow, was appointing “Mr. Alexander Macpherson, Accountant, 136 Buchanan Street, Glasgow,” as official liquidator of a company.⁸ He appears to have been associated

then and throughout most of 1935 with the new firm of A. A. Alexander & Co., accountants, of that address.⁹ However, by mid December he had left there, and was using the address of 42 Grant Street for business.¹⁰

In 1936 he was associated with the southside sheriff officers, Wylie & McKenzie, providing debt recovery and investigative services under the trading name of Southern Mercantile Agency (a business which first appears in an advertisement in *MacDonald's Scottish Directory 1929-30*, in the listings of Glasgow debt recovery agents). It was whilst the office was at 482 Paisley Road that young Sarah Cairns entered Macpherson's employ as cashier. His death on 19th January 1985 would deprive a large company of his presence at dinner in the Royal Scottish Automobile Club in honour of Sarah Cairns' fifty years in the firm. Sheriff Macpherson¹¹ memorably ended his toast to the feisty Miss Cairns on that night of 5th June 1986 with this play on his family motto: "Deforce Not The Cairns!"¹²

By 15th October 1936 Thomas McKenzie and Alexander Macpherson were listed amongst the parliamentary electors at Daniel Boyd's former office at 162 Buchanan Street,¹³ the tenant's name being shown as Southern Mercantile Agency for 1936-37, and Alexander Macpherson, accountant, for 1937-38.¹⁴ At some time in those years, so it was said, McKenzie departed by a 'moonlight flitting', leaving the staff to find the office one morning empty of furniture. On 19th November 1937 Macpherson was commissioned a sheriff officer for Lanarkshire, for which appointment the Secretary of the Glasgow Stock Exchange gave the following testimonial:

It affords me much pleasure to testify to the character and ability of Mr. Alexander Macpherson, of 14, Melville Street, Pollokshields, whom I have known since 1925. Mr. Macpherson at separate times was in the employment of four different Members of the Exchange and was accredited to

three of them: that is to say, he was authorised to deal for them on the Exchange. His record in this connection was an absolutely clean one, and altogether he was a most efficient Clerk to his Employers. He was most unfortunate in being employed by Members who either retired from active business or died. I can with confidence recommend him for the position of Sheriff Officer for which I understand he is an Applicant.¹⁵

The partnership between the two Alexanders, Rutherford and Macpherson, would endure for one year and a day precisely; the cause of its dissolution being Rutherford's death on 2nd October 1948. The firm name was then shortened to its present form. Rutherford's trustees continued to be interested parties in the business, up to the point of granting their discharge in favour of Alexander Macpherson, dated 17th and 18th May 1954, in respect of the final payment of the share of profits from the firm.¹⁶ In fact, the partnership proved to have been a very satisfactory arrangement for the Rutherford family. In 1949 the firm's chartered accountant was giving the following advice to one of the Rutherford trustees: "the results as brought out in the Profit and Loss Account for the first year of the partnership business show a very considerable increase over the profits earned by Mr. Rutherford prior to the assumption of Mr. Macpherson as a partner. Mr. Macpherson is confident that he should be able to maintain this satisfactory state of affairs and, should he do so, I anticipate that a sum of approximately £300 to £500 should be received each year for the next five years by the trustees".¹⁷ The advice proved entirely correct.

Alexander N. Rutherford had been admitted to the ranks of Queen Victoria's messengers-at-arms in 1899. His business address was then at 158 Bath Street, Glasgow; his residence was at 7 Stewartville Street, Partick. At the latter place he had been born in 1876, to Archibald Rutherford and

his wife, Isabella McLeod. The parents had married in Partick in 1868. Isabella McLeod was a native of Craig, near Montrose in Forfar, where her father had also been born. At the son's birth, Rutherford's father's profession was stated as master flesher; in other places he is recorded as house joiner or cabinetmaker. In the *Glasgow Post Office Directory* for 1899-1900 he appears as Church Officer of Partick (East) United Presbyterian Church. The father had been born in Tranent, Haddingtonshire, son of another Alexander Rutherford, a coal miner, originally from Inveresk, in the county of Edinburgh.

Alexander Macpherson was also the grandson of an Alexander. His Highland ploughman grandfather had been brought up on the family croft, high in the Braes of Abernethy, just over a mile from Morayshire's border with Banffshire, on the *Rathad nam Meirleach* (Thieves' Road) – the reivers' trail, traced from Lochaber to the north-east lowlands.¹⁸ The tradition is that these Macphersons were descended in the male line from the clan's *Sliochd Ghilliosa*.¹⁹ A grandson of the first Gillies had removed from Lochaber to Rymore, within the old lordship of Badenoch, soon after the Battle of Inverlochy in 1431,²⁰ at which Gillies's son and grandsons are said to have been with the defeated army of James I, in the king's conflict with the forces loyal to the Lord of the Isles.²¹ Rymore, some three miles east of Kincardine church, where Alexander Macpherson's family grave is located, became part of the Laird of Grant's Abernethy estate in 1606.²² This was effected by a contract of excambion, by which George, Marquis of Huntly, exchanged the towns and lands of Gartenmore, Rymore and Easter Tulloch, lying within the lordship of Badenoch and sheriffdom of Inverness, with John Grant of Freuchie, in return for the lands of Blairfindy, "with tower fortalice and manor place thereof" and other lands, lying within the lordship of Strathavon and sheriffdom of Banff.²³ Coincidentally, it will be to the scene of Blairfindy – comprising the adjoining farms of

Easter and Wester Blairfindy, on the west side of the Livet, within the parish of Inveravon – that these inquiries will repeatedly return.

Of the principal family of Gillies's lineage, the chieftainly house of Invereshie (in the parish of Insh,²⁴ whither the Rymore family had removed), belonged two interestingly contrasting contemporaries: Aeneas Macpherson, Sheriff-Depute of Aberdeenshire in 1684-85²⁵ (thereafter Sir Aeneas, knight of Invereshie),²⁶ and that sometime resident of Abernethy,²⁷ James Macpherson (c.1675-1700),²⁸ the notorious freebooter, famed for his "Rant" and death on the gallows at Banff, immortalised in song by Robert Burns (1759-96). It appears in James Johnson's *Scots Musical Museum* (1788) as "Farewell, ye dungeons, dark and strong". Curiously, these two Macphersons shared the fate of being on the wrong side of dungeon doors. Sir Aeneas, from 1688 until his death in Badenoch in 1705, was one of the principal Jacobite agents in Britain, a prisoner several times in London and Edinburgh, and an exile at the Jacobite court at St. Germain's.²⁹ As for the story of the famous freebooter, the legend of the messenger "comin' o'er the brig o' Banff" with James Macpherson's reprieve, just at the very moment of his execution, serves as one of Scots law's oldest anecdotes about the importance of timeous service. That Macpherson was executed before the time specified in the sentence, however, is said to be discredited.³⁰

In 1947 the following account was going through the press, describing the sequestration for rent on the farm of old William Burnes, father of Robert Burns. *The Wind That Shakes the Barley – A Novel of the Life and Loves of Robert Burns*, by James Barke (1905-58), had been first published the previous year and, for a novel, was pretty factual in its description (at pp.327-29) of the inventorying of the goods and gear on the Burns family farm on 17th May 1783. On 13th February 1784 William Burnes would be, to borrow a gripping expression,

“seized by that GRIM MESSENGER-AT-ARMS, whose caption none in this world can evade, even for one single moment, on any pretence whatsoever.”³¹ (This, as will be seen – at pp.72 and 83 – is the first of four deaths in the year 1784 referred to in these inquiries.) Probably Barke’s literary guesses at the emotions of the Burns family members about the “factor’s snash” on the day of the sequestration for rent are justified by such authentic comments by Robert about his father’s death as this, from the poet’s autobiographical letter of 2nd August 1787 to Dr. Moore: “his all went among the rapacious hell-hounds that growl in the Kennel of Justice”.

On the 17th day of the month, James Gordon, the Sheriff’s officer, came to Lochlea to make an inventory of all the crops and implements on the farm.

William Burns could not be kept in his bed. He insisted in getting up and giving this servant of the law such a verbal assault as he never had in the course of his unpleasant duties. When William returned to his bed he was completely exhausted. . . .

Yes, here was man’s inhumanity to man in all its naked cruelty. . . .

“I, the said Officer, passed to the grounds of the lands of Lochlea . . . and then and there I lawfully sequestrated and secured four horses, two mares, two ploughs and plough gear, one wheat stack, one half stack of corn, and a little hay, all standing in the barn yard, four stacks of bear in the barn, about three bolls of bear lying on the barn floor, two stacks of corn in the barn, two small bags of peas in the barn, thirteen cows, two calves, one ewe, two lambs, fourteen bundles of shafe lint, seven bundles of mill tow in the mill, five carts with gear belonging to them lying in the shed, three cart wheels lying in the shed, two cart wheels standing in the close, with an iron axtree, two old ploughs, three long bodied carts in the shed, two harrows on the land beside the house, a large parcel of wheat straw in thatch sheaves, a large parcel of bear straw in battles all in

the barn yard, and a large parcel of corn straw in battles in the shed, all to remain under sure Sequestration for payment of the current year's rent when due, or at least till sufficient caution is found therefore, before and in presence of these witnesses, Robert Doak, Servant to David MacLure of Shawood, and John Lees, Shoemaker in Tarbolton."

The whole family gathered round the fireside were in tears before Robin had reached the end of the heart-breaking documents.

James Gordon, the sheriff officer here mentioned, would be admitted a messenger-at-arms later that same year.³² One of the famous letters of Robert Burns gives evidence of the poet and excise officer's interest in the execution of the duties of messengers-at-arms. This is the letter by which he paid for the monument in the kirkyard of Canongate for Robert Fergusson (1751-74) – inscribed, "This simple stone directs pale SCOTIA'S way To pour her sorrows O'er her POET'S dust." From Dumfries, on 5th February 1792, Burns writes to Peter Hill, in Edinburgh, sending money,

per account I owe to Mr Robt Burn, Architect, for erecting the stone over poor Ferguson. – He was two years in erecting it, after I commissioned him for it; & I have been two years paying him, after he sent me his account; so he & I are quits. . . . With the remainder of the money, pay yourself the "Office of a Messenger" that I bought of you, & send me by Mr Clarke a note of its price.³³

The book purchased by the poet was fully entitled, *The Duty and Office of a Messenger-at-Arms, with a copious introduction, containing plain and necessary directions for practice*. Published at Edinburgh in 1790, its author was Robert Thomson, "writer in Edinburgh", who on 9th December 1774 was admitted a messenger-at-arms.³⁴ His work of 1753, *A Treatise on the Office of a Messenger*, had been published

anonymously. In the preface to the 1790 edition, the author writes that this was “not so much a new edition of the old one, as an entire new book”. That it was intended primarily as a text book for his profession, making Burns’s purchase of it so interesting, is made plain in this preface (p.vi):

How far the author has succeeded in his design, to render it a safe and complete guide to the brethren of his profession, it does not become him to say. He flatters himself, that from the experience he has had, and the diligence with which he has for many years applied to the study and practice of his business, he was not altogether unqualified for the task: and he can affirm with truth, that neither industry nor attention has been wanting in finishing the work.

Both as bard and excise officer, therefore, Burns had expert knowledge about the essential role of the execution officers in a court of law. This is the hierarchy of judicial functions, in his comic invention of 1785, the Court of Equity:

First, POET Burns, he takes the CHAIR,
Allow’d by a’, his title’s fair; . . .
Next Merchant Smith, our worthy FISCAL,
To cow each pertinacious rascal; . . .
Richmond the third, our trusty CLERK,
Our minutes regular to mark, . . .
The fourth our MESSENGER AT ARMS,
When failing all the milder terms.

James A. Mackay explains thus the context of these extracted lines, in *A Biography of Robert Burns* (Edinburgh, 1992, pp.176-7):

These three young bloods [Burns, Smith and Richmond], with a shoemaker William Hunter, formed a sort of bachelors’ club which met informally in the Whitefoord

Arms and was known jocularly as the Court of Equity, parodying the Tarbolton Bachelors' Club and the Mauchline Kirk Session. Robert was chairman of course, Smith the fiscal (public prosecutor), Richmond the clerk of the court and Hunter the messenger at arms. This mock court proceeded to examine some of the scandals of Mauchline and bring to book the offenders against the moral code who had so far managed by various ploys to evade the penalty of their transgressions. The result was 'Libel Summons', a long poem rich in humanity and tenderness, but which was considered too coarse for publication.

1947 also saw the publication by Hutchinson of *Messenger-at-Arms*, a novel by "George Woden" – the pen-name of Glasgow schoolmaster, George Wilson Slaney (1884-1978).³⁵ The dust jacket advertises the book's "vivid sidelights on life in the slums of Glasgow". Here the author sets the scene for his fictional hero, John Elgin, displaying the fullness of some detailed research into the office of messenger-at-arms; the publishers assure readers, however, that "it is by no means a 'local' book, but has a definitely universal appeal". From before 1510 the messengers had come under the authority and jurisdiction of Lyon King of Arms, constituting the lowest (and much the most numerous) class of officers of arms, below the heralds, pursuivants and macers:

Framed above the roll-top desk in John's room was the document which grandiloquently set forth his official status.

"Know All Men by these Presents, We, Francis James Grant, Esquire, Doctor of Laws, Lord Lyon King of Arms, Forasmuch as after due trial and examination taken by Us and Our Clerk of Court of the Literature, Qualifications, and Good Conversation of Our Lovite John Thornwood Elgin, Sheriff Officer, Glasgow, having found him apt, able, and qualified for executing the Office of a Messenger-at-Arms; therefore to have Admitted and Received likeas We

hereby Admit and Receive the said John Thornwood Elgin as a Messenger-at-Arms for serving Our Sovereign Lord's Lieges within the Sheriffdoms of Lanark and Edinburgh. In Token whereof We have taken his Oath and Caution for his due and Lawful administration and delivered to him Our Sovereign Lord's Badge of Arms . . .”

John had been proud of that document. He . . . was now a messenger-at-arms, carrying the ebony and silver badge of office in his pocket. The Lord Lyon King of Arms, inaugurator in the coronation of Celtic kings, was the most ancient and the most gorgeously arrayed officer of the Royal Household of Scotland. In his Court of Chivalry the Lord Lyon, in velvet and ermine, sat as a Judge of the Realm. As the sovereign's mouthpiece, his voice was legally heard throughout Scotland from the Mercat Cross of Edinburgh. And John Elgin was proudly his appointed Messenger-at-Arms, with special jurisdiction in the execution of diligence.

On 20th February 1939 Alexander Macpherson had been granted a commission in similar terms, under the hand and seal of the same Lord Lyon, now Sir Francis J. Grant (1863-1953). Sir Francis, honorary president of the Society of Messengers-at-Arms and Sheriff Officers, was quite a hero to the profession; as Lyon Clerk, he had stated in 1923, giving evidence before a government committee which was contemplating sweeping reforms, “I would much deprecate anything that would lead to the abolition or discontinuance of the office of messenger, which is one of the oldest in the country.”³⁶ Moreover, he robustly defended the position that messengers-at-arms were proper officers of the sheriff courts. Writing immediately in reply to a request for advice from Alexander Macpherson in 1939, the Lord Lyon gave essential reassurance: “The attitude taken up by the Sheriff Clerk Depute at Kilmarnock is indefensible. A Messenger at Arms is a Sheriff Officer and has been held to be so by the House of Lords in 1802, and therefore can serve any writ in a Sheriff

Court anywhere.”³⁷ The framed 1939 commission from Sir Francis was moved to the walls of 102 Bath Street in that year of 1947; and within those walls two generations of Macphersons now set up their office.

2. Spirit Merchants

Alexander Macpherson and his father, William, had been working together from the 1930s, and both would be at Rutherford & Macpherson until the father's death in 1955. William was the "residenter in Glasgow, witness to the premises" of countless of his son's executions. (That "witnesses should in general not be related to the officer"³⁸ has been a rule, if a rule at all, more honoured in the breach.) William receives attention here, because he was the first of the Macphersons to settle in Glasgow; because of his unfortunate experience of the bankruptcy laws; and because of his family connections with some messengers-at-arms from earlier generations. Edward Clodd, in his memoir (1900) of William's distant cousin, the Canadian-born author Grant Allen (1848-99),³⁹ offers what might be taken as some excuse for the family history details which will follow in this investigation: "To the majority of readers, genealogies are as dry as logarithms. But, in these days, when the doctrine of heredity is in the air, the clues to a man's physical and mental constitution are sought for in his ancestry and surroundings."⁴⁰

William's ancestors had all, so far as is known for almost two centuries before his birth, been from north of the water of Dee – the land where the messengers-at-arms of old gave their charges upon fifteen days' *induciae*, not six, as on the other side.⁴¹ His immediate surroundings were first in the village of Tomintoul, Banffshire, where he was born in a cottage in 1872, the minister and the sheriff officer being amongst the family's immediate neighbours in the street. Queen Victoria, miles north of Deeside, in her journal entry for 5th September 1860, introduces a note of marked displeasure on tour: "Tomintoul is the most tumble-down, poor-looking place I ever saw – a long street with three inns, miserable, dirty-

looking houses and people, and a sad look of wretchedness about it. Grant told me that it was the dirtiest, poorest village in the whole Highlands.”⁴² William’s parents, Alexander Macpherson and Margaret Gordon, had married in the village church there in 1868, the very year in which Queen Victoria’s huge readership learned of the hitherto private royal poor first impressions of Tomintoul. Sir Robert Bruce Lockhart (1887-1970),⁴³ the British agent accused of plotting to assassinate Lenin and imprisoned in the Kremlin until exchanged for Litvinov in 1918, would write much more fondly of “Tomintoul, the highest village in the Highlands, on the banks of the beautiful River Aven and not far from Glenlivet, the home of Highland whisky”, and, particularly, home to his own distilling Macgregor forbears.⁴⁴ His comments on Tomintoul in his autobiography of 1937 give a spirited introduction to the closely connected themes of whisky and law enforcement in the Highlands:

In Tomintoul my ancestors learnt the art of distilling whisky and, doubtless, they learnt it as smugglers. Nor does the story do them discredit. For centuries the private distilling of whisky had proceeded in Scotland without disturbance, but after the “Forty-Five” the English put thumbscrews on the Highlands. One of their first acts was to abolish private distilling, and the new law at once converted what were legitimate stills into private stills and the honest men who worked them into smugglers. A period of whisky warfare ensued which in its lawless excitements was not unlike the Prohibition period during the post-war years in the United States. For this warfare Glenlivet and Tomintoul were well adapted, not merely because they possessed the three essential ingredients of the best whisky: good barley, good peat and good water, but also because their lonely glens were inaccessible to the forces of so-called civilisation. The crofters, furious at this English interference with their livelihood, banded themselves together and, organising trains

of pack-horses, carried their whisky, already prized above all others, across the hills to the markets of the South. Armed and prepared to defend themselves, they struck terror into the hearts of the preventive officers or “gaugers” who were appointed to enforce the law. On several occasions the military had to be called out, and there were frequent clashes. For about fifty years the smugglers more than held their own, and an old record dating from the beginning of the nineteenth century states that in Tomintoul “everybody makes whisky and everybody drinks it”.⁴⁵

Later in the 1870s the Macpherson family would be found at another house in Tomintoul’s Main Street, as tenants of James Grant (1826-95),⁴⁶ son of John Grant, founder of the firm of J. & G. Grant, distillers at Glenfarclas, and son-in-law of John Stuart, sheriff officer in Tomintoul. Dr. James Grant (as he became in 1889), the eminent head master of Keith Schools, was a noted collector of knowledge. No doubt he was particularly curious about the history of the farm of Wester Blairfindy in Glenlivet, of which his father was the tenant for some fifty years, and in which, a century before, Mrs. Macpherson’s great-grandfather, John Gordon, had resided as tacksman.⁴⁷ In an obituary notice of Grant Allen in 1899, it would be remembered that Dr. Grant of Keith had been in contact with the head of the Grant of Blairfindy family, the Baron de Longueuil, and received from him a copy of one of the Jacobite family’s cherished possessions: an autograph letter from Prince Charlie.⁴⁸

Recorded as a farm labourer in Glenlivet in the 1891 census, it was around that year that William Macpherson, aged about 19, came to Glasgow. Thus he followed in the footsteps of his two Gordon uncles, who had arrived there in the 1880s. His uncle and namesake, William Gordon, had entered the spirit trade in Glasgow (eventually becoming an hotelier in Peebles, where he died in 1908). Some forty years before the

uncles' arrival, the Reverend J. F. S. Gordon, D.D. (1821-1904),⁴⁹ historian of Glasgow,⁵⁰ their well-known, Banffshire-born, distant cousin,⁵¹ had come to the city. Recognised as an antiquary of high repute and great ability, he claimed (upon authority that remains to be rediscovered) descent from the first family of Gordons of Glenbucket, in Strathdon,⁵² mention of his being "descended from an old Episcopalian and aristocratic family" occurring in announcements of his death.⁵³ Having been at school in St. Andrews and then Grant bursar for 1838 at the University of St. Andrews, in 1844 he was translated to the charge of St. Andrew's Episcopal Church, Glasgow. He remained the incumbent until 1890, a successor referring to him as "the redoubtable Dr. Gordon, distinctly one of the personalities of his time."⁵⁴ A freemason for some sixty three years, *The Glasgow Herald's* obituarist suggested the possibility that he might have been the oldest member of the craft in the world.⁵⁵ From Dr. Gordon's obituary in *The Scottish Guardian* comes this telling observation: "His eccentricities of speech and act are still widely remembered".⁵⁶

Given the family's later association in Glasgow with debt collection, it is amusing to read the Reverend Doctor's comments about his second cousin, William Gordon, farmer in Tomnavoulin (1790-1875) (William Macpherson's great-grandfather, and grandfather of the uncles in Glasgow): "He was a rigid dunner," Dr. Gordon writes (as editor of Shaw's *History of the Province of Moray*), and "pursued delinquents with foot and tongue."⁵⁷ Research shows that William in Tomnavoulin was a pursuer in courts of law from the age of five.⁵⁸ However these dunnings, we learn from Dr. Gordon, were given out for recovery of the seat rents at the chapel of Tombae, Glenlivet.

Yet it is one of J. F. S. Gordon's own letters which displays the most severe of collection methods imaginable. W. J. Wallace, the recipient of the following demand for

payment notice, thereafter of an epistolary terrorist attack by Dr. Gordon, published them both in a pamphlet entitled *Reasons for Seceding from St. Andrew's Episcopal Church, Glasgow* (1864). Wallace complained that "the incumbent of St. Andrew's, having loaded me with unmerited reproaches, fulminated his anathemas against me, and branded me as a traitor, I am compelled to speak in my own defence."⁵⁹ All of the sentences in this queer correspondence are quoted, with the following comments as introduction. The threat of excommunicating debtors, strange to tell, gave rise to the still flourishing process of *summary diligence*. *Green's Encyclopaedia of the Law of Scotland* neatly explains this pre-Reformation feature of the priestly office: "The original sanction under which the debtor in an obligation bound himself to due performance was ecclesiastical in its nature. He took a solemn oath that he would observe his bond, and . . . on his making default, the consequent breach of his oath brought him at once under the ban of the Church, which pronounced upon him 'the horrible sentence of cursing,' and issued letters of excommunication against him".⁶⁰

NOTICE.

After what took place to-day in the House of God, Mr WALLACE is warned to pay the enclosed account instantly. His *sofa-pillow*, &c., unless removed forthwith, will be handed to the Authorities of Police for safe-keeping. Witnesses will be ready in Court to prove that they saw his name (in the paper *kept up* by him) written down for £5, unconditionally, as every other subscription was. The *amount of taste* as to the music would only be resorted to by a quibbler, to avoid payment of a debt subscribed to, and liable for. However, the Sheriff will have to decide this part of the affray, the other department will follow in due course. Such infamous conduct I am determined (for the good of others, and for the salvation of the Flock) shall not pass the

discipline of the Church, no matter the unbelief of him who is to be tried thereby.

J. F. S. G.

Mr WALLACE,

DEAR SIR,

You have not thought it proper to take any notice of the written message which was handed to you last Wednesday by the door-keeper. As I am cognisant of your seditious conduct, I call upon you to make payment of your seat rents and other stipulated debts due to St Andrew's, tomorrow morning at Half-past Ten. Surely, in point of honour, (ere you *indulged* in *downright schism*, no light offence in the eyes of God), you ought to have, in the first place, paid those debts which you owe to God and to me his priest. In self defence I must make your faction against this Church known to the flock, and to the Diocesan Synod. You got a list of my Congregation, and canvassed among them for subscriptions to better the Musical Services. Although a personal loss to me, even to gratify your own wishes, I allowed this: but now, so soon as your own taste fails to be satisfied, you desert the regular communion of the Episcopal Church, join St Jude's, which is cut off therefrom, and is in connection with no Episcopal Authority whatever, and you even contemplate to form a fresh organisation of your own! I deplore that your impetuous temper (especially at this time of Lent) should have driven you to such sinful expedients. Indeed, you have set at nought the spiritual direction of him whom God's Word urges you to obey and submit to. Plenty will even applaud you for what you have done; but they who rise up against those from whose hands they have often received the bread of life, and at whose mouth they have been faithfully taught, who rend and encourage others against the Church, shall receive from God (even in this world) the punishment which was inflicted on Jeroboam. You were at perfect liberty to follow the bent of your own will, and to take your exit from under my charge, although my judgment ought to have governed yours, I being

set over the household of God, and not you, or any of the same way of thinking as you; but as a professor of Christianity, your duty was to depart peaceably, to implement your promises, to return the papers and my books in your possession, and to have removed your “*sofa-cushion*,” carpet, &c. During a 20 years’ laborious pastorate in Glasgow, with a church in great stress in many ways when I got it, I have had rare occasion to cut-off or excommunicate any one from my incumbency, and I shall lament if I must resort to any such disciplinary acts on you. But I must not allow any (be who he may) to tamper, first with *temporal matters*, and then with *spiritual*, to march off *Scot free*. You are warned to *beware of your future*. I warn you, as having you long a member of my flock, *in the name of God*, despise not my counsel. Think of the fate of Judas.

Truly yours in Christ,

J. F. S. GORDON,

Inet. of St Andrew’s, Glasgow.

23, 2, 1864.

William Gordon in Tomnavoulin, locally pronounced as *Tamoul* – “Rich Willie Gordon of Tamoul”, so-styled in Gordon’s *Shaw* – had some very marked eccentricities of his own. “He had no sympathy with modern ideas of advance. For half a century the whole steading was of the most primitive make-shift caste. *Tamoul*, as he was called from the farm, in his garb was equally unadorned, the same tattered rags having done duty for years gone by.”⁶¹ Yet he would leave personal estate of over nine thousand pounds (a large sum in 1875), some £8,582 of this sitting on deposit with banks.⁶² He accused the Glenlivet priest of saying that there was “an inordinate greed” about him;⁶³ the clergyman, however, writing to the bishop about Tamoul, acknowledged approvingly that although he “in orthography and in piety is deficient, yet in knowing the value of farm produce or in transacting country business is quite an adept.”⁶⁴ Research shows that Tamoul probably

fathered five children,⁶⁵ but never once married; or as Dr. Gordon puts it, “He lived in celibacy, nevertheless he left the fruits of his loins.”⁶⁶

Tamoul’s favourite niece (and eventual heir to his fortune), Margaret Anderson, and her husband, James Grant in Croftbain, had been sponsors or godparents at the baptism of Margaret Gordon, William Macpherson’s mother, in 1843.⁶⁷ Through them, there was another Glasgow connection: James’s brother, the Reverend Charles Grant, had died at the age of 30, whilst a priest at Glasgow. This funeral was evidently an important event in the city in 1837. A record of it from the *Catholic Register* of 1837 (pp.37-39) may be quoted, if only because of the circumstance of the “Captain Millar” of the police, therein referred to, being the some-time famous messenger-at-arms in Glasgow, Henry Miller, one of the most prominent Scottish officers of law of the nineteenth century, who would end his long career in law enforcement as secretary and manager of the Glasgow and West of Scotland Guardian Society for the Protection of Trade.⁶⁸

The funeral, which was the most numerous ever seen in Glasgow, then moved from the Chapel to the Cathedral Burying Ground. The hearse, drawn by six horses, was preceded by a body of the Congregation. . . . The line of procession was admirably kept by the Police, under the orders of Captain Millar, so that no accident or interruption occurred, though the streets were everywhere densely crowded.

As has been mentioned (p.6), in the paternal Macpherson line William Macpherson’s forbears were of the Clanpherson of Badenoch. According to one tradition, the original “Parson” of the Macpherson name might even be described as an ancient debt collector: scholars suggest that the surname dates from about the middle of the fifteenth century,

and was acquired by the descendants and cousins of one “commonlie called the Parson, because he had the collection of the parsonage teinds and vicarage of the Parish of Laggan”.⁶⁹ William’s branch of the family had been tenants and subtenants on the Laird of Grant’s Strathspey estate, in the united parish of Abernethy and Kincardine, a district partly in Inverness-shire, partly in Morayshire (until 1870, when the Morayshire portion was moved to Inverness-shire), for several, possibly many, generations.⁷⁰

Through Elisabeth Grant, wife of James Macpherson in Crask and Letteraitten, Braes of Abernethy (he being the first mentioned on the family gravestone at Kincardine, who died in 1813, aged 61), it appears that the family had kindred connections with several of the leading men in the North West Company and (after the merger of 1821) the Hudson’s Bay Company in Canada. These included John Stuart (1780-1847),⁷¹ a chief factor of the company, after whom Stuart’s Lake and Stuart’s River in British Columbia, and Stuart or Stewart River in the Yukon are named;⁷² Stuart’s nephew, Donald A. Smith, first Lord Strathcona and Mount Royal (1820-1914);⁷³ and the controversial Canadian lawman, Cuthbert Grant (1793-1854), “Warden of the Plains” and Sheriff of Assiniboia⁷⁴ (a family tradition tells of Cuthbert, a native of Canada, spending some of his youth in Abernethy).⁷⁵ These three Canadian notables were descendants of Robert Grant of Wester Lethendry, Cromdale (later of Glenbeg), the brother of James Grant in Crask⁷⁶ (Elisabeth’s father, it is presumed). An account of one pedigree suggests that Robert and James Grant were second cousins of the famous Jacobite colonel, Ewan Macpherson of Cluny (1706-64),⁷⁷ their father, Donald, being, according to this source, a grandson of Donald Macpherson of Nuide (1614-76).⁷⁸

A connection between the poet Fergusson and the *Office of a Messenger* has already been shown (p.9), as created

by Burns's correspondence. Now here is a possible connection in law-breaking between Fergusson and the Lethendry Grants. Alexander Grant, "son of Robert Grant, Lethendy", Grant bursar at the University of St. Andrews in 1766 and a student at United College, was expelled from the university in 1768.⁷⁹ He was a fellow student of the poet Robert Fergusson. Indeed, the riotous incident which led to Grant's permanent expulsion also caused the temporary exclusion of Fergusson himself. A. B. Grossart, in his memoir of the poet in *The Works of Robert Fergusson* (London, Edinburgh and Dublin, 1851) quotes from the private journal of Principal Thomas Tullidolph of St. Andrews, for 1768 (p.1vii):

I extruded Alexander Grant *sine spe redeundi* [without hope of return], on account of a continued course of irregularity for some weeks past, particularly for a riot committed with some accomplices on Lewis Grant about one o'clock of the morning of this 26th of March, and also extruded Rot. Fergusson and Charles Stewart his accomplices in that riot. . . . N.B. – 30th March 1768. Rot. Fergusson and Charles Stewart were received in again at a meeting of the Masters.

The violent behaviour of James Grant in Crask also came to the attention of the authorities. In 1774 his neighbour in Letteraitten complained to the justices of the peace for the county of Elgin and Forres that his wife had been beaten up near Crask by James Grant. It was reported that some remarks by the lady about the unhealthy porridge served by Mrs. Stuart in Lainchoil (grandmother of Lord Strathcona) had occasioned the attack. "James Grant, Tenant in Craskmackay in Abernethy" is said in the petition to have approached his victim, "and ask'd her how she dar'd to say that his Brother's Daughter was in use to give too much Kail to the Servants in their Pottage, so as to sicken them".⁸⁰

James Macpherson in Crask and Letteraiten (William's great-grandfather) had played his part in defending the country from the threat of revolutionary France, through membership of the Strathspey Battalion of Volunteers.⁸¹ James's father's generation in Abernethy, if in arms at all during the '45, would doubtless have obliged the Laird of Grant by helping to maintain that state of armed neutrality which obtained in Strathspey during the Jacobite rising.⁸² However, to James's sons' generation belongs the glamour of having participated in what Dr. I. F. Grant memorably describes as "the last occasion on which a clan was raised by the Fiery Cross."⁸³ This historic event occurred during the parliamentary election for the Elgin Burghs in 1820, when the tenantry of Strathspey rose and marched to Elgin, to defend the clan chief and Lady Grant in Grant Lodge, which had been put in a state of siege by the Whig candidate's supporters. Between 600 and 800 men from the Grant estates are reported to have marched there in support of the Tory candidate, Colonel Grant, the chief's brother. Given the leading part played in the rising by Captain Grant, Birchfield,⁸⁴ brother of the late Major Grant, Auchernack (d.1817), it need not be doubted that the Major's former servants, who included William's grandfather, John Macpherson (to whom the Major left a legacy of thirty pounds),⁸⁵ would have been called out for this important service. Indeed, it was said that there "was not a man left on Nethy side"⁸⁶ on the night of Sunday, 12th March 1820, when the unarmed regiment set off on a mission which, happily, proved as peaceful as it was successful.

It was through William's mother, Margaret Gordon (1843-1923), that these Abernethy Macphersons came to be connected with Glenlivet, in the parish of Inveravon, Banffshire – a link that Alexander Macpherson, the sometime near-teetotal officer of law in Glasgow liked to recall, quoting W. E. Aytoun's comic verse, from the ballad of *The Massacre*

of the Macpherson. Here it is, in the form given in Captain W. Smith Grant's brochure of 1924, *Glenlivet – Where Romance and Business meet – being the Annals of the Glenlivet Distillery founded in 1824 by George Smith:*

Fhairson had a son
Who married Noah's daughter,
And nearly spoilt ta flood,
By trinking up ta water.
Which he would have done -
I, at least, believe it -
Had ta mixture been
Only half Glenlivet.

Margaret's miserly grandfather, William Gordon, *Tamoul*, was nonetheless honoured by the antiquary Andrew Jervise with this generous comment, published in 1875: "Although past four-score, he is an able and willing dispenser of 'Highland hospitality'."⁸⁷ Dr. Gordon adds further on this theme: "While most penurious, when 'an auld acquaintance' paid him a visit at the roadside farm-house (if such it could be designated) *Tamoul* was kind and hospitable, setting down bread and cheese and a bottle of 'real Glenlivet'."⁸⁸ William Macpherson, quite in the Glenlivet tradition therefore, became a spirit salesman in Glasgow in the 1890s, joining the merchant rank in the trade in 1903, when he acquired the license to the public house at 128 Piccadilly Street, and, the following year, that for 540 Dobbie's Loan, both in Glasgow.

In 1898 he had married Agnes Emma Sloan, adopted daughter of a prominent wine and spirit merchant in Glasgow and Kilmarnock, James Sloan.⁸⁹ *The Glasgow Herald* (11th November, p.1) carried the marriage announcement, showing its location at the fashionable Alexandra Hotel. (The previous month, this Bath Street hotel – located near the head offices of the flourishing firm of messengers-at-arms, Younger &

Younger – was advertising its “Splendid accommodation for Marriages”.)

For the next decade, William would be closely associated in the spirit business, and in Freemasonry,⁹⁰ with his father-in-law. Indeed, William’s younger brother, Alexander (b.1876), who would follow the same trade in Glasgow for a while, is also supposed to have been in the Sloan family business. In the 1901 census he is described as a barman, boarding in Kilmarnock, where James Sloan was proprietor of the renowned *Rainbow Bar*. However, the depression in the licensed trade, widely attributed to Lloyd George’s “People’s Budget” of 1909, claimed amongst its victims “William McPherson, Wine and Spirit Merchant,” thus named in the list of estates sequestrated the following year.⁹¹ This was a disastrous time for the family’s fortunes: the seemingly wealthy James Sloan granted a trust deed for his creditors in 1909.⁹² Alexander, William’s brother, left Scotland at about this time, as an emigrant to Canada. William’s estates were sequestrated at Glasgow the following year. He was not granted discharge until 21st June 1922. The following is from the extended notes of evidence in his petition for bankrupt’s discharge:

Compeared the Petitioner, WILLIAM MACPHERSON, who, being solemnly sworn and examined, depones: – My estates were sequestrated on 4th June 1910. Mr. Ernest Thomson, Accountant, Glasgow, was appointed Trustee. He is now dead. I was then carrying on business as a wine and spirit merchant at 128 Piccadilly Street, Glasgow, and 540 Dobbie’s Loan, Glasgow. At that time my chief creditors were John Jeffrey & Company and Macleay, Duff & Company. Q. – They were whisky people? A. – Whisky and beer. I had considerable loans from them. It is the case that at that time, in 1910, the licensed trade suffered a considerable depreciation; that was the time of the increase in duty, and

the licensed trade accordingly suffered, and I suffered so much in my two businesses that I found I was unable to carry on. I could not meet my obligations to these brewers and whisky people from whom I had loans, and they agreed to sequestrate me. After the date of my sequestration I carried on the business until the shops were sold. My position is simply this, that my misfortunes and losses were such that I had no control of them, I was not personally responsible for them, and it was not on account of misbehaviour on my part. The dividend paid on my estate was 2/1.3 per £.⁹³

Nor did William prosper thereafter; following a petition at his own instance, his estates were sequestered again, at Glasgow, on 18th March 1935, in a summary sequestration. The process is recorded as having been disposed of, by writing off, in 1941.⁹⁴ No record, however, has been found of William ever having been discharged from this second sequestration before his death on 3rd February 1955. He therefore appears to hold the dubious distinction of having lived as an undischarged bankrupt for a total of thirty two of his eighty three years.

Following his first sequestration, William *McPherson* chose to lengthen his name, to William *Gordon Macpherson*. The longer alias, however, only emphasised his particular misfortune. For William's Glenlivet forbear,⁹⁵ William Gordon of Bogfouton (1719-90),⁹⁶ resident distiller at Auchorachan⁹⁷ (the Duke of Gordon's tenant in that valuable farm), had been noted for having "acquired a considerable fortune, chiefly by his Industry as a Tenant and by the Distilling and Retail of Whisky."⁹⁸ Indeed, having spent most of his life as a plain country tenant, Gordon had in 1780 become a landed proprietor, through the opportunity presented by the bankruptcy of John Grant of Rothmaise (d.1800, in his 85th year),⁹⁹ from the trustees for the creditors of whom Bogfouton, in the parish of Fergie, Aberdeenshire, was purchased.¹⁰⁰ William Gordon of Bogfouton was the maternal grandfather of

George Smith (1792-1871),¹⁰¹ founder of the Glenlivet Distillery and the fortune of the Gordon Smith family, one of Scotland's most conspicuously successful in business. For example, John Gordon Smith (1825-1901), younger son and partner of George in the distillery business, a justice of the peace, deputy lieutenant and honorary sheriff-substitute of Banffshire (he had trained in law),¹⁰² left personal estate valued at over two hundred thousand pounds in 1901 – in addition to his ownership of his landed estates, including Delnabo, at Tomintoul.

William Macpherson's maternal grandfather, and an aunt and uncle,¹⁰³ had been employed at some time in the households of the Gordon Smith family. A letter from James Skinner, the Duke of Gordon's factor, to a prominent Inveravon man in Glasgow, "James McHardy, Esq., Sheriff Clerk's Office, Glasgow", dated 6th May 1831, recording that "George Smith the Distiller is anxious to procure a market in Glasgow for the sale of some of his whisky,"¹⁰⁴ suggests that the Smith family's first business links with the West of Scotland date from this period.

This side of the family's connections with Easter Blairfindy may here be noted. William Gordon of Bogfouton, who was probably the first of these Gordons in Glenlivet, seeing that he appears to have been a native of the parish of Aberlour,¹⁰⁵ became joint tacksman in 1771 of Easter Blairfindy, usually called Castletown of Blairfindy, because of the old keep, beside the farmhouse.¹⁰⁶ Andrew Smith and his wife, Margaret Gordon (Gordon's second daughter), were living on this farm (at the portion called Croftmartin) before their removal to Upper Drumin.¹⁰⁷ In 1838 their famous son George would acquire the Easter Blairfindy tenancy, thereafter taking possession of the tenancies to Nevie and Minmore in 1839 and 1840 respectively.¹⁰⁸

A quarter of a century after the failure of the first Macpherson business in Glasgow, it was under the business name of “Gordon Macpherson, 162 Buchanan Street”¹⁰⁹ that advertisements were carried in almost all the Glasgow evening newspapers, from May 1938 onwards, for the father and son’s “Marriage Office”.¹¹⁰ (This was a line of business with which A. A. Alexander & Co. had been particularly associated, since October 1934: “Sheriff Court Marriages Legally Completed. Inclusive Fees, 42s. Short Scots Ceremony.”¹¹¹ The bringing into force on 1st July 1940 of the Marriage (Scotland) Act 1939 put an end to the practice; section 5 of the act making irregular marriage by declaration *de presenti* no longer valid.) With the advantage, it might be said, of an intimate knowledge of the bankruptcy laws, and supported by an employed staff of experienced sheriff officers, a busy practice had been built up, even before Alexander Macpherson himself became a sheriff officer in 1937. One member of staff, for example, was T. Morrison McArthur, messenger-at-arms. He it was who gave the evidence, in the famous sedition trial of John Maclean (1879-1923) in 1918, that Maclean had said in a speech, “that the workers should be prepared at any moment to throw themselves at the throats of the capitalist class”.¹¹²

3. John Stewart, Messenger in Glenlivet

Our story of messengers-at-arms and investigators can now be taken back into the eighteenth century, almost to the era of the character Ninian Campbell, the scout, in Neil Munro's *The New Road* (1914). Ninian, a dispossessed MacGregor, "took up the *beachdair* business, but dignified and cloaked a little by the sounding name of Messenger-at-Arms", we are told (chapter 3) – this being "in the old days", as the Lyon Clerk said in 1923, "when messengers were lairds, notaries, sons of ministers and persons of similar rank."¹¹³ One of these, John Duff, of good family in Aberdeen, an old Jacobite of 1689, who engaged in the Rising of 1715, is remembered to history as "a man very much esteemed in his life, being one of great honour and honesty, of extraordinary good parts and a facetious and agreeable companion."¹¹⁴ He was exceptional, of course; a legal writer in 1840 could refer disparagingly to the messengers of the eighteenth century, "whose misdeeds the acts of Sederunt and decisions of the Supreme Court furnish a teeming record".¹¹⁵ The duties of a messenger of old could be summarised as acting as official couriers, conveying royal missives and commands, and, as "sheriffs in that part", executing royal summonses, poindings, hornings, letters of caption and other writs.¹¹⁶ Munro chooses, however, only to advertise the detective role of his fictitious messenger – for he writes thus of Ninian Campbell's professional purposes: "gathering hints and tracking rumours".

William Macpherson's maternal grandfather, Robert Gordon,¹¹⁷ a country bailiff, was brought up in the household of his grandfather, John Gordon (d.1831, aged 92), successively tenant of the neighbouring farms beside the Livet, Wester Blairfindy¹¹⁸ and Tomnavoulin.¹¹⁹ John Gordon was the nephew by marriage of one of the local messengers-at-arms,

John Stewart. The parish register places this messenger in the 1770s at the farm of Quirn,¹²⁰ and possibly he is the same man as “John Stewart Messenger in Gallowhill”, who in 1781 accepted a bill, drawn by John Gordon’s father, William Gordon of Bogfouton, for 16 shillings and eight pence.¹²¹

1756 or 1758 may have been the year of John Stewart’s admission as messenger. The publication in 1753 at Edinburgh of *A Treatise on the Office of a Messenger* (its author, Robert Thomson, being identified only by the appearance of its second edition, as purchased by Robert Burns) therefore gives a perfectly contemporary account (pp.1-2) of the profession upon which John Stewart had entered:

A Messenger at Arms, or Officer of Arms, is a publick Servant, duly and lawfully ordained, admitted and authorised by the Lyon King of Arms, under his Testimonial, for serving the King’s Lieges, (upon their own reasonable Expences) in executing of legal Diligence, and consequently ought to be a Person of Discretion, Honesty and Credit, and of sufficient Knowledge, Learning and Experience, for executing his said Office; the doing whereof to Purpose, is not so easy as is commonly imagined: For, besides a reasonable Stock of Prudence and Experience, it requires considerable Knowledge in Law, and the Art of forming Writs, that he may be the better enabled to do his Duty, and form his Copies and Executions.

This introductory section to the treatise explains that there ought to be only 200 messengers, or officers of arms, (including heralds, macers and pursuivants, 17 in number) to be divided among the shires, four of whom were allocated to Banffshire. The procedure of admission to office, through which John Stewart must have passed, is explained as follows (pp.9-10):

All Messengers at Arms are examined and admitted by the Lyon King of Arms, or his Depute, and authorised with his Testimonial, by the Act of Admission, and get from him a Book of Injunctions, in which they are obliged to insert the Executions or Indorsations of all Diligence execute by them, and to subscribe the same in Manner fully set down in the said Injunctions; and for observing whereof they find sufficient Caution at their Admission, under the Pain of 500 Merks, for the King's Use, with the Costs, Skaith, and Damages and Interests of Parties grieved by their Falshood, Negligence or Informality, Act 46th, Parliament 1587. And whenever the Cautioners die, or become insolvent, they must renew them, under the Pain of Deprivation, Act 208. Parliament 1594, which will be perfectly understood by the Injunctions, Bond of Cautionry, and Act of Admission hereafter fully insert.

Fees were payable upon admission to the office, as is explained in the section on "Form of admitting a Messenger" (pp.15-16):

And therefore, if any Person intend to admit Messenger, he must first apply to the Lyon Clerk or his Depute, who will, in the first Place, ask him, if he has my Lord Lyon's Fees ready, (being 250 Merks *Scots* within the Town of Edinburgh, and 125*l. Scots* without the samen)

The annual obligations of a messenger to the Lord Lyon were guaranteed by the "Bond of Cautionry", the relevant section (pp.17-18) of which states:

. . . we the said Messenger and Cautioner bind and oblige us, conjunctly and severally, and our foresaids, to produce mine the said Messenger's Book of Injunctions to the said Lord Lyon, his Depute, or Clerk of Court, upon the 6th Day of *May*, and 6th Day of *November*, yearly, and to pay to the said Lord Lyon, or his Depute, or Collector, at the said two Diets

yearly, by equal Portions, the Sum of ten Merks Money foresaid, by and attour the ordinary Dues to the Clerk of Court: And if we failzie thereintill, in that Case, I the said Messenger am content, that the not Production of my Book, and the not Payment making of the said Sum precisely at the said two Diets, by equal Portions, the same shall be a lawful Cause to deprive me of my said Office.

The Lyon Court, in theory at least, regulated closely the conduct of all messengers in Scotland. The treatise includes these “Injunctions given by the Right Honourable *Alexander Brodie of Brodie*, Lyon King of Arms, ¹²² according to the Directions of the Act of Parliament, to be observed by all Officers of Arms, for due Service to the King, and his Lieges, upon their reasonable Expences” (pp.20-26):

In the *first* Place, That all Messengers be provided of a sufficient Horse ready to serve the King and his Lieges, upon their reasonable Expences.

2. *Item*, That the Messenger present before the ordinary Clerk a sufficient Book, to be marked by him as the Notars Books are in the Session, and thereinto have first written his Injunctions, and thereafter his Executions of Hornings, Inhibitions, Arrestments, Lawborrows, and Denunciations of Apprisings, and that he subscribe ilk Execution so to be insert, with his Hand, bearing the Names of the Pursuers and Defenders, the Causes, in what Manner he charged and execute, the Day, Year, and Place, and Witnesses, Dates of the Bonds or Decrees whereupon the same proceeded, the Date of Registration thereof, with the Date of the Letters, and that he execute no Letters against any Person without his Blazon on his Breast, Blowing-horn, and Wand tipped at the two Ends, with two Letters, one of his Name, and the other of his Sirname, to serve for a Stamp to his Executions, under the Pain of Deprivation, and he and his Cautioner incur the Unlaw of 500 Merks.

3. *Item*, That how soon he denounces any Person, or receive Deforcement, that he indorse his Letters, and certify the same to the Lord Lyon, Treasurer or Sheriff of the Shire, according to the Direction of the Act of Parliament, and that he in no ways pretermitt the same for Favour nor Profit, under Pain of Deprivation, and he and his Cautioner incur the Unlaw foresaid.

4. *Item*, He shall summon no more nor fewer upon an Assize than forty-five Persons, to be contained in a Roll subscribed by the Clerk of Justiciary, Treasurer or Party, and shall neither boast nor threaten any with Summons not contained in the said Roll, nor take Gains for forbearing to summon any, under the Pain above-mentioned.

5. *Item*, That the said Messenger do his true and exact Diligence in arresting and intromitting with Escheat Goods, according to the Letters to be delivered to him by the Lords of Council and Session, notwithstanding of any simulate Possession, Selling or Disposition of the samen, in Favours of any third Person, under the Pain of Deprivation, and he and his Cautioner incur the Unlaw foresaid.

6. *Item*, He shall not refuse to serve in his Office to any of the King's Lieges, upon their reasonable Expences, upon any frivolous Excuse, or Respect of Persons, except he be acting in other Service at the Instant, under the Pain foresaid.

7. *Item*, That the said Messenger present his Book, containing his Executions to the Lyon King of Arms, his Depute, or Deputes, one or more, or to his Clerk, upon ilk sixth Day of *May*, and sixth Day of *November* yearly, to the Effect the Sheriff-Clerk's Register may be comptrolled therewith, under the Pain foresaid.

8. *Item*, That the said Messenger, when he summons Assizers or Witnesses to compeer personally, come and verify his Execution, as is commonly used at the Verification of Brieves, under the Pain above-mentioned.

9. *Item*, That the said Messenger take not upon Hand to execute any Letters of Treason, under the Pain foresaid.

10. *Item*, That the said Messenger make his Arms, and reform them in Silver, over-gilt with Gold, and use no other Arms, after he has found Caution, and got his Testimonial, under the Pain foresaid.

11. *Item*, That the said Messenger use and wear his Arms daily on his Breast, that he may be known to be his Majesty's Officer, certifying that if he failzie, it shall be a lawful Cause to deprive him of his said Office, and he and his Cautioner incur the Unlaw foresaid.

12. *Item*, That the said Messenger shall not fee Household Servant with any particular Master, but common and indifferent to serve the King and his Lieges, upon their reasonable Expences.

13. *Item*, That the said Messenger abstain from the Execution of his Office, from the Decease of his Cautioner, ay and while he find Caution a-new again, under the Pain foresaid.

14. *Item*, That the said Messenger, when he charges any Person at his Dwelling-place, or denounces or charges at the Market-cross, that he affix a Copy, and leave the samen behind him, so that neither by him nor his Witnesses it be removed by his Consent, under the Pain foresaid.

15. *Item*, That the said Messenger give a just Copy of his Letters to the Party whom he charges, and subscribe the samen, under the Pain foresaid.

16. *Item*, That the said Messenger, when he pointds any Goods or Gear from any Person, that he, immediately after the same is apprised, within the Space of four Days next after the Apprising, make Money thereof, or otherwise to deliver the said Goods to the Party to whose Behoof the same is apprised, under the Pain foresaid, and he and his Cautioner to incur the Unlaw.

17. *Item*, That the said Messenger, when he executes Letters of Lawborrows, receive the Party's Oath, conform to the Will of the Letters, before he indorse and give his Execution upon the Back thereof; and that the Execution bear the taking the Oath of the Party Charger; and that this

be observed in all Time coming, when he executes Letters of Laborrows, under the Pain foresaid.

18. *Item*, That the said Messenger, how soon his Book of Injunctions shall be compleatly filled up with his Executions, and every one of them signed with his Hand, to be insert by him thereintil, as said is, to exhibite and produce the samen to the said Lord Lyon's Clerk, to be kept by him, and made forthcoming to all our sovereign Lord's Lieges having Interest thereto, and to receive another from him to the Effect above-written, under the Pain foresaid.

Whether well-regulated or not in his official actings, it is as “a man of drunken habits”, and father of Charles, a “not trustworthy” wine merchant in Greenock (this son's estates being sequestrated around 1816),¹²³ that John Stewart, messenger-at-arms, is described in the family history notes (dated 1876) by Captain James Stewart of Williamwood.¹²⁴ (Captain Stewart's father and John Gordon in Tomnavoulin were both nephews of the messenger-at-arms' wife, Helen Stewart.) Just the possibility that this son might have been the same “Charles Stuart Merchant in Greenock” who, lodging at Mrs. Williamson's, had his name entered in the Register of Protections of Sanctuary of Holyroodhouse on 20th February 1804¹²⁵ – a retreat to the sanctuary by a debtor thus obtaining protection from being apprehended by creditors – serves to introduce the following remarks about one of the fascinating features of the application of the Scottish laws of diligence of old. In 1803 there was even still residing within the “Abbey Girth” the most illustrious personage ever to have sought protection there from his creditors: Charles-Philippe, Comte d'Artois, the future Charles X, king of France.¹²⁶

Imprisonment of debtors, as one of the main remedies available to ordinary creditors, was competent until the Debtors (Scotland) Act 1880, and had been always a major source of employment for messengers-at-arms. A vivid description of the

terrors of prison for debtors is given in Henry Grey Graham's *The Social Life of Scotland in the Eighteenth Century* (1899). Quoting in a footnote, from Erskine's *Principles of Scots Law* (1756), "Debtors in prison ought not to be indulged by the magistrates or jailers with the benefit of air; for the creditors have an interest that their debtors be kept under close confinement, that by *squalor carceris* they may be brought to pay their debts", this is Grey's account of the use of diligence in its severest form:

The worst fate [in prisons] was borne by bankrupts, debtors, or "dyvours," who were treated with a severity curiously out of harmony with a penal code which had some features of kindness In prison everything was done to intensify their discomfort. Even when ill they were deprived of the privilege of all fresh air, which the worst felons might breathe; for in the interests of impatient creditors, who paid 3d. a day for their maintenance in jail, they were expressly confined to the *squalor carceris*, to the misery, the dirt, of the noisome and pestilential room which formed their prison, denied every privilege which all other criminals enjoyed.¹²⁷

It will be appreciated, therefore, how advantageous to a debtor might be flight to the sanctuary; by paying the essential booking fee to the Bailie of His Majesty's Palace of Holyroodhouse, a protection was obtained, within the girth of the palace and park. This summary of the law of the Abbey is in Peter Halkerston's *A Treatise on the History, Law, and Privileges of the Palace and Sanctuary of Holyroodhouse* (Edinburgh, 1831, pp.170-71):

The protection from personal diligence, within the precincts of the Abbey of Holyroodhouse, was probably originally granted to the place of the king's residence, wherever he happened to hold his Court, that he might not be deprived of the advice and assistance of his subjects. In the records of the

Abbey, the first instance of a protection having been granted to a debtor, as recorded by Buchanan, was in the case of John Scott, in the year 1531, just three centuries ago, and since that remote period down to the present time, protections have been granted to insolvent debtors, by the bailie of the Abbey . . . A person retiring to the sanctuary for personal protection from diligence, is understood to remain protected for the first twenty-four hours, that time may be afforded to him to obtain a protection, after which he may be seized in virtue of diligence, and carried beyond the jurisdiction, unless a regular protection has been in the mean time obtained and booked. The fee for the protection, which *ex officio* is signed by the bailie, is L.2,2s. including booking. It protects against all civil debts, but it does not protect a person against punishment for crime or delict, or against the diligence of caption, if he escape from the messenger or other officer to the sanctuary by force or intrigue. The date of booking the protection is of great importance in ascertaining the period of the bankruptcy of debtors retiring to the Abbey, and in regulating the preference of creditors under the Bankrupt Act . . . The bailie has power to grant warrant to apprehend, examine, and imprison debtors within the jurisdiction, as *in meditatione fugae*, and he may even seize, imprison, and search fraudulent bankrupts

But the debtor enjoys many advantages, when compared with the *squalor carceris*, the filth and confinement of a jail, such as the benefit of comfortable lodgings, salubrious air, and of extensive romantic walks within the precincts, which occupy a range of between five and six miles in circumference, including Arthur's Seat, and the surrounding hills and vallies; Salisbury Craigs, St. Anthony's Chapel, King's Park, Palace, Palace-yard, &c. to the strand at the foot of the Canongate. And during the period of his protection, he is at liberty to remove beyond the bounds during Sundays.

Returning to these families of Stewarts,¹²⁸ it is perhaps remarkable, given their very different fortunes, that they should have kept in contact through several generations. For example, the accidental death in 1869 of the messenger-at-arms' great-grandson, Charles, aged eight (son of Charles Stewart, labourer, Duke Street), on the railway lines at Nursery Vale, Duke Street, Glasgow,¹²⁹ was duly noted at the mansion house of Williamwood. The Captain's father (John Gordon's first cousin, James Stewart, who was born in Largs in 1775) appears to have been, in 1793, the first of the family to have settled in Glasgow. Thereafter, he was resident in the then rural Renfrewshire parish of Cathcart – at Crosshill House (1809) and thereafter at Williamwood House, from 1817, until his death there in 1834.¹³⁰ It had been in the 1760s that the Captain's grandfather, Archibald Stewart, officer of Excise (John Gordon's uncle), and a Glenlivet cousin of Archibald, the Reverend Gordon Stewart, were the first of the family to remove from the Livet to the Clyde – the former, to a position in the Excise in the Greenock district, supposedly through the influence of Colonel James Stewart, of the Drumin family in Glenlivet;¹³¹ the latter, to the charge of Cumbrae, upon presentation by the Earl of Glasgow.¹³²

It is possible that John Stewart, messenger-at-arms, was a nephew of the influential Colonel Stewart, and thus a grandson of the Jacobite of the '15, John Stewart of Drumin.¹³³ It is also possible that, there being two John Stewarts, messengers-at-arms in Glenlivet, John *Junior* would have been the son of John *Senior*. (However, a contemporary John Stewart at Drumin was, in fact, the son of an *Arthur* Stewart; this Arthur seeming not to have been the half-brother of that name of Colonel Stewart.)¹³⁴ It has yet to be proved which of the very many John Stewarts in Glenlivet was the one connected with the Auchorachan and Williamwood families. The known facts are these: simultaneously two of the

Banffshire messengers-at-arms were named John Stewart, and both were in Glenlivet; a *Senior* (his precise address never being given in the Lyon Office records) and a *Junior* – only listed in the records as being at *Drumin*. The Lyon Office register contains copies of the relevant commissions: on 25th August 1756, “John Stewart Merchant in [blank]”, and on 20th December 1758, “John Stewart in Drumin” were admitted messengers for Banffshire.¹³⁵ The names and addresses of the John Stewarts, Junior and Senior, appear thus in the *Edinburgh Almanack*, from the first published list of messengers in 1774, until 1798: “*Drumin by Keith, Jo. Stewart, jun. / Glenlivet by Keith, Jo. Stewart, sen..*” The senior John Stewart’s listing continues until 1804.

The ending of the careers of these two messengers in fact coincides with the highpoint in the numerical strength of the profession. The decline in the number of messengers since the year 1800 was commented upon when Francis J. Grant gave his evidence to the Hon. Lord Ashmore’s committee. In 1923 there were only 28 messengers throughout the whole of Scotland. These are the Lyon Clerk’s comments, setting this strikingly low figure in its historical context:

By Act of Parliament of 1587 the number [of messengers] was limited to 200 and remained so till at least 1660, new messengers being only admitted in place of those who had died or resigned. After 1660 the number seems to have increased. In 1800 there were 262 well distributed over the country, even small villages often having a resident messenger. The extension of the jurisdiction of the Sheriff Courts would appear to be the first reason for decrease. In 1850 the number had fallen to 128 and in 1882 when the Citation Amendment Act was passed to 67. This had been preceded in 1880 by the Abolition of Imprisonment for Debt, which formed a considerable part of a messenger’s business. The Citation Amendment Act was passed in the last days of a Session, practically without the knowledge of those

immediately concerned and the messengers found themselves suddenly deprived of a large portion of their living without having had an opportunity of being heard on the subject and without any compensation.¹³⁶

One assumes that it must be to the senior of the two John Stewarts that this announcement in the *Aberdeen Journal* of 17th September 1817 (reported the following month in *The Gentleman's Magazine*) refers: “*Longevity*. – Died on 21st ult. at Delhandy, in Glenlivet, parish of Inveraven, Banffshire, JOHN STEWART, Messenger-at-Arms, at the advanced age of 101.”

“Gie me the real Glenlivet,” writes “Christopher North”, supposedly as a quotation of James Hogg.¹³⁷ “If a body could just find oot the exac’ proper proportion and quantity that ought to be drunk every day, and keep to that, I verily trow that he might leeve for ever, without dying at a’, and that doctors and kirkyards would go oot o’ fashion.” According to Bruce Lockhart, “For toughness and disregard of life and limb the men of Glenlivet and Tomintoul were unrivalled even in the Highlands, and John Wilson (‘Christopher North’), who visited Tomintoul in 1815, described it as ‘a wild mountain village where drinking, dancing, swearing and quarrelling went on all the time’.”¹³⁸ John Wilson (1785-1854), the Oxford-educated Scots advocate (and father-in-law of the already quoted versifier on Glenlivet, W. E. Aytoun (1813-65)) had earlier spent student days at Magdalen College. The future king Edward VIII, when Prince of Wales, would enter that Oxford college in 1912, later telling an American journalist of his residency there: “we were drunk all the time”.¹³⁹ No blame for this, one feels sure, should be attached to the prince’s tutor in history at Magdalen, the distinguished Sir Charles Grant Robertson (1869-1948).¹⁴⁰ He was a great-grandnephew of the founder of the Glenlivet Distillery, George Smith. Robertson’s mother was steeped in Glenlivet history: a

great-great-grandchild of William Gordon of Bogfouton, she and her brother were in 1910 the private publishers of John Malcolm Bulloch's history of the distilling family, *The Gordons and Smiths at Minmore, Auchorachan, and Upper Drumin in Glenlivet*.

As Halkerston states of these dangerous old days, "the execution of diligence, from its very nature, is too frequently accompanied with violence, and necessarily productive of broils and confusion".¹⁴¹ No doubt it was quite a marvel that, notwithstanding the protective properties of the whisky, the district of Glenlivet should have had such a long-lived messenger-at-arms as John Stewart.

4. John Gordon and His Relatives in Law

Amongst the civil court records of Banff Sheriff Court is preserved a process, at the instance of John Gordon in Tomnavoulin, the sometime tacksman of Blairfindy, which graphically records the dangers facing a messenger in executing his warrant. John Gordon's lawyer explains to the court that the defender (another Stewart by name) lives in a remote part of the Braes of Glenlivet; that he bids defiance to all legal authorities and executors of the law; that in consequence, from the year 1795 until 1812, a period of seventeen years, the pursuer has found it impossible to execute his diligence. The dangers of the situation are vividly described in the following certificate by the messenger-at-arms in Keith:

January 30th 1813. I Do Certify & Declare that some years ago, I went with a Party to poind James Stewart in Knochan, at the Instance of John Gordon in Tamnavoullan, but was obliged to Desist at the Perill of our Lives, as Stewart and his Family pursued a[nd] Chased Us from the Town with an Iron Grape and Gun swearing they would stick and shoot Us, which is attested by Me, George Chalmers Messr. ¹⁴²

John Gordon also features in the records of a criminal case at Banff Sheriff Court in 1812.¹⁴³ A sheriff officer's declaration to the court in November tells of his travelling through a Saturday night from Banff to Glenlivet, in company with John Gordon in Tomnavoulin, on an urgent and dangerous mission: to apprehend, on a charge of forgery, a notorious henchman of Gordon's own brother-in-law at Blairfindy. The sheriff officer in Banff describes this absconder from justice as "a lawless desperado who often deforced the officers of the law." Another sheriff officer, from Mortlach, also testifies that the man "goes completely armed in order to resist any party."

Yet he seemed to be under the protection of Gordon's brothers-in-law, Lieutenants Charles and Robert Grant.¹⁴⁴ The latter, in his own declaration to the court, admitted that he knew the fugitive "has been under diligences for several years", and had, as he put it, "fallen upon" the local Glenlivet messenger-at-arms in the past. "It is maybe just as well for all parties that he [the 'desperado'] is not apprehended," the Banff officer quotes John Gordon as saying, enigmatically. The brother-in-law, Charles Grant of Airlie (1758-1828),¹⁴⁵ tenant in Blairfindy, described by an informant in this case as a person of "most notorious character", would be convicted on a related charge of falsehood and fraud at the High Court of Justiciary at Aberdeen in 1813. He was sentenced to four months imprisonment and a fine of one hundred guineas – notwithstanding speeches for the prisoner in mitigation, by Francis Jeffrey (1773-1850).¹⁴⁶

John Gordon had married Margaret Grant (d.1844, in her 78th year), of the family of Grant of Wester Blairfindy, and would claim that his father, of whom he was the eldest son, disinherited him because of the marriage.¹⁴⁷ It is certainly true that the father left his heritable estate, plus his lease to the family home at Auchorachan, to his fourth son, Ensign William Gordon; moreover, the tenor of the "Deed & Settlement of the Personal fortune of William Gordon of Bogfouton", executed on 9th August 1790, is markedly unfavourable to his eldest son. "The sum of Three Hundred Pounds Sterling money" (the same amount as three of the younger sons got) being left "to John Gordon in Tomnavoulan my Eldest lawfull son", these were the conditions of the bequest, framed by James Glashan, writer in Keith:

Declaring as it is hereby speciall Declared That in the event of the said John Gordon my Eldest Son shall either Give or attempt to Give the said William Gordon my Disponee & Executor any trouble respecting a Subsett Executed by me in his favour of this date for the remaining years yet to run of

my Principal Tack or Lease from the Duke of Gordon the Heriter upon the Lands of Achorachan and others therein specified, then and in that Case, I hereby Peremptorly Reduce and Restrict the foresaid Sum of Three Hundred Pounds money foresaid, so provided to him in manner before mentioned to the Sum of five shillings Sterling money, and that my said Disponee and Executor William Gordon shall not be liable to him in payment of more than the said five shillings money foresaid, and before the said John Gordon shall have right to Demand payment of the foresaid Sum of Three Hundred Pounds Sterling money so provided to him as aforesaid, I hereby peremptorly appoint and ordain him to Grant and Execute a sufficient Deed in writing at the sight of the said James Glashan for Homologating and Confirming the foresaid subset, Granted by me of this date to the said William Gordon my fourth Lawfull Son Disponee and Executor aforesaid.¹⁴⁸

John Gordon's bride, Margaret, was the daughter of Alexander Grant in Tomnavoulin (d.1791, aged 68), and a niece of James Grant (d.1791), another of the messengers-at-arms in Glenlivet in the 1750s. (James's year of birth is unknown, but he was old enough in 1729 to have been witnessing a legal deed.)¹⁴⁹ The circumstances of the marriage led to considerable dispute between John and his brothers, some aspects of which were seemingly disposed of through arbitration – the brothers agreeing by letter on 8th December 1791 to submit and refer to two arbiters and an oversman. This Submission and Decreet Arbitral, registered at Elgin in 1792, concerning the affairs of the Auchorachan Gordons, refers to a family conference, attended by the brothers' maternal uncles, Robert and Gavin Stewart (two of the brothers-in-law of John Stewart, the messenger):

The parties following vizt. John Gordon in Tomnavooln on the first part Robert Gordon in Castletown on the second part

and Charles Gordon in Achorrachan on the third part All Children of the deceast William Gordon Sometime in Achorrachan And Brothers German of the Also deceast Ensign William Gordon last of Bogfouton considering that by an Agreement entered into betwixt them said Agreement being entered into and proceeding upon the Assertion of the said John Gordon in Tomnavooln to be supported and proven by the Evidence of Robert Stewart in Deskie and Gavin Stewart in Dounan who were said to be witnesses to a Comonuning betwixt said John Gordon Tomnavooln and his deceast Brother Ensign William Gordon relative to the transaction About which this Submission is entered into.¹⁵⁰

However the Gordon brothers and sisters also took their intricate squabbles to the Court of Session.¹⁵¹ Of these litigations James Robertson, writer to the signet, opined, “There never was such a confused business since the World began, & if the parties had contrived how to multiply lawsuits they could not have done it more effectually.”¹⁵² The following statement was made by counsel for John Gordon to Lord Stonefield on 20th December 1796:

The Lord Ordinary’s Attention was requested in a particular manner in the first place to the Circumstances of John’s being the eldest Lawful Son of Wm. Gordon Senr. and tho’ it had very early appeared that he was the only one of the eight Children of his Father’s family, who by proper Conduct, Industry and oeconomy was likely to make a decent livelihood and attain any Degree of respectability in the world, yet was cut out of his Birth right by his Father and Brother’s Settlements, owing chiefly, it is believed, to Wm. and Chas. Gordons, the younger Brothers, having to serve their own ends, created a prejudice in the mind of their mutual Father ag[ains]t the eldest Son John on account of his marrying a Gentleman’s Daughter in the Neighbourhood of correct deportment and Character and sprung from one of the

most antient & respectable families in the Country, but who they pretended was not a suitable match for him.¹⁵³

The Jacobite family of Blairfindy, of which Margaret's father was the youngest son, was indeed notable. Now landless, by lairdly standards it had also been miserably poor. Alexander's father, John Grant of Blairfindy, having lost his home to fire in 1735, was said in 1738 to have had difficulty enough just in feeding his family.¹⁵⁴ Yet Alexander had some grand, subversive connections. According to the Grant of Blairfindy pedigree, recorded at the Lyon Office in 1778,¹⁵⁵ Alexander's mother, Helen Anderson, was a granddaughter of that ardent royalist, Sir Alexander Irvine of Drum (d. 1657).¹⁵⁶ Appointed Sheriff of Aberdeen in 1634, Irvine had in 1652 been excommunicated by the Aberdeen Presbytery on charges of "cursing and reproaching of the Covenants and blessed work of Reformation".¹⁵⁷ Alexander's grandfather, William Grant of Blairfindy, was amongst the gentlemen of Glenlivet complained against in 1671 for having "resett, harboured and corresponded with certain popish preistes".¹⁵⁸ In 1645 Alexander's great-grandfather, John Grant of Blairfindy, had subscribed to the bond of combination between the Laird of Grant, his friends, and the men of Badenoch, Rothiemurchus, Strathavon and Glenlivet, against "our enemies now joined against his Majestie, our dread Sowerane", Charles I.¹⁵⁹

It was now the wealthy Gordon family's reputation that was set to become notorious in the 1790s. John Gordon's harsh assessment of his siblings' reputations with money would seem to be justified by events. The family's home at Auchorachan came to be lost, it was said, through the actions of the third son, Charles. He had succeeded his brother, William (the fourth son, who did not long survive the father), in Auchorachan late in 1791, lived there "in the greatest Luxury and dissipation" (according to the Court of Session minutes) until his death in 1796, and left his widow to have to roup the cattle and set the

farm.¹⁶⁰ Robert Gordon, the second son, tacksman of Castletown of Blairfindy, failed just as publicly, around the same time; indeed he suffered the indignity of a removal to Edinburgh, so often the sign of a flight from creditors to the sanctuary (although there is no trace of his having been ‘booked’ at that time in the Register of Protections of Sanctuary of Holyroodhouse).¹⁶¹ In 1795 a summons in the sheriff court at Banff described the fine farm of Castletown, or Easter Blairfindy, as “being stript of the whole Effects and Stocking thereon, and left without Servants or Cattle of any kind to labour with, so that it is completely laid waste.” On a later occasion that year the sheriff was told, “That the said Robert Gordon had several months ago absconded and deserted his said possession, and his Creditors had seized on the whole of his Effects, Bestial, and Stocking thereon, and the farm is now completely laid waste without Servants or Cattle to labour it”.¹⁶²

In 1803 the tenancy to Castletown of Blairfindy would be acquired by Lieutenant Robert Grant (b.1760), Mrs. Gordon in Tomnavoulin’s brother – “The Dwelling house to be valued by Men, to be mutually chosen & for which he is to pay the appreciated amounts to the Factor for behoof of the Widow of the late Mr. Gordon, of Castletown,” according to his offer.¹⁶³ Robert Grant, shortly before his death, would then come to acquire possession of Wester Blairfindy from his brother, Charles, in this unhappy fashion (as recorded in a letter dated 27th May 1823 from the local priest in Glenlivet): “Blairfindy [i.e. Charles] was yesterday turned out of his houses by Castletown [i.e. Robert] and a lawyer”.¹⁶⁴

The notorious reputation of Charles Grant, the elder brother, has already been mentioned, in connection with the criminal case. There would be social scandal too. On 25th June 1823 the priest at Tombae wrote to the priest in Aberdeen: “you are aware that Mr. Grant Blairfindy’s Housekeeper is

reported to be in the family way”.¹⁶⁵ The result of a subsequent pregnancy, Barbara, would be legitimated by Charles Grant’s second marriage in 1827. Barbara, as Mrs. Robertson, in the 1850s became noted as a pursuer in the Court of Session, in yet another squabble over a will – in this case, that of the half-brother, who had died before her birth, Robert Charles Grant (1786-1823), advocate in Aberdeen. According to *The Scotsman’s* report (3rd December, 1859, p.4), “The advising occupied fully two hours”. She lost the case. It was in these circumstances that the following particulars of the Blairfindy family all came to be retold in the words of Duncan McNeill, Lord Colonsay and Oronsay (1793-1874), as Lord President of the Court of Session:

In 1823 Robert C. Grant was the owner of certain lands and subjects called Balgowan. He had derived that property from his father by disposition in favour of himself and his heirs whomsoever. On 11th March 1823, he executed a trust-disposition and settlement, whereby he conveyed that property to the defenders, Gordon and others. On 23^d March Robert C. Grant died. He left no descendants, and no brother or sister, consequently he was succeeded as heir, by his father Charles Grant. On 1st May, Charles Grant executed a deed of ratification of his son’s trust-deed, and on 31st May the trust disponees were infeft. On 19th July of the same year, Charles Grant was served heir of line and of conquest to his son Robert, and was infeft. On 20th August he executed a disposition of Balgowan and others in favour of his son’s disponees, the defenders, and these parties were infeft on that disposition by Charles Grant on 30th August 1823.

So stood matters for upwards of a year. In 1824, on 13th December, the pursuer was born. She is a daughter of Charles by a second marriage, and a half-sister of Robert C. Grant, and, if she had been in existence at the death of Robert, would have been his nearest heir, and would have excluded their father. The pursuer now brings a reduction of

these deeds. She alleges that the trust-disposition executed by Robert, was executed on death-bed, and is reducible *ex capite lecti*; that the deeds granted by Charles are ineffectual, in respect he had no valid title to grant them; that the service of Charles, and all that followed, became inoperative and ineffectual by the birth of the pursuer, a nearer heir, or by her legitimation. . . .¹⁶⁶

It has not been established what became of Barbara thereafter; probably she lived and died in America.¹⁶⁷ Back in Glenlivet, Lieutenant Robert, Barbara's uncle, would be unfavourably described in the 1821 estate ledger with this candid statement by the Duke of Gordon's factor: "Well known he & his son bad characters".¹⁶⁸ In fact, Robert had been recorded as a defaulter even at the age of thirteen, in 1773, when he ran away from school at Scaln.¹⁶⁹ Under the date of 28th July 1818, the Register of Protections of Sanctuary of Holyroodhouse lists "Lieut. Robert Grant, Castletown"¹⁷⁰ - thus giving evidence of his notour bankruptcy. The Duke of Gordon's Ledger for Glenlivet and Strathavon (1821) then records, "August, 21. Roup of the Effects belonging to Castletown."¹⁷¹ However, perhaps his stay in Edinburgh had at least made an honest woman of his house keeper, Jean Gordon, the mother of his children, Charles and Barbara. The marriage is recorded of a couple of their names on 15th April 1819, in the Canongate.

The thrifty couple in Tomnavoulin seem to have kept themselves free from all such legal indignities affecting their so near relatives – although John Gordon's habit (shared with his father and brothers) of fathering illegitimate children did lead him to seek absolution from the kirk session of Inveravon (which he received from the moderator on 15th March 1795).¹⁷² It has already been mentioned how these traits of thrift and illicit parenthood would manifest themselves in John's only lawful son, "Rich Willie Gordon of Tamoul".

John Gordon and Margaret Grant had married at some untraced date in the 1780s; probably this was around 24th April 1787, on which date William Gordon, the father, disposed the lands of Bogfouton to William, his fourth lawful son, thus cutting out the eldest son from that part of his inheritance.¹⁷³ Yet it seems that the families at Auchorachan and Wester Blairfindy must have been on good terms at one time; for in 1750 William Grant in Blairfindy (Margaret's senior uncle) had been the namesake witness at the baptism of William, John Gordon's younger brother and eventual usurper.¹⁷⁴ In fact, it remains a mystery why the marriage between John and Margaret proved so contentious. A marriage mixed in religion – the Gordons being Protestants, the Grants Catholics – is no sufficient explanation: the favoured Ensign William Gordon chose his bride from the same Farquharson family¹⁷⁵ which supplied a successor to Abbé Robert Grant (d.1784) as rector of the Scots College at Douai in France.¹⁷⁶

Given the tradition of messengers-at-arms in strict enforcement of legal obligations, it is ironic that the Blairfindy family should have produced one of North America's most delinquent debtors. The Honourable William Grant (1744-1805),¹⁷⁷ seigneur of St. Roch, sometime Deputy Receiver of Quebec, member of the Executive and Legislative Council of Lower Canada, later of the Provincial Parliament of Quebec, was son of William Grant of (thereafter only *in*) Blairfindy, and thus a first cousin of Mrs. Gordon in Tomnavoulin. It was said that he was taking her brother, Petie, out to Canada in 1763.¹⁷⁸ William Grant of Quebec continued to keep in touch with the family in Scotland. Writing from Quebec in 1796 to Sir James Grant of Grant (1738-1811),¹⁷⁹ he refers to his cousins in Blairfindy and to his own Canadian grandnephew:

I took the liberty sometime ago to desire Lt. Robt. Grant or Chas. his brother, to present to you when at Castle Grant, the Boy who will by and by represent in the direct line the

Blairfindy branch of your Family, and the Family and Barony of Longueuil in this Country and France A trip to Strathspey may make him Clanish, which I hold to be a virtue when tempered with wisdom and discretion.¹⁸⁰

The family back in Blairfindy certainly had reason to thank William of Quebec as their benefactor. Alexander Grant's sons, Charles (b.1758), Robert (b.1760), and William (b.1773) all got commissions in the British army. The following extract comes from the same letter just quoted, referring to the purchase of brother William's army commission, for which cousin William of Quebec eventually paid. He writes thus to Sir James Grant, alluding at the end to William's late uncle, Sir James's friend in Rome, Abbé Peter Grant:

to thank you for your singular kindness to my Cousins Robert and Charles Grant of Blairfindy, and their brother William most particularly, to whom you have procured Ensigny and Lieutenancy in the 109 Regiment. I shall certainly hold myself obligated to replace the expence you have been put to on the Occasion as soon as I have it in my power and am acquainted with the Amount I hope he will merit those marks of your support and countenance and do honor to his Family. Could the good Abby Grant but look up, I am sure he would excite him to Actions worthy of your protection.¹⁸¹

An estimation of William of Quebec's character, dating from 1789, judges him "a man of first rate Abilities thoroughly vers'd in the French laws, and well informed in those of England, particularly such as relate to commercial business." However, continues this commentator, "He has a readiness in discovering Men's Characters & the talent of profiting by their foibles when he has any purpose to serve and his own thoughts are unfathomable, being a complete Master of every art of

simulation or dissimulation, & possesses a shameless composure of temper and countenance that cannot be removed by reproach or abuse.”¹⁸² In fact, history remembers him as an exponent of “great dexterity and cleverness” in preventing payment.

William, a fifteen year old fluent French speaker, had been sent to Canada in 1759, as agent of the prominent firm of Scottish merchants in London, Alexander, Robert & William Grant.¹⁸³ The firm even lobbied members of Parliament to advance the career in Quebec of, as they termed him in a letter in 1764 to Sir James Grant, “Our cousin, Mr. William Grant, one of the most considerable Merchants there.”¹⁸⁴ How different was this from the mood of the firm’s later letters, for example, this of 1767. Robert Grant of London writes here to Robert Grant of Tammore: “Your son has been pretty successful in collecting the debts. He has met with little trouble but from William Grant He will be obliged to return there in the spring, as the people owing us there, particularly William Grant, pays less attention to their words, character and credit than the worst thief you ever knew in the Highlands of Scotland.”¹⁸⁵ In 1768, after the firm’s dissolution, William Grant of Quebec’s unpaid account with it was valued at the staggering sum of over eighty thousand pounds.¹⁸⁶ The vast estate that he left in 1805 was insolvent.

5. Officers of Law and Rebels

James Grant, the future messenger-at-arms, and his youngest brother, Alexander, had been officers in the Jacobite army and were known to the government to have been “at home” in the summer of 1746, at Laggan of Blairfindy.¹⁸⁷ The house there, part of Wester Blairfindy, had been built by their father, the Duke of Gordon’s forester of Strathavon and Glenlivet.¹⁸⁸ On 16th July 1736, supported by the opinion of the Duke’s bailie of regality, it had been decided that Blairfindy’s house at Laggan be rebuilt as a courthouse, for holding the regality courts of the lordship of Strathavon and Glenlivet. The previous house there had been destroyed by fire about a year before.¹⁸⁹ Blairfindy and his wife, Helen Anderson, had in 1729 conveyed their title to the wadset lands they occupied to their second son; probably it was then that they had removed from the main house to the subsidiary one at Laggan. It is not known whether the new courthouse was still standing after the Jacobite rising, but it may be doubted; government troops had made a point of burning Blairfindy’s house in 1746.¹⁹⁰

John Grant of Blairfindy, the father of the family, had held a responsible position of an officer of law, as the Duke of Gordon’s wood forester. William Forsyth’s *In the Shadow of Cairngorm* (p.193) states that a keeper of one of the Duke of Gordon’s forests “was a position of some importance in those days, and the salary and advantages were considerable.” In describing the status of the Glenmore forester, Forsyth comments that in an act of James VI on Forest Law, “it is declared of Keepers of Forests that they should have power and jurisdiction to convene before them the transgressors of said statutes, and to try them by an inquest, and to execute the said Acts against them.” The character of the forester as an officer of law is emphasised by this comment by W. C. Dickinson, in

his introduction to *The Sheriff Court Book of Fife 1515-1522*.¹⁹¹ “Where the royal demesnes included ‘forest,’ the sheriff was frequently ‘sheriff and forester’ – a dual office.” The “Stated account betwixt the Duke of Gordon and John Grant of Blairfindie Anent his Intromissions wt the damages of the Green woods of Glenlivat and Strathaven conform to ane order from Glenbucket for ye effect dat I mar. 1718”, on the backing described as “Blairfindie’s ac[oun]ts. to bee examin: given in by John Grant of Blairfindie 28 Octor. 1722”, is preserved in the Gordon archives.¹⁹²

Following the rising of 1745, the Blairfindy brothers who remained at home must have made sufficient peace with the British government for James to be admitted a messenger-at-arms. (The supervisor of Excise’s report on James notes that he had already “submitted himself”; no submission by Alexander is recorded.)¹⁹³ Unfortunately, the precise date of James’s appointment cannot be established, because the admissions book of messengers-at-arms from 1722 to 1754 has been missing from the Lyon Office records for over a century.¹⁹⁴ It can be assumed that he would have been listed by the government in 1746 with the designation of messenger had he then held the office. (These lists show that some 5 messengers-at-arms, 2 messengers, and 6 sheriff officers are identified as having been in the Jacobite army.¹⁹⁵ One of those messengers-at-arms, counted by Alan G. Macpherson in the muster roll of Macpherson of Cluny’s Regiment, was James Gordon, Kingussie Boat, who was said to have ejected the minister from the charge of Kingussie for having led prayers for King George.)¹⁹⁶ Therefore the date of admission must lie between the summer of 1746 and 7th October 1754, when the surviving register commences.

Whenever the appointment, we know that James Grant would have needed to have had “my Lord Lyon’s Fees ready” of 125 pounds Scots, and then sworn allegiance at the Lyon

Office to George II¹⁹⁷ – the king who, just a few years before had, as legend has it, been waking in terror from nightmares about advancing Jacobites, crying out in broken English, “*De gread Glenbogged is goming!*”¹⁹⁸ The regiment of Major General John Gordon of Glenbucket (d.1750, in his 77th year) had included four commissioned officers, and one gentleman volunteer, of the immediate Grant family of Blairfindy.¹⁹⁹ Moreover, one of Glenbucket’s companions on his fateful journey to Rome in 1737/8 to see the exiled king James had been another of the Blairfindy brothers. Walter Biggar Blaikie, referring to this journey to Rome, boldly states: “it was Gordon of Glenbucket whose initiative in 1737 originated the Jacobite revival which eventually brought Prince Charles to Scotland.”²⁰⁰

This voyage of 1737 was made in company with the newly appointed agent of the Scottish Catholic clergy at Rome, Peter Grant.²⁰¹ In the two years before this, he had been stationed as the priest at Glengarry: Macdonnell of Glengarry was Glenbucket’s son-in-law.²⁰² Peter indiscreetly mentioned to the Duchess of Gordon Glenbucket’s journey to Rome, which was then reported to the government. From St. Quen, on 21st August 1747, Glenbucket writes as follows to the Old Pretender’s secretary, James Edgar:

I doubt not you was surprysed I neither writ since I came from Rome; but I unluckily left the key [cipher] you gave me at parting, which I hope will plead my excuse, for I was looked pretty close to after I got home for some time by reason of representation of the Dutchess of Gordon had given Sir Robert Walpole that I was gone to Rome, and her grounds were, Mr Peter Grant the Churchman, (came with me to Rome,) had waited of her at Newcastle, told her he expected me at Newcastle, and waited for me there in order to go with him to Rome. This story indeed was like to have brought me to trouble; but by assistance of friends I got over

it, tho' indeed it obliged me to act very cautiously; yet, by ways and means, I made it my business to keep up a spirit amongst the King's friends until the Prince came, who, I had the happiness to wait off when arrived, (old and infirm as I was,) amongst the first, and continued with him till that fatal and unhappy day at Culloden, and since that time it is not possible to represent what dangers and fatigue his Royal Highness underwent, and, for my part, all looks on me as a miracle that escaped, considering my situation of health and age.²⁰³

William Clapperton's memoir of Abbé Peter Grant adds further information about this fateful trip:

He sailed for Newcastle on 11/22 October. There baffling winds detained him till 26th October (6th November), when a stout vessel bound for Dunkirk was found. He was in Lyons on 9th December, about to set out that day for Turin, and finally arrived in Rome in good health on 7th January, 1738, thirty days after setting out from Lyons (Letter to George Innes, Paris, 8th January, 1738). It does not appear who was in his company, but from Lyons, on 9th December, 1737, he ends his letter with "Mr. Ogilvie and Mr. Gordon join me in etc."²⁰⁴

Alexander Grant (a lieutenant in Glenbucket's regiment, while James had been an ensign),²⁰⁵ was said to have been the subject – as the bright, fourteen year old "Sandy" – of an assurance by James Edgar, "that his Majesty will sooner or later take care of the boy".²⁰⁶ Instead, Sandy found himself a tenant farmer only, on his paternal possession at Laggan of Blairfindy, and at his mother's family estate in Strathdon, at Glencarvie.²⁰⁷ It can be assumed that he was also the vital *concurrent* in the practice in messengery at Blairfindy. In 1762 his eldest brother – this was William, the father of William of Quebec – died at Blairfindy. The confirmation of his modest

estate shows Alexander, in Laggan of Blairfindy, as the executor. James, Messenger in Glenlivet, is also mentioned. It may even be wondered whether one of the creditors, “John Stewart Merchant in Tomnavoulan”, might have been that “John Stewart, Merchant in [blank]” who was admitted a messenger-at-arms in 1756:

The Testament Dative and Inventory of certain Goods and Gear which pertained to and were in the possession of the Deceast William Grant of Blerfindy the time of his Death which was in the Moneth of July last made and given up by Alexander Grant in Laggan of Blairfindy Exor Dative qua Creditor decerned to the said Defunct by the Commissary of Murray and his depute for payment and Satisfaction to the said Executor of the Sums aftermentioned due to the persons afternamed Viz. The Sum of three pounds ten Shillings and nine pence Sterline money due to John Stewart Merchant in Tomnavoulan for necessarys furnished by him to the Defuncts funeralls at the desire of the raiser of the Edict . . . Item for payment of the Sum of fourteen Pounds Seven Shillings Scots money principall and @ [annual] rent thereof contained in and due by the Defunct’s accepted Bill to James Grant Messenger in Glenlivat dated the first day of July one thousand Seven hundred and fifty five years and payable the Elevinth day of November then next to which the Executor has right by Indorsation²⁰⁸

On 20th June 1748 the impoverished William, witnessed by his nephew, John Grant, the future Baron Grant de Blairfindy, had renounced the family’s heritable interest as wadsetters in the property,²⁰⁹ leaving the Grants in the insecurity of tenancy. William had not even remained thereafter as the main tenant in Blairfindy; it was Robert Grant of Tammore who was the principal tacksman there at the time in 1761 of the survey of Glenlivet.²¹⁰ This survey shows that Alexander Grant was Tammore’s subtenant in Laggan of

Blairfindy, and that William Grant had retained possession of only some “Scaterd small peices” of Blairfindy, amounting to just over ten acres of corn land. From a letter by the Reverend Robert Grant to his brother, Peter Grant, Agent of the Scottish Catholic clergy in Rome, dated at Dundee, 10th April 1763, it appears that Alexander was meant to succeed Tammore as the principal tenant of Blairfindy in 1763:

. . . I must beg leave to recommend a much more interesting commission in favour of our Brother Alexander. At this term of Whitsunday he enters into possession of Blairfindy, which has been the residence of our family for some hundred years, but unluckily the lease is almost expired, so that he is afraid it may be put to a roup and given to the highest Bidder. As the Duke of Gordon is just now in your Metropolis, he thinks you may have something to say with his Grace, and get him properly recommended, so as to be at least preferred to any other who does not offer a higher rent or entry as its called in this Country. Mr Grant of Tammore and others have advised our Brother to take this method, which I see depends entirely as to the success, upon the intimacy you have with the Duke, at whose majority the Tack or lease expires. I dare say you’l do what you can in this affair, which if it succeeds will be the support of our Brothers family. . . . As none of Williams sons I believe ever intend to settle in Glenlivat, our Brother Alexander wants to take Blairfindy in his own name. . . . I shall be glad to hear from you soon, and know how you do, and what success your recommendation in behalf of our Brother Alexander has, who is a most industrious, and thriving man in his way.²¹¹

This association with Grant of Tammore may explain how the Blairfindy family came to establish itself in Canada. Robert Grant of Tammore’s son was the William Grant in the partnership of the London mercantile firm of Alexander, Robert & William Grant, otherwise styled Robert Grant &

Company (see p.53), in whose service William Grant of Blairfindy's son, William, went to North America.²¹² The family tradition is that James, the messenger-at-arms, also went to Canada,²¹³ but his period of emigration must have been a comparatively short one. On 8th February 1763, "James Grant Messenger in Blairfindy" was signing the Inveravon session minute book, in acknowledgement of his guilt in having fathered an illegitimate daughter. It is known that he then cannot have been in Edinburgh on 6th May, to attend the Lyon Court, because of the special attention that was paid to the attendance of messengers that year. This account of the circumstances was published in 1803:

For many years these courts had been little attended to. But, in 1763, Mr Campbell-Hook, Lyon King at Arms, resolved to hold a court, and intimated his resolution in the public newspapers, requiring all the messengers in Scotland to attend, for inspection of their books of executions, for inquiring into the situation of their cautioners, and for payment of their annual dues, being ten merks to the Lyon himself, and about half that sum to his clerk; and that under pain of deprivation. Many of the messengers attended at this court; others did not; and the Lyon deprived about fifty of them *de plano*, upon the following grounds; *1mo*, That they had not attended the head-court; *2do*, that they had not paid their bygone annuities; *3tio*, that they had not compeared, in order to answer any complaint which might have been preferred against them, and to instruct that their cautioners were alive and solvent.²¹⁴

On 7th November 1763 the Lyon Court, "did by Judicial Decreet and sentence duly and lawfully deprive and hereby deprives the persons after named from their offices of Messengery viz ... John Fraser, William Taylor, Patrick Duff, James Grant and John Stewart Junior All messengers within the shire of Banff" ²¹⁵ On 30th December 1776, however,

the *Aberdeen Journal* would publish the following advertisement.²¹⁶

N O T I C E. IT has been reported to the Prejudice of JAMES GRANT, Messenger in Glenlivat, that he was struck off the List of Messengers, as being sometime abroad in America. This method is therefore taken to acquaint the Public, that he acts in the Office as usual, and those who are pleased to employ him will be served with Care and Fidelity, upon reasonable Terms, and their Diligence returned in due Course.

The Grant family had seemingly excellent opportunities in Canada in the 1760s. James and Alexander's young nephew was now prospering there and would hold office, as has been mentioned, as deputy receiver general of Quebec, a member of the Legislative Council of Quebec, and a representative of Quebec in the Legislative Assembly of Lower Canada.²¹⁷ Indeed, in the 1780s the parish of L'Acadie, to the south of Montreal, was renamed Blairfindie, in honour of the Grants.²¹⁸ In 1770, William Grant of Quebec had entered the highest ranks of Canadian society through his marriage to the widow of the third Baron de Longueuil. William's nephew, Captain David Alexander Grant, then in 1781 became his uncle's son-in-law, through marriage to the heiress to the title, the dowager baroness's daughter.²¹⁹ If James did indeed leave Scotland and thereafter return, probably he came to resume his legal practice at Tomnavoulin, the lease to which farm Alexander had acquired in 1767, for 17 years. It is not known on what grounds James justified the continuing validity of his appointment as a messenger, since the only extant mention of his name in the Lyon Court books appears to be in the record of his deprivation in 1763.²²⁰ Perhaps his confidence was based simply upon the outcome of the 1766 case of the two messengers who, in the

Court of Session, had challenged Lyon's authority to deprive them for non-appearance at the head-court: "The Lords found the decree of deprivation irregular and void".²²¹

6. Baron Grant de Blairfindy

Not all of the Blairfindy family made an accommodation with the British state, such as James had done by becoming a messenger-at-arms. John Grant, the second eldest brother, was the subject of reports by the British army in 1750 about his being suspected of enlisting men in the French service, whilst residing at Blairfindy.²²² His son was the Scots-born, German-educated, Baron Grant de Blairfindy (d.1784, in his 48th year),²²³ knight of St. Louis, soldier, spy, and spymaster in the French service.²²⁴ From 1767 he was a secret agent in England of Louis XV's minister, the Duc de Choiseul (1719-85), with some further reports being sent by Grant de Blairfindy to Choiseul's successors, following the great minister's fall from power in 1770. All such spying must soon thereafter have come to the attention of the British government, for Grant de Blairfindy's reports were found amongst the papers of Lord Chatham ("The Elder Pitt") at the time of his death in 1778. It is suspected that a confidential secretary in the French War Office was responsible for the papers' removal²²⁵ – doubtless thus reminding the British authorities at the highest level of the continuing dangers posed by the Blairfindy family.

An extract from the "*Mémoire Militaire fait par ordre du Ministre par M. Grant de Blairfindy, Colonel des Troupes Légères*", dated 1767, was first published in 1840 by Lord Mahon (Philip Henry Stanhope (1805-75)), in the appendix to his *History of England from the Peace of Utrecht to the Peace of Versailles 1713-1783*. In this, Grant de Blairfindy (as such he would sign his name, without forename or initials, in letters to his clan chief) writes of the necessity of mentioning "*le Roi Charles Edouard*" in Rome, and his unhappy house. "I shall have the honour of giving a verbal report to M. le Duc de Choiseul on what I could say on this subject." Then Grant de

Blairfindy adds this comment about Charles Edward Stuart (1720-88) – twenty one years after the failure of the '45, but just the year following his succession to the Stuart claim to the throne: “it is certain that in restoring the crown to him there would be the means of conciliating the interests of two nations, which together would give the law to all Europe and perhaps to the entire world.”²²⁶

John Charles Adolphus Grant was schooled at Ratisbon and brought up in Germany by his relative (*son parent*),²²⁷ the illustrious James Francis Edward Keith (1696-1758),²²⁸ field marshal of Frederick the Great. There was some tradition in the family of military service far afield: the Irvines of Drum, the baron's great-grandmother's family, had in the sixteenth century produced a knight of St. John of Jerusalem, of the English *langue*, who is known to have been on Malta in 1569.²²⁹ Grant de Blairfindy entered French service in 1754,²³⁰ as a cadet in Clare's regiment.²³¹ Claiming to count kin with such grand figures of Scots extraction in France as the Duc de Melfort,²³² this nephew of the tenant farmer and messenger-at-arms in his native glen would kindly remember his closer, humbler relatives, recommending his “oncle in Tamavullan, in Gleanlivet” in a letter to their clan chief in 1781.²³³ (And in the same, apologising for his English, mentioning that he is more familiar with the French tongue, he adds nonchalantly, “I speake seven others”.) Such an emphasis on family connection, the grander the better, was an essential part of life for a Scots soldier of fortune. Sir Walter Scott writes this, of an earlier age, as a practical requirement for the men in the French kings' Scots bodyguard, in *Quentin Durward* (1823) (chapter 5):

The Scottish nation was the hereditary enemy of the English, and the ancient, and, as it seemed, the natural allies of France. They were poor, courageous, faithful – their ranks were sure to be supplied from the superabundant population of their own country, than which none in Europe sent forth

more or bolder adventurers. Their high claims of descent, too, gave them a good title to approach the person of a monarch more closely than other troops, while the smallness of their numbers prevented the possibility of their mutinying, and becoming masters where they ought to be servants.

In a memorial to the French queen, Marie Antoinette, seeking support for his old uncle, Abbé Robert Grant, rector of the Scots College at Douai, the baron represented that his uncle had the honour to be connected with the most illustrious of the Scots in medieval France: the great victors of the Battle of Baugé (1421), John Stewart (c.1380-1424),²³⁴ Earl of Buchan, sometime Constable of France, and Archibald Douglas (c.1391-1439),²³⁵ Earl of Wigtown, claimant to the French dukedom of Touraine. He also made the same claim to connection with the noted captain, Robert Pittilloch, of Dundee (which might just be true, given that it was accepted at the Lyon Office that Grant de Blairfindy was a descendant of Sir John Scrimgeour of Dudhope, Constable of Dundee). At least, this appears to be the meaning of his claim to kinship, if we may *cross the tees* of this quotation from the Vicomte de Vaux's publication of 1796: "*On connoit les service des Comtes de Buchon, de Wigton, Douglas, Pallulo, & tant d'autres, auxquels M. L'Abbé GRANT a l'honneur d'appartenir*".²³⁶

George F. Black in *The Surnames of Scotland* (New York, 1946, p.650), under the entry for *Patillo*, gives a summary of the career of that Dundee man of the name, of humble rank, who raised recruits for the French service in the neighbourhood of Dundee in 1423-1424. He accompanied them to France, entered the French service, becoming commander of the "*Hommes d'armes à la grant paye*". In 1452 he obtained letters of naturalization, was made lord of Sauveterre, and was known as "*le petit roi de Gascoyne*". As Robert Pettillo de Clermont he was one of the ambassadors

accredited by James II to the kings of France and Castile. He died in 1460. William Forbes-Leith gives these interesting further particulars of “*Robert de Patillot Escuier, Sénéchal des Landes*”, so designed in a muster roll of 1448:

In a letter written by Charles VIII. in 1448, conferring on Patillok the Castle and Lordship of Sauveterre, we find the highest encomiums bestowed on his “well beloved esquire” for his gallant behaviour and inestimable “services to the kingdom and commonwealth. As an encouragement to others to follow his noble example, the king bestows on him a residence in the kingdom.”

According to a tradition cherished in the Scots Guard, Robert Patillok, after his death, was honoured by Louis XI., by having his statue placed in the hall of the Royal Palace.²³⁷

The baron’s intense interest in the genealogy of his French friend and namesake, Charles Grant, Vicomte de Vaux (b.1749),²³⁸ also gave the grounds for a boast that the Scottish Grants had been in the service of the French kings since the reign of Charles V (1364-80). *Mémoires Historiques, Généalogiques, Politiques, Militaires, &c. &c. de la Maison de Grant, Divisée en Plusieurs Branches, Tant en Ecosse qu’en Normandie, en Allemagne, en Suede, en Dannemarc, &c.*, a work frequently referring to Grant de Blairfindy, was published by the Vicomte de Vaux at London in 1796. It was claimed by the vicomte that his own family descended from a near relative of that Sir John Grant, one of the Scottish ambassadors who came from Scotland to France in 1359 to renew the old alliance, bringing the vicomte’s ancestor in the ambassadorial retinue. Indeed, a certificate of 1781, by “*Jean Charles Adolphe de Grant, Baron de Blairfindy, Maître de Camp d’Infanterie, Aide-maréchal des logis des armées du Roi*”,

proudly claimed that the Vicomte de Vaux was “a descendant of my family”.²³⁹

Here then, with the ambassador, one might pretend that the Grant family had its first connection with the delivery of royal messages. Baron Grant de Blairfindy, plain John Grant in Scotland, may well have regarded himself as a direct lineal descendant of Sir John, the ambassador. The following references were published in 1775 in Lachlan Shaw’s *The History of the Province of Moray*: “John de Grant was one of the commanders in the battle of Halidonhill, anno 1333; and, anno 1359, the same gentleman, with Sir Robert Erskine and Norman Lesly, were ambassadors to the Court of France to renew the ancient league.”²⁴⁰ Another eighteenth century publication, *A Survey of the Province of Moray* (1798) gives these particulars about Sir John’s diplomatic missions, from the pen of the Reverend John Grant (p.19): “In 1335 Edward III of England grants a safe conduct to *John Graunt miles*, to come to, and return from London. Some of our historians say, that this John Graunt was Scots ambassador in France, and negotiated a treaty with that nation.”

Baron Grant de Blairfindy and the Vicomte de Vaux, so proud of their royal descent from Alpine, king of Scots, and their connection with Sir John, the Scots ambassador to France, would have been disappointed indeed by the researches, magnificently published in three volumes in 1883 as *The Chiefs of Grant*, by the renowned genealogist and archivist, Sir William Fraser (1816-98).²⁴¹ He discounted the truth of both traditions, dealing thus with the story of Sir John in France:

Some historians . . . assert that Sir John le Grant was in 1359 appointed ambassador to France, along with Sir Robert Erskine and Norman Leslie, and that he was associated with them in the treaty signed in the new hall of the Palais Royal on 29th June 1359. But there is a deficiency of proof for this assertion. In a French catalogue of treaties between France

and Scotland, Sir Robert Erskine and Norman Leslie alone are named as the ambassadors, to them only are expenses paid by the Scotch Exchequer; and Fordun names them only as appointed by the king of Scots. . . . The balance of evidence is therefore against Sir John's taking any part in the embassy to France.²⁴²

However, historians today appear to accept that there was a third envoy to France in 1359, and that he was Sir John le Grant.²⁴³ Even if Sir John were never in France, a true story might just have been misplaced in the Grant pedigree. Fraser explains that a *Robert Grant*, who certainly was an ambassador to France, in 1391 accompanied the Bishop of St. Andrews on a special mission to the French court. These particulars do confirm a medieval function of grand *messenger* in the Grant family:

The dignity of their mission is shown by the fact that they were attended by a herald, and the importance of the result is shown in the solemn treaty signed by the French king, Charles the Sixth, on 30th March 1391, in presence of Mr. Duncan Petit, Archdeacon of Glasgow, and Robert Grant . . . described as “Maistre Donquen Pétit et Robert Grant, escuier, ambassadeurs et messages” of the King of Scots . . .

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Colonel Grant de Blairfindy (by which rank he was usually styled) has been known to English readers as an interesting correspondent, since the publication of some of his letters in Fraser's *The Chiefs of Grant*. As a French spy, Lord Stanhope's publication put the secretive investigator into the public domain; his role in espionage being much more thoroughly exposed by Miss Margaret Cotter Morison, in a paper read to the Royal Historical Society in 1909 (see p.109, n.225). Grant de Blairfindy's highly detailed secret reports to Louis XV's ministers, based on thorough reconnoitings of the

south coast of England, were intended to have been the basis for a French invasion plan.²⁴⁵ French scholars, of course, have also noted his secret reconnaissance missions in England between 1767 and 1770.²⁴⁶ J. W. Thompson and S. K. Padover, authors of *Secret Diplomacy – A Record of Espionage and Double-dealing: 1500-1815* (London, 1937, pp.171-73), include in their history of that large subject the following summary, with some unadmiring comment thereon, of the lengthy reports by Grant de Blairfindy in 1767 and 1768:

Colonel Grant opens his report with a description of Kent and Deal, eight miles from Dover, giving details to places, landings, fishing boats. According to the Colonel, there were 150 boats at Dieppe, thirty (with room for 200 soldiers) at St. Valéry, and twenty at Fécamp. Between Dunkirk and Honfleur the French could requisition enough boats to carry 80,000 men. The Colonel's plan was for the French troops to assemble one day's march from the ports, and that a convoy of twenty ships, twelve frigates and forty corvettes should guard their crossing. Light troops should embark with their horses, push into the country, and requisition cattle and food. Grant was sure that there would be no resistance, for the English people were soft and ignorant in the use of arms. The landing, by the way, was to be made without a preceding declaration of war; but once landed, the French should issue a proclamation assuring the people that the invaders meant them no harm and that everything would be paid for in cash.

After landing at Deal, the French Army should march in two columns to London. The roads were good though hilly. Grant advised that the invaders establish three main provision depots. One around Sandwich, with its 117 villages, which were rich enough to provide 750,000 rations of hay and oats, as well as 2,000 horses, 4,000 oxen, and 500 vehicles. Another in the neighbourhood of Canterbury and Rochester, with their combined total of 260 villages. A third in the region of Kent, which could furnish 3,890,000 rations

of forage, 10,790 horses, 21,000 oxen, and 3,4000 vehicles. One would like to know where the fanciful Colonel got his figures.

But would there be no defence on the part of the Government? On this point Colonel Grant was an optimist. In the first place, the Colonel pointed out, the country could muster only 24,000 men, and these were mainly militia. The professional soldier had a profound contempt for these yokels. "I have seen them," Grant writes sneeringly, "an hour and a half before they could achieve (marching three deep); and no sooner did they try to advance than they were at once twelve or even more deep, like a sort of whirlwind round their standard; so one can picture the confusion there would be, were a volley sent into their midst." Four thousand French grenadiers, the Scotsman boasted, could beat all the militia of England.

. . . . Next year, in the spring of 1768, Grant was again sent to England to investigate. He found the country excited about Wilkes and, with the fatuous facility of an amateur diplomat, was convinced that England was at the point of disintegration. The time was just ripe for an invasion.

"Everything there," the good Colonel wrote, "is in great confusion owing to the turbulence of the people, which is occasioned by one man in particular, named Wilkes. Both the King and all the leading men feel themselves in the greatest insecurity; one hears nothing but cries of 'Long live Wilkes and Liberty' in the streets. . . . They have even cried in the presence of the King: 'Wilkes' pardon or no King.' Moreover neither the Scotch nor English can tolerate each other at this moment; in Scotland the populace goes about with a straw man stuck at the end of a long pole; this represents Wilkes. . . . There is no leading man in the English ministry; the King is timid and his cabinet weak. Nothing could be easier for a firm man than to instil order into this rabble, but no one dares show this firmness, the King least of all, because he is told it is contrary to the laws of Britain to coerce the people by arms."

Grant de Blairfindy's identification in 1774 of Thomas Mante (1733- c.1802)²⁴⁷ as author of *The Letters of Junius* remains an intriguing part of that famous literary mystery.²⁴⁸ As for the colonel himself, he was well known to the French royal family and in society; his whole Highland accoutrement being "at Paris and court his masquerade dress, greatly noticed."²⁴⁹ Indeed, the court musician would dedicate to the very young "*Madame la Baronne de Grant de Blairfindy*" the seventh in a series of works, the first of which had honoured Marie Antoinette, then the dauphine.²⁵⁰

The baron's correspondence with kings and queens included a letter, dated at Florence, 29th January 1779, from Charles Edward Stuart (subscribed, "your sincere friend, Charles R."), congratulating him on his marriage: "I hope it will produce a succession of brave and loyal subjects, worthy of the illustrious race from which you are sprung".²⁵¹ Louise d'Albanie (1752-1824), queen and estranged wife of Charles Edward, also wrote to the baron, from Rome, on 24th July 1782, expressing her true attachment to Grant de Blairfindy's family and her pleasure at often seeing his uncle, Abbé Peter Grant, in Rome.²⁵² "I never yet have known a more clanish gentleman, than he is, for which I commend and applaud him much", wrote the uncle of his nephew.²⁵³ The baron also found time to correspond with the Lyon Office about the family pedigree.²⁵⁴

With William Grant of Quebec, a first cousin, there was a common interest in Freemasonry, William being sometime deputy grand master of the Moderns order in Lower Canada (1794).²⁵⁵ The claims of links in Europe between Jacobitism and Freemasonry are well-known: Marshal Keith was instrumental in the dissemination of both causes and so too was his *protégé*, Grant de Blairfindy. "Baron Blaerfindy, one of the Grand Officers of the Philosophic Scotch Rite", is mentioned in the *Encyclopedia of Freemasonry and its Kindred Sciences*,

by A. G. Mackey (1807-81), in a note on the Academy of Sublime Masters of the Luminous Ring, which the baron is stated to have founded in France in 1780.²⁵⁶ A. E. Waite, in his *New Encyclopedia of Freemasonry* (London, 1921, pt.ii, p.439), having added the information that Grant was a member of the prestigious *Contrat Social* Lodge, makes this confession: “One happens to know nothing about him, nor of anywhere to look for knowledge.” It is fortunate, therefore, that in a recent work, *Histoire de Saint Jean d’Ecosse du Contrat Social Mère Loge Ecossoise de France à l’orient de Paris 1776-1791*, by Pierre Chevallier (Editions Ivoire-Clair, 2002), a special insight is now available into the affairs of this lodge, whose members included the historian of the Grant family in France, the Vicomte de Vaux, and – most famous of all – the Marquis de Lafayette (1757-1834).

The published extracts from the registers of the lodge include a description of how “*Les Illustres Ecossois*” bade farewell to Grant de Blairfindy (p.278). He had died at Douai, on 23rd April 1784, in his forty eighth year. On 17th November 1784, however, his remains are found in an urn in Paris, at the centre of a Masonic ceremony, involving the kissing of the urn, the throwing of flowers, and an accompaniment of dolorous hymns: “the brother de la Rochefoucault Representative of the Grand Master . . . announced the death of the brother de Grant de Blairfindy, grand officer of the Scottish Rite. . . . The Banner of brother de Grant was broken and thrown at the feet of the urn which contained his cold and insensible remains.” Extracts from registers for 1788 (pp. 144 and 154) then disclose that it even became an annual custom to meet at Lagny (near Paris), on 24th June, the feast of St. John the Baptist, to scatter flowers on the tomb of Grant de Blairfindy. One wonders what became of his wife and child in the French Revolution.

7. The Intriguing Abbé Peter Grant and His Brothers

Peter Grant (1708-84), Roman Agent of the Scottish clergy,²⁵⁷ began his long agency in 1737, as has been mentioned (p.56), by making that fateful journey to Rome with “Old Glenbucket”, the Jacobite general. The following passage in a letter by a visitor in Rome, Henry Swinburne, would place Peter back in Scotland in 1746, if the claims were true. However, as no evidence has been found to corroborate the story of Peter being a Jacobite prisoner, it may be assumed to be an interestingly tall tale. One bishop wrote to another in 1771: “Mr. Grant . . . is not very scrupulous in point of truth.”²⁵⁸

Abbé Grant, who generally performs the part of cicerone or introducteur to the English, is a Scotchman, and was brought up to London as a rebel in the year 1745-6, in the same ship with Lords Balmerino, Kilmarnock, &c. Whilst on the voyage, a Scotch servant said to him, “You will be saved”; Grant shook his head, and replied, “I fear not, friend.” “You will,” said the other; “but you will be the only one.”

Not putting any faith in the second sight of his countryman, he had no hopes, both from the inveteracy of the court party, and from his having no friends to intercede from him. By the merest chance no proofs or witnesses appeared against him, and therefore, to his great surprise, he was acquitted. He then immediately set out for Rome, where he has resided ever since.²⁵⁹

Peter Grant certainly was quite a talker. Swinburne, in telling of being presented to the pope, Pius VI, writes: “Abbé Grant, who conducted us, talked so much, that the pope could not get in a word.”²⁶⁰ Peter was the *beachdair* for grand tourists in Rome, whom he famously served as professional guide and

antiquary.²⁶¹ He was reputed a leading Jacobite agent; certainly he risked much of his precious reputation with the pope to have Charles Edward Stuart received as King Charles III, upon his visit to the Scots College in 1766.²⁶² Yet some Jacobites suspected Peter of being a spy in the British government's interest.²⁶³ Indeed, his name is often linked with espionage, being thus described by a secret agent, writing in 1766 from Rome to Horace Mann, the British representative in Florence: "according to the proverb, he was neither Jew nor Samaritan, served the Pretender, assisted the English who came to Rome, and spied on both."²⁶⁴

Peter had first arrived in Rome as a student in 1726 and he would die there in 1784. For half a century in Rome he was always at the centre of intrigue. "Trouble centred round him," as Lesley Lewis finds, in *Connoisseurs and Secret Agents in Eighteenth Century Rome* (London, 1961). She states (p.144): "The unofficial Jacobite leader seems to have been the egregious Abbé Grant". Was he a double agent? Lewis's work, in fact, tends to absolve Peter of such a crime against the royal Stuart family. It shows that Cardinal Alessandro Albani, a nephew of pope Clement XI, was the secret worker in Rome against the Stuart interest. Indeed, Albani warned Mann that Abbé Grant was one of the Pretender's firm supporters.²⁶⁵ There are several letters from Albani, urging Englishmen of position who came to Rome to be on their guard against Grant. For example, Albani wrote in 1744 of the Abbé Grant's efforts to seduce the English in Rome and advised that the noblemen who came there should be warned not to be taken in by his insinuating manners.²⁶⁶

Robert Adam (1728-92), within a few days of arriving in Rome, was writing home to his staunch (and probably, therefore, alarmed) Presbyterian family about "my good friend the Abbé Grant who, if I mistake not, is as good a Jacobite and as good a Catholic, as true a friend and as worthy a man, as

e'er a Christian in Europe. We are two brothers."²⁶⁷ The attentions paid by Peter to the beautiful, young third wife of Sir William Stanhope (Anne Hussey Delaval (1737-1812)), however, had less happy results: "the name of an Abbé Grant was bandied about" and the husband's brother, Lord Chesterfield, tells in one of his letters of his doing "the best office that can be done to most married people; that is, I have fixed the separation between my brother and his wife".²⁶⁸

One could hardly imagine anything more scandalous than the murder of the pope by the Jesuits. However, just such an accusation was made by Peter. The fullest biography of Peter Grant remains that by the Very Reverend William Clapperton (d.1905), in the still unpublished *Memoirs of Scotch Missionary Priests, Compiled from Original Letters Formerly Preserved at Preshome, now at Blairs College*, where it is the 88th article (Peter's brother Robert being the subject of number 100). Clapperton does not credit the truth in the Scottish Agent's most remarkable report from Rome, about the death of Clement XIV, which occurred on 21st September 1774. By this death, Peter felt his prospects dashed of soon becoming a cardinal. This is Clapperton's treatment of an episode which, if in a work of detective fiction, would surely be luridly entitled, *Death by Chocolate*:

The Agent communicated the information of the pope's death to Bishop Hay on 28th October – "Poor man, he paid dear for suppressing a certain tribe of people [i.e. the Jesuits, suppressed in 1773], there being nothing more certain than that his death was occasioned by poison, as appeared to a demonstration from the symptoms that were discovered on his body after his demise. God forgive the authors of such a black and villainous deed. For my share, I have lost by him the greatest and best friend I ever had: and had he lived but a few weeks more, he was determined to have made what remains of my life most comfortable and agreeable, but the will of God must be submitted to."

On 28th November, 1774, Bishop Hay replied that he had at last received from Mr. Grant notice of the pope's death two months after its occurrence, and speaking in sharp terms of his neglect in sending news of such importance so tardily. On 21st December, 1774, Mr. Grant excuses himself on the plea of his utter inconsolableness, which caused his silence. He had "lost the best friend I ever had, and who, some months before he died, had given me his word of honour, and even his hand, before witnesses, that he would soon make my circumstances not only easy but even opulent, for the remaining part of my life. . . . 'Tis so far from the truth, what they say of the surgeons that opened him having declared that they found no symptom of poison in that operation, that they declared they found every one that could be found; such as all the nails of his fingers and toes turning black and falling off; as likewise all the hair of his head; his very bones were also rotten, and his flesh so corrupted that they could not breathe the stench of it. . . . He [the Pope] was very sensible himself that poison had been given him in his chocolate, Holy Thursday morning, at the Vatican palace: and the poison was what they call here 'Acquatta di Perugia': while his chocolate that morning was getting ready, the person that was preparing it was suddenly called out of the room, and when he returned, he perceived one going out of it who in his absence, had come into it. That in the meantime he did not attend, his Holiness being in a hurry to have his chocolate: and when it was brought to him, he took a mouthful of it, and disliked the taste of it. He asked his credenziera what chocolate it was. He assured him it was what he had made use of for a month past every day. Upon that, he took another mouthful of it, and finding the same bad taste, he said he could not drink it. On this was persuaded to wash his mouth with cold water, in case the bad taste had been there. This he did, and then took a third mouthful of it, and still perceiving the same disagreeable taste in it, he laid it aside. The next day, in the afternoon, he was seized with a severe fainting fit, and from that moment never was well: and Monday, the fourth day after, he told his

lay brother, Fra. Francesco, that he had got what would soon put an end to his days in the chocolate he had taken, Holy Thursday, in the Vatican. Nay, the day he signed the Brief of Suppression [of the Society of Jesus], before he signed it, he threw himself on his knees before a crucifix: prayed there for some minutes: then got up, recommending himself to our Blessed Lady, and then to St. Francis, when that was done, he took the pen, signed the Brief: then throwing it down on the table, put himself on a couch, saying to his confident friend, who was in the room with him, *'l'abbiamo fatto: era guisto, e necessario de farlo: ma ci costera la vita: sia fatto la volonta de Dio!'* Soon after the poison was thus administered to him, then several poor recluses were taught to prophecy his death, and to give out that he could not live to the end of September, which was all purposely contrived, to conceal the black deed of the poison, there not being the least mention of such prophecies before. . . .”

On 3rd November, 1774, Mr. Grant wrote to Bishop Hay on the same subject – “Here, gentlemen of that denomination formerly are in bad odour over all this country and elsewhere: all Europe being persuaded that the worthy late pope died of poison administered to him at their instigation. That his death was occasioned by a dose of that nature there is not the least doubt to be made: and as the Etiamites were his sworn enemies, all the world believes he was thus hurried out of the world by their contrivance.”

Mr. Geddes, Valladolid, in a postscript to a letter to Bishop Hay, 21st November, 1774, says – “It is commonly said here and believed that Clement XIV was poisoned.”

The above extracts could scarcely have been condensed if we desire to understand Mr. Grant’s position in Rome and his relation to the supreme pontiff or rather his own estimate of that relation. The Cardinal’s hat seemed to him to be within his reach, when his friend the pope died, and he found his hope of promotion disappointed. As was not unusual in those days in Italy, suspicions of unfair dealing were rife, but the recorded facts do not bear out the suspicions. The pope signed the Brief suppressing the

Society of Jesus on 21st July, 1773, and, according to Mr. Grant, he declared – “*Ma ci cestera la vita*”; according to another “*Ma questa soppressione mi dara la morte.*” This cannot be interpreted to mean that the pope anticipated death by unfair means as the result of his act, but rather from such an exercise of supreme power, would shorten his days, or be his death. On Holy Thursday, 1774, the pope disliked the taste of his chocolate, which was supposed to be poisoned. On the following day he was seized with a severe fainting fit, and from that time he never was well, and on 21st September, 1774, he died, that is, six months after having tasted the chocolate on Holy Thursday. Aquetta di Perugia, or Aqua Tofana, did its deadly work much more speedily. Its ingredients are now unknown, or are disputed. The rumour of the pope’s death having been brought about by poison, no doubt reached Spain as reported by Mr. Geddes, but this does not add to its credibility. If some in those times were masters in the art of destroying life, the medical men appear to have been tyros in the art of detecting crime if Mr. Grant’s account of the autopsy is complete. The examination seems to have been superficial, and the symptoms discovered appear to have been only such as might be expected in Rome at that season of the year, when the heat would quickly render a dead body putrid.²⁶⁹

Conspiracy theorists, to this day, articulate an identical account of Clement XIV’s demise, through his cup of chocolate. But cooler commentators share Clapperton’s scepticism of Peter Grant’s account. According to the *New Catholic Encyclopedia* (vol.3, p.942), “An autopsy by Clement’s physicians, Natale Saliceti and Pasquale Adinolf, indicated death from natural causes; more recent medical interpretations of their reports ascribe death to edema and possible gastric carcinoma.”

Peter also became embroiled in civil legal disputes in Rome, one of which is said to have involved talk of

assassination. Some of the hazards of his life as *cicerone* are illustrated in the tale of an extraordinary altercation with Giambattista Piranesi (1720-78) over the dedication by the great engraver of his *Antichità Romane* to Lord Charlemont. In his 1948 biography of Lord Charlemont (1728-99), M. J. Craig gives a full account of the artist's perceived grievances and the revenge Piranesi took in 1757, by publishing the *Lettere di Giustificazione* against Milord Charlemont and his three agents, Parker, Murphy and Grant. That part of the story, referring to Peter and how he interdicted the publication of Piranesi's hostile 'open letter', which was now being inserted into every set sold of the *Antichità Romane*, now follows:

Parker and the Abbé Grant took immediate counter-measures. On the 13th of June, 1757, the Governor of Rome, Mgr Caprara, summoned Piranesi and formally enjoined him under severe penalties not to publish anything, whether in writing or in print, concerning in any way the person or the honour or the convenience of the most excellent milord Charlemont, being absent; as also concerning not offending or molesting, either in deeds or words, the abbé Peter Grant, and much less publishing . . . anything respecting his person etc. etc.

The effect of this solemn experience on Piranesi was that he promptly reprinted the two letters to Charlemont, together with a third to Grant, in a pamphlet embellished with scurrilous engraved headpieces depicting Parker, Grant and poor Murphy in ignominious attitudes, together with reduced reproductions of the altered dedication-plates.

Parker and Grant, it appears, were not expecting this turn of events. . . . Grant is not mentioned in either of Piranesi's first two letters. We know, from a letter of March 1754 on other matters, that Charlemont had employed Grant before. Nevertheless, in view of the complications already owing to the employment of agents with sketchy instructions, and of agents of those agents, it was hardly prudent of Charlemont to hand over the conduct of the

negotiations to Grant at this stage. The Governor's injunction of June 1757 specifically mentions Grant, and the letter to Grant bears the date May 31st of that year. The interview between Grant and Piranesi therefore took place before then. On Grant's side we know only that "I communicated to him, with all the smoothness and coolness of temper imaginable, your sentiments with regard to his dedication to your lordship". What these sentiments were we are left to guess.

Piranesi's account of the matter is much more colourful. Grant, he says, began by showing him a letter with Lord Charlemont's seal. He then, somewhat inexplicably, confessed that he or Parker had forged the letter, that Piranesi's correspondence with Charlemont had been intercepted, and other matters unspecified which (says Piranesi) so burdened the Abbé that he sought the interview for the purpose of getting them off his chest. Still more surprisingly, Grant went on to tell Piranesi that unless Milord's wishes were carried out, Milord would see to it that Piranesi was assassinated. . . .²⁷⁰

Craig concludes that the "contrast between Piranesi's incoherent and febrile protestations and the unflurried tone of his adversaries, is very damaging indeed to the former." In the end, Piranesi's plates for his pamphlet would be seized by the authorities, and he was bound to publish a recantation. Fifty separate drafts of such a document were submitted by Piranesi to the Governor; all were returned. At last a form of words was found. Dated 15th March 1758, and published in French and Italian, Piranesi protested "my esteem for monsieur l'abbé Grant".²⁷¹

Notwithstanding such incessant demands on Peter's time in Rome, he managed to keep in touch with his brothers in Glenlivet. In 1763 he had asked James Grant, younger of Grant, to use his influence with the Duke of Gordon "to recommend to him two friends of mine, who have a lease from

his Grace of a possession called Blairfindy in Glenlivet. Their names are James and Alexander Grant. They are my Brothers, and as all these leases are to be renewed, I should be happy they were friendly dealt with.”²⁷² It was in these circumstances, however, that John Gordon would successfully carry off the prized lease to Blairfindy from the Grants;²⁷³ Alexander Grant, at the same term, succeeding John Grant of Rothmaise and his subtenants in possession of Tomnavoulin, on a lease of seventeen years.²⁷⁴ Peter also tried to advance the career of Alexander’s eldest son in Glenlivet, Charles. In 1779, Charles – the future convict, as has been seen (p.44) – was the bearer of a letter from his distinguished uncle in Rome, addressed to Sir James Grant of Grant, seeking a commission in the army. From the direction on the cover, it is assumed that Charles, as his uncle’s messenger, effected delivery in Edinburgh:

I cant help troubleing you again imploring your interest and good offices in favour and behalf of the young gentleman, who will wait upon you with these lines, he is Charles Grant Nephew to your humble sert. and as I am most credibly apprisd, is a promising youth. What I humbly request you to do for him is to use your interest to get him a commission if possible in one of your new raised regiments, he being much inclin'd to a military state of life. I am sure with many of the officers of these corps, you must have both friendship and great interest and I make no doubt but on this occasion youll use both to their uttmost extent in order to get this nephew of mine genteely placed, in the manner he so much desires, both he and I shall be forever most acknowledeing, and greatly indebted to you, and shall never be unmindfull of the uncommon obligation, youll lay us under, by your great goodness towards us on this occasion. ²⁷⁵

Abbé Peter’s younger brother, Robert (d.1784, aged 63), followed him into the secular clergy and service abroad, being said to have been everywhere “much respected and

beloved”.²⁷⁶ The names of Peter and Robert Grant are further linked by their election on 16th January 1781 to honorary membership of the newly formed Society of Antiquaries of Scotland.²⁷⁷ Abbé Robert also took a keen interest in the wellbeing of the family in Glenlivet. His solicitous letter of 1763, about his brother Alexander’s succession to the lease of Blairfindy, has already been referred to (p.59). Writing to Bishop Geddes in 1783 from Douai, where Robert was rector of the Scots College, he mentions Alexander’s youngest son, William, aged ten, whose army career, as has been seen (p.52), would later benefit from the influence of other family members:

My nephew Willie Grant has been in Scalán for some time past. I promised to answer for his pension; be so obliging as inform me how much I owe on that head and it shall be discharged very soon. I could wish you would be so good as send him to Douay how soon you find an occasion of a ship either to Dunkerque or Ostend.²⁷⁸

In 1783 Peter returned to Scotland, intending to live out the rest of his days there; but the cold weather would drive him back to Italy.²⁷⁹ Whilst in Scotland, a letter records his sending of some money to his brother, the messenger-at-arms, “James, who is old and infirm, and in no small distress by the badness of the times.”²⁸⁰ A family meeting between Peter and Alexander, along with his son Charles, took place that year, at Belmont Castle in Angus. The discussion was much about how the tenancy to Blairfindy could be regained. Peter records that “before dinner I wrot a letter to his Grace of Gordon recommending their Interest to him.”²⁸¹ On 20th September he passed on this good news: “I received a most obligeing letter from his Grace the Duke of Gordon, who acquaints me that he has given the lease of Blairfindie to my Brother upon my recommendation.”²⁸²

In 1784 it is reported that James and Alexander were left legacies²⁸³ by the younger of their clerical brothers, Abbé Robert, who died in London on 29th March 1784. Alexander, having returned to Blairfindy in 1784,²⁸⁴ died there on 8th July 1791, aged 68 years. It was claimed in the death notice that he was the sixteenth generation of the family to live there.²⁸⁵ Probably this was an egregious exaggeration: one witness, who knew the characters intimately from schooldays in Glenlivet, wrote that he “had never a good idea of the veracity of the family”.²⁸⁶ (Yet if an earlier Grant had indeed married the daughter of “Alexander Gordon of Blairfindie, sometime fiar of Strathavon” (referred to in the Banffshire sasines), perhaps the family line at Blairfindy does truly stretch out far beyond the occupancy of those named Grant?)²⁸⁷

The deaths of Abbé Peter and Messenger James are connected by chilling circumstances. Peter, writing from Rome on 3rd August 1784 to Sir James Grant, mentions that it was “the excessive colds of the climate, which I found to be intolerably sharp even in London” that had driven him back to Italy.²⁸⁸ He continues, in the same letter: “finding that four hundred miles south of Edinburgh I scarcely was able to bear the great cold that was there, I naturally concluded that much less should I be able to subsist in Scotland with such rigid colds”. Exhausted after his long journey back to Rome, he died there on 1st September 1784. Through a journalistic slip, it was under Peter’s name that the messenger’s death came to be reported in the *Aberdeen Journal* of 31st January 1791 (p.3): “We hear from the high country, that they had very heavy falls of snow about the beginning of this year; and that on the 4th of January, Peter Grant, Messenger in Glenlivet, perished among the snow in Glenfiddich. His body was not found til eleven days after.”

8. Private Detectives, in Fiction and Fact

Some details about the old Grants of Blairfindy were appearing in the Scottish press in 1899. The death of Charles Grant Blairfindie Allen, the prolific author Grant Allen, brought forth a colourful piece, about “how Glenlivet can almost claim him as a son”. He was a grandson of the fifth Baron de Longueuil, Allen’s mother being a Grant, of the branch of the Blairfindy family which had settled in Canada in the eighteenth century.

To us he stood out prominently as a link between the Glenlivet of the long gone past and the Glenlivet of the present.

A halo of romance still hovers round the fateful figures '15 and '45, especially to all who inherited the blood of those brave, true hearted and loyal ones who adhered not only when fortune smiled but through sweeping tides of misfortune to the ill-starred House of Stuart. Grant of Blairfindy was one of those who retained his attachment to the old Royal race, and in the '45 his gallant sons took up arms, ready and willing to follow their Prince at risk of life and lands.

They followed and fought for him until the white cockades of the Stuarts were trampled in the mud and gore of the black field of Culloden. After that ruinous day, that brought disaster to so many, four sons of the old Laird of Blairfindy fled across the Atlantic to save their necks from the headsman’s axe, and made homes for themselves in the New World.

From one of them Grant Allen was descended. . . . How fondly those Grants loved and remembered the home they would see no more and spoke of it to their children and grandchildren in the land of their adoption is clearly indicated by the fact that one daughter of the house bestowed on her son the name of Blairfindy, a name familiar no doubt

to their ears, often repeated in many a tale of olden days told by those exiled Grants far away from Glenlivet and bonnie Blairfindy.²⁸⁹

Grant Allen died just a month after the birth of Rutherford's practice as a messenger-at-arms. In this story of a Glasgow firm, dating back, as will be shown, to a remarkable practice as private detectives, Grant Allen provides a curious literary connection. Grant Allen has been described as the first Canadian-born writer to produce classic detective stories in the mould of Sir Arthur Conan Doyle. *Miss Cayley's Adventures* and *Hilda Wade, a Woman with Tenacity of Purpose*, both published in 1899, feature two early female detectives. The practice to which Rutherford's owes its origins boasted in the 1890s of being the only private detective agency where female detectives were employed. Allen was a friend and neighbour of Doyle and, at the request of the dying Allen, it was the creator of Sherlock Homes who completed the last chapter of *Hilda Wade* – "a beautiful and pathetic act of friendship which it is a pleasure to record", as the publisher and nephew of the late author, Grant Richards (1872-1948), wrote to introduce the book – in the year of 1899, where this story of Rutherford's long career in messengery begins.

Although honouring this anniversary of the year 1947, the firm dates its foundation, as was Rutherford's custom (so we deduce from old advertisements),²⁹⁰ to 25th September 1899, the day on which he became one of Queen Victoria's messengers-at-arms. In fact, from then until March 1902, he was employed as manager of Younger & Younger's Private Detective and Enquiry Offices, 158 Bath Street, Glasgow. Originally founded in Dundee under the name Younger & Laird,²⁹¹ its head office had been moved to Bath Street in Glasgow in 1890. The first named Younger in the firm was Alexander Macgibbon Younger, born in Dundee in 1867, son of John Younger, an iron turner and mechanic, who around

1890 moved to Glasgow, to establish an engineering business. John's father, David, was a shoemaker, born in Largo in Fife, who died in the Dundee Poor House in 1873. Alexander was the eldest of a large family and trained for a career in the law from an early age. The 1881 Dundee census records the thirteen year old as a "law-apprentice clerk". All of his brothers were to play a part in the business. John, Junior (b.1870) was a solicitor in Glasgow, between 1898 and 1953; George (b.1872) was another messenger-at-arms; Albert (b.1875), William (b.1881) and David (b.1883), were all "accountants" or clerks in Younger & Younger. A. M. Younger gave his occupation as law clerk in 1888; *Pigot's Directory* for the following year then lists him as an insurance agent in Dundee. It was in 1889 that he was commissioned as a sheriff officer for Forfarshire. He went into partnership with another officer, Isaac Laird, born at Rescobie, Forfarshire. The firm name of Younger & Laird appeared in Dundee in 1890. In that same year, both partners were admitted as messengers-at-arms and opened a branch in Glasgow. Their name appeared in the *Glasgow Post Office Directory* as,

Younger & Laird, messengers-at-arms, sheriff officers, J.P. Constables, 25 Bath street: Younger & Laird's Debt Recovery Offices, 25 Bath Street, and at 62 Commercial Street, Dundee, with sub-offices and agents throughout Scotland.

Laird then went abroad, leaving the business to become Younger & Younger: it was George, a messenger-at-arms in 1892, who was the second Younger in the once-famous firm name.²⁹² The new partnership was dissolved in August 1894, and the brothers for a time were competing with each other, in some of the earliest instances of legal firms operating in both Glasgow and Edinburgh. Here are two consecutive newspaper

advertisements from December 1894; the first refers to George Younger's business, the second to A. M. Younger's:

YOUNGER & Macintosh, messengers-at-arms and sheriff officers, 128 Hope Street, Glasgow, and 53 George Street, Edinburgh. – Business sent to either office receives immediate and personal attention.

YOUNGER & Younger, messengers-at-arms, 158 Bath Street, Glasgow and 67 York Place, Edinburgh. – Overdue accounts sent for collection to either office receive immediate attention; special facilities for recovery, prompt settlements, and low terms. Telephone, 4567.²⁹³

This was the era in which the renowned private investigators in Scotland were often messengers-at-arms or sheriff officers. For example, Alexander Morton, messenger-at-arms, Glasgow (said to have begun in his detective work in 1857, aged seven or eight years, with his sheriff officer father), claims in his 1926 memoirs that he “used to be dubbed the unattached member of Scotland Yard”.²⁹⁴ Indeed, the annual report on the police in Scotland for 1886 refers to the practice, “in some very important jurisdictions for the sheriff officers to take over the charge of criminal cases at a certain stage of the proceedings, and also to execute warrants of arrest where the accused has absconded”.²⁹⁵ Younger & Younger advertised claims to an incomparable method in “elucidating mysteries”, boasting of having “at command the most expert staff (male and female) of private detectives in Britain.” Here is an extract from an 1899 advertisement, followed by a selection of some of the many claims made by the firm in its *Evening Citizen* advertisements, during its comparatively short period in business:

Younger & Younger, private detectives, 158 Bath Street, Glasgow, and at London and elsewhere, with correspondents

throughout the United Kingdom and abroad; private investigations, domestic, commercial, or financial, requiring tact, discretion and secrecy undertaken; no failures where success possible. The congratulations we have received from business firms and others in England, Scotland and Ireland, who have recently entrusted us with important matters, are in themselves evidence of the appreciation of the services rendered by our private inquiry department.²⁹⁶

- 1892: YOUNGER & Younger, messengers-at-arms, 25 Bath Street, Glasgow, recover overdue accounts with promptitude and despatch.
- 1893: messengers-at-arms, 25 Bath Street, Glasgow; sheriff-officers, 25 Bath Street, Glasgow; Burgh Court work executed; give immediate and careful attention to all business entrusted to their care; Enquiries and all matters of a private nature under-taken. Divorce evidence collected. Parties requiring such services may rely on strictest privacy and straight-forwardness; overdue accounts, bills &c. (throughout Scotland) sent for recovery will have our immediate attention.
- 1894: the greatest debt-recovery offices out of London; prompt settlements a special feature; give immediate attention to instructions sent by post, or on receipt of post-card will send clerk for instructions; employ a special staff for private inquiry business; the only offices where male and female detectives employed; make genuine efforts, which produce wonderful results.
- 1895: Standard Debt-Recovery Offices, 158 Bath Street, Glasgow and 67 York Place, Edinburgh – Business sent to either office immediately attended to.
- 1896: 158 Bath Street and at London, Edinburgh, &c. – Agents everywhere; will feel obliged if subscribers and others will note their telegraphic address:- “Messengers, Glasgow”; long experience, careful attention, prompt settlements, moderate charges; mode of doing business is unique and always successful; strictest confidence guaranteed, whether business conducted by correspondence or interview; For

convenience of those who cannot call during the day, Mr. Younger meets with parties in his private consulting-room till 8 o'clock evening; have always at command the largest and most expert staff of experienced assistants in Scotland for engagements for town or country business; Intricate business questions and delicate private enquiries skilfully handled; terms exceedingly low; charges for elucidating mysteries within reach of all; Why remain longer in ignorance or suspense? – Consult Younger; ever-increasing business is due to their incomparable method; the most successful and extensive business in Scotland; take the most infinite pains with small claims as well as large.

1897: Large staff, male and female detectives, available for shadowing, &c., can be despatched to any town on shortest notice; engagements now being booked; every matter under Mr. A. M. Younger's personal supervision; have been congratulated by business firms and others in Scotland, England and Ireland, upon the successful issue of recent important matters entrusted to their care; Reliable information obtained secretly; tact, discretion, fidelity, strictest confidence; have at command the most expert staff (male and female) of private detectives in Britain; divorce evidence collected; persons secretly watched.

1898: employed by leading Glasgow and other firms throughout United Kingdom; head offices, 158 Bath Street, Glasgow; also York Place, Edinburgh; Commercial Street, Dundee; Waring Street, Belfast; Middle Abbey Street, Dublin; 82 Easthill, London; system for recovery of outstanding debts unequalled; low charges; parties entrusting us with business can rely upon receiving that attention which can only be rendered by a large efficient staff under personal supervision; are continually in receipt of unsolicited congratulations from clients; every matter, small or large, carefully attended to; satisfaction guaranteed; Any party unable to call at our offices regarding business will be waited upon by our town or country representative upon receipt of post-card.

- 1899: 158 Bath Street, Glasgow, and at London and elsewhere, with correspondents throughout the United Kingdom and abroad; no failures where success possible; have, during many years, recovered claims which have been in the hands of other collectors; have offices in Edinburgh, Dundee, Aberdeen, Dublin, and Belfast; Private investigations, domestic, commercial or financial, requiring tact, discretion and secrecy, undertaken; Business Transfer Department. – Sales effected speedily and quietly; partnerships arranged, business transferred into limited companies, &c; private arrangements with creditors carried through.
- 1900: If you suspect any of your employees in any way consult us and have matters carefully investigated and your doubts and fears set at rest; Before commencing proceedings, consult Younger & Younger, and they will obtain for you all available and reliable evidence required; Aliments paid over or collected confidentially; our offices are open till 8 o'clock evening.
- 1901: we are continually in receipt of unsolicited expressions of satisfaction from parties employing us; have at command large staff of experienced assistants for engagements during the day or night; all inquiries conducted to an end without creating suspicion or entailing unnecessary expense.

Younger & Younger closed in 1902, following the early death, on 20th March, of its thirty four year old founder, and the failure of his testamentary scheme (the deed having been executed on 25th February of that year) for Rutherford and other trustees to continue the business. George Younger's career as a messenger-at-arms also met its end in that year. He was deprived of his office by interlocutor of the Lord Lyon, dated 4th July, George Younger having been sent to jail for twenty one days for embezzlement.²⁹⁷ On 24th March the following minute was executed in Glasgow: "We Alexander Nimmo Rutherford and Edwin James Walshaw both within designed hereby decline to accept the offices of Trustees Executors and Tutors and Curators to which we are appointed

and nominated in the foregoing Trust Disposition and Settlement by the late Alexander MacGibbon Younger.²⁹⁸ Younger's estate was sequestrated in that year²⁹⁹ and Rutherford, along with Walshaw (an accountant, who had been another of Younger's managers), then founded the present firm, under its first name: Walshaw & Rutherford.³⁰⁰ That the connection with Dundee persisted, after the demise of Younger & Younger, is shown in *MacDonald's Directory* 1906/7, where A. N. Rutherford is listed as a sheriff officer at 84 Commercial Street, Dundee.

It appears that in 1906 Rutherford then succeeded to an old Glasgow practice, that of John Monteith, burgh officer, 29 Hutcheson Street. Monteith died, aged 68, on 4th April of that year, leaving personal estate valued at almost four thousand pounds. His designation of "House Factor's Clerk," on the birth certificate of a daughter in 1872, supports the suggestion that he had been associated with a John Sandford, "housefactor and burgh officer, 29 Hutcheson Street, and burgh office, 66 Hutcheson Street", who is listed as such in the 1872-3 *Glasgow Post Office Directory*. (At Number 66, the Burgh Office, Merchants House and Dean of Guild Court were all located.) *Slater's Directory* 1907 contains this entry: "Rutherford, Alexander N., messenger-at-arms, and sheriff and burgh officer, 102 Bath Street and 29 Hutcheson Street."

Thereafter, it would be under Rutherford's name, and at the only address of 102 Bath Street, that the business was carried on – until, in the early 1920s, he entered into that succession of partnerships which would culminate in the celebrated one of 1947.

9. Epilogue: 2007

Following Rutherford's death in 1948, there would be no new partnership in Rutherford & Macpherson until, in the 1960s, Alexander Macpherson assumed as junior partner, successively, his sons Sandy (thereafter Sheriff A. C. Macpherson (1939-99)) and, in 1966, Gordon (the Reverend G. C. Macpherson (b.1938)), who entered the firm after having graduated from the universities of Glasgow and Duke, North Carolina. Every partner since 1948 has been either a son or grandchild of the junior partner in the 1947 partnership.

I, Roderick Alexander Macpherson (as my daily schedules and executions style me), age 44, a grandson, residenter within the bounds of the old parish of Cathcart, having read Modern History at Magdalen College, Oxford (both places, as these pages have shown, connected with distant Glenlivet kindred), joined the firm in 1984. In 2001 I became head of the firm, succeeding my father, Gordon, who had held that position from 1969. Since the time of the introduction of the Debtors (Scotland) Act 1987, I have been a speaker at most of the major seminars on the laws of citation and diligence; have spoken in Paris, at the invitation of the French government, about European citation procedure; and was reporter general at the 18th congress of the *Union Internationale des Huissiers de Justice et Officiers Judiciaires* (International Association of Judicial Officers). In December 2006 I followed in the footsteps of my grandfather, my father and, indeed, of *myself*, in becoming president of the Society of Messengers-at-Arms and Sheriff Officers (to which office I was first elected in 1995). In this representative capacity (until December 2007), I have been considering the implementation of the Bankruptcy and Diligence etc. (Scotland) Act 2007, and its needless abolition of messengers-at-arms.

Abbreviations

- NAS National Archives of Scotland
NAS/GD44 Papers of the Dukes of Richmond and Gordon
NAS/GD248 Papers of the Earls of Seafield (family of Grant of Grant)
OPR Old parish registers, NAS
SCA Scottish Catholic Archives
R&M Rutherford & Macpherson archives
SMASO Society of Messengers-at-Arms and Sheriff Officers archives

References and Notes

¹ He had been the senior messenger since the death on 22nd February 1946 of A.A. Hutton, Perth.

² Viscount Dunedin, John L. Wark and A.C. Black (eds.), *Encyclopaedia of the Laws of Scotland*, vol.ix (Edinburgh, 1930), p.616.

³ *Scottish Law Review* advertisements for 1905 show that Rutherford removed from 112 Bath Street to 102 Bath Street in that year.

⁴ SMASO. Minute of first meeting of The Messengers-at-Arms and Sheriff Officers Association for Scotland, Masonic Chambers, 100 West Regent Street, Glasgow, 12th June 1922.

⁵ D. M. Goudielock, *The Scottish Masonic Historical Directory for 1910*, p.33, shows “Alex. N. Rutherford, 102 Bath Street” as Scribe E of Partick chapter of the Provincial Grand Royal Arch Chapter of Glasgow.

⁶ R&M. Nelson, Gilmour, Scott & Co. to H.M. Inspector of Taxes, Glasgow 9th District, 7th January 1949. £258 (for the period 1st January to 30th September 1947), contrasted with £2613.

⁷ The following consecutive listings in the *Glasgow Area Telephone Directory 1938* (p.163) refer to him: “Macpherson Alastair, 14 Melville st S.1. Queens Park 2580/ Macpherson Alexander, Acctnt Sheriff Officer, 162 Buchanan st C.1. Douglas 5910.” The same details appear for 1939. In 1940 (p.174), the business entry is for “Messenger-at-Arms, Sheriff Officer”.

⁸ *Edinburgh Gazette*, 9th November 1934, p.940.

⁹ *Edinburgh Gazette*, 20th November 1934, p.970.

¹⁰ NAS BT2/17904.

¹¹ Alexander Calderwood Macpherson, born 14th June 1939, younger son of “Alastair Macpherson, Accountant and Messenger-at-Arms”, so styled on the birth certificate.

¹² On 2nd August 1985 arms were granted for and in memory of Alexander Macpherson, with the motto, “Deforce Not The Cat”. (Lyon Office. Public Register of All Arms and Bearings in Scotland, vol.71, p.6.)

¹³ Glasgow Register of Voters 1936-37, ward 12, con. nos. 328-9.

¹⁴ Glasgow Valuation Roll 1936-37, vol.7, p.1171. The name of the telephone subscriber for ‘Douglas 5910’ also changed from Southern Mercantile Agency, in 1936, to Alexander Macpherson, accountant, in 1937.

¹⁵ R&M. T. S. Candlish, 18th October 1937.

¹⁶ R&M. John Steuart & Gillies to Nelson, Gilmour, Scott & Co., 20th May 1954.

¹⁷ R&M. James K. Gilmour to B. A. Wood, 7th January 1949.

¹⁸ William Forsyth, *In the Shadow of Cairngorm – Chronicles of the United Parishes of Abernethy and Kincardine* (Inverness, 1900), p.212; Victor Gaffney, *Tomintoul – its glens and its people* (Golspie, Bicentenary ed., 1976), p.13; W.J. Watson, *The Celtic Place-Names of Scotland* (Edinburgh and London, 1926), p.485.

¹⁹ Forsyth, *op. cit.*, p.50.

²⁰ Alan G. Macpherson, ‘The Genealogy and Descent of the Phoness (now Phones) Family’, *Creag Dhubh*, no.12 (1960), p.10.

²¹ Alan G. Macpherson, *The Posterity of the Three Brethren – A Short History of The Clan Macpherson* (5th ed.), (Clan Macpherson Association, Canadian Branch, 2004), p.10.

²² William Fraser, *The Chiefs of Grant*, 3 vols. (Edinburgh, 1883), vol.i, pp.lxix and lxxiii.

²³ NAS GD44/28/11/1.

²⁴ Charles Fraser-Mackintosh, *Antiquarian Notes - A Series of Papers regarding Families and Places in the Highlands* (2nd ed.), (Stirling, 1913), p.369.

²⁵ David Littlejohn (ed.), *Records of the Sheriff Court of Aberdeenshire*, vol.iii (Aberdeen, 1907), pp.103-5.

²⁶ *The Loyall Dissuasive and Other Papers Concerning the Affairs of Clan Chattan*, by Sir Aeneas Macpherson, Knight of Invereshie 1691-1705, (ed. Rev. Alexander D. Murdoch), (Edinburgh, 1902).

²⁷ Forsyth, *op. cit.*, p.366; Stuart McHardy, *MacPherson’s Rant and Other Tales of the Scottish Fiddle* (Edinburgh, 2004), p.17.

- ²⁸ H.C.G. Matthew and Brian Harrison (eds.), *Oxford Dictionary of National Biography* (Oxford, 2004), vol.35, p.986.
- ²⁹ Macpherson, *Posterity of the Three Brethren*, p.22.
- ³⁰ J.F.S. Gordon, *The Book of the Chronicles of Keith* (Glasgow, 1880), pp.37-43.
- ³¹ Peter Mackenzie, *Reminiscences of Glasgow and the West of Scotland*, 3 vols. (Glasgow, 1865), vol.i, p.519.
- ³² Lyon Office. 11th October 1783.
- ³³ James A. Mackay (ed.), *The Complete Letters of Robert Burns* (Ayr, 1987), p.321.
- ³⁴ Roderick Macpherson, 'Scotland: A shrinking *espace de justice* for the huissier', in *Work of the Congress Committee*, 18th Congress of Union Internationale des Huissiers de Justice et Officiers Judiciaires, Tunis, 6th – 9th May 2003, p.76 onwards.
- ³⁵ See also George Woden, *Time and Tide*, 25th April 1953, p.542.
- ³⁶ SMASO. The Hon. Lord Ashmore (chairman), Departmental Committee on Messengers-at-Arms and Sheriff Officers (Scotland), *Notes of Proceedings at Inquiry held on Monday, 18th June, 1923* (Typescript, 1923), p.18; quoted in brochure of the Society of Messengers-at-Arms and Sheriff Officers 75th Anniversary Banquet, 5th December 1997. The quotation continues: "There are references to such [messengers] as early as 1474 and they certainly existed long before that, though they probably at that time carried the King's letters."
- ³⁷ R&M. Sir Francis J. Grant to Alexander Macpherson, 9th June 1939.
- ³⁸ J.J. Darling, *The Powers and Duties of Messengers-at-Arms* (Edinburgh, 1840), p.290.
- ³⁹ *Oxford D.N.B.*, vol.1, p.790.
- ⁴⁰ Edward Clodd, *Grant Allen A Memoir with a Bibliography* (London, 1900), p.5.
- ⁴¹ James, Viscount of Stair, *The Institutions of the Law of Scotland* (ed. David M. Walker), (Edinburgh and Glasgow, 1981), p.626.
- ⁴² Queen Victoria, *Leaves from the Journal of Our Life in the Highlands, from 1848 to 1861* (ed. Arthur Helps), (London, 1868), pp.199-200.
- ⁴³ *Oxford D.N.B.*, vol.34, p.251.
- ⁴⁴ R.H. Bruce Lockhart, *My Scottish Youth* (London, 1937), p.19.
- ⁴⁵ *Ibid.*, pp.19-20.
- ⁴⁶ William Barclay, *The Schools and Schoolmasters of Banffshire* (Banff, 1925), pp.36-38.
- ⁴⁷ NAS GD44/51/745/3; GD44/23/3 item 72.
- ⁴⁸ *The Northern Scot*, 25th November 1899, p.8.

⁴⁹ *Oxford D.N.B.*, vol.22, p.920.

⁵⁰ J.F.S. Gordon (ed.), *Glasghu Facies: A View of the City of Glasgow*, 2 vols. (Glasgow, 1872); *A vade mecum to and through the Cathedral of St. Kentigern of Glasgow* (Glasgow, 1894).

⁵¹ Lachlan Shaw, *The History of the Province of Moray* (ed. J.F.S. Gordon), 3 vols. (Glasgow, 1882), vol.i, pp.150-51; and J.F.S. Gordon, *The Book of the Chronicles of Keith* (Glasgow, 1880), p.210 – it being assumed that his grandfather, Robert Gordon in Favillar, Aberlour, and William Gordon of Bogfouton were brothers.

⁵² *Oxford D.N.B.*, vol.22, p.920; “*Aberdeen Journal*” *Notes and Queries*, no.99, 9th March 1910, pp.71-72; W. J. Anderson, ‘J.F.S. Gordon and His Contribution to the History of Scottish Catholicism’, *The Innes Review*, vol.xvi, Spring 1965; Mitchell Library A185835 preserves some examples of Dr. Gordon’s writing paper, showing the name “Gordon of Glenbucket” and the arms, a chevron between three boars’ heads, all within a bordure counter-componed; with crest, a boar’s head, surrounded with an adder, disposed orle-ways.

⁵³ *Banffshire Herald*, 6th February 1904, p.8.

⁵⁴ J. Wilkinson, *Centenary Souvenir of S. Andrew’s Church, Glasgow Green* (Glasgow, 1905), pp.33-34.

⁵⁵ *Glasgow Herald*, 25th January 1904.

⁵⁶ Anderson, *op. cit.*, p.19, quoting *The Scottish Guardian*, 5th February 1904.

⁵⁷ Shaw, *op. cit.*, vol.i, p.151.

⁵⁸ NAS GD44/23/11/2 item f, p.23.

⁵⁹ Mitchell Library A53675. The ‘Notice’ appears on p.11, with ‘Dr. Gordon’s letter’ on pp.9-10.

⁶⁰ *Green’s Encyclopaedia of the Law of Scotland* (ed. John Chisholm), vol.x (Edinburgh, 1898), p.240.

⁶¹ Shaw, *op. cit.*, vol.i, pp.150-51. The local pronunciation of Tomnavoulin is confirmed in the compilation of Hetty Milne, *Tomnavoulin, Glenlivet – A Collection of Poems by Local Writers* (Elgin, 2002), p.9.

⁶² NAS SC2/40/28.

⁶³ SCA BL6/309/11. William Gordon to James Gordon, 18th December 1841.

⁶⁴ SCA BL6/233/2. James Gordon to James Kyle, 18th January 1839.

⁶⁵ Robert (d.1856, aged 46); Jane, wife of Francis Watt (d.1895, aged 84); Charles (1816-94); Ann (1837-1912); and James (1837-67).

⁶⁶ Shaw, *op. cit.*, vol.i, p.151.

⁶⁷ “Margaret, lawful daughter of Robert Gordon and Mary Watt, born the 5th was baptised by me the 6th August 1843. Sponsors: Charles Stuart for James Grant and Margaret Anderson. *Robert Stuart*.” (NAS RH21/34/1 p.56.)

⁶⁸ “Mr. Henry Miller was appointed Superintendent on 10th April 1836 and on being selected for the position of Head Constable of Liverpool, he resigned his Glasgow appointment on 29th March 1844. . . . (In) the spring of 1848, Mr. Miller, who had since left his position in Liverpool to become Prison Governor in Glasgow, was re-appointed to the force with the new rank of Chief Superintendent. On 26th June 1848, he presented to the Municipal Police Committee a comprehensive report dealing with police administration in the City. His report included, inter alia, a scheme for the formation of a separate Detective Department and proposals for an improvement in the hours of duty of members of the force and the purchase of a van for the conveyance of prisoners through the streets. Following on this report a large measure of re-organisation of the force was effected. Mr. Miller resigned his appointment in late 1848.” (‘The City of Glasgow Police Force’, *Old Glasgow Club Centenary Handbook 1900-2000* ([Glasgow] 2000), p.63.) Mrs. C.G.W. Roads, Lyon Clerk, provides the following further biographical information: Henry Miller (1804-73) was admitted a messenger-at-arms for Stirlingshire on 8th October 1821. His father was Thomas Miller, who was appointed a messenger-at-arms for the same sheriffdom in 1808. The 1841 census for Richmond Street, Glasgow, includes Henry Miller, described as Superintendent of Police, age 35; twenty years later, the census for East Howard Street in the city shows him as a messenger-at-arms, age 57. His death certificate describes him as manager of a trade protection society, age 70.

⁶⁹ Macpherson, *Posterity of the Three Brethren*, pp.5-8.

⁷⁰ The Laird of Grant’s rentals of the Abernethy tenantry, dating from the first half of the eighteenth century, include such distinctive names from the *Slioch Ghilliosa* as *Lisach*, a surname (at Gartenmore and Inchtomach), and *Elias*, a Macpherson forename (at Wester Tulloch). Earlier instances of such names in Abernethy, however, are yet to appear. (NAS GD248/151/9/2; GD248/150/5/14; GD248/136/8/11; GD248/108/12 no.12.)

⁷¹ *Dictionary of Canadian Biography Online*, article on John Stuart (1780-1847).

⁷² Forsyth, *op. cit.*, p.436.

⁷³ *Oxford D.N.B.*, vol.51, p.80.

⁷⁴ Margaret A. MacLeod and W. L. Morton, *Cuthbert Grant of Grantown: Warden of the Plains of Red River* (Toronto, new ed., 1974), p.3. Two first cousins of Alexander – Davina and Charlotte Macpherson – were born at

Kincorth in 1819 and 1823, respectively. (OPR Dyke and Moy.) Davina was named for Miss Davina Grant, who was a first cousin of Cuthbert Grant (1793-1854). Davina Grant's young son, Charles (her husband being a cousin of sorts, Frederick Grant – see W. Stewart Wallace (ed.), *Documents Relating to the North West Company* (Toronto, 1934), p.448), was a witness at Charlotte's baptism. The link between the Macpherson and Grant families appears to be through James Grant, brother of Robert of Wester Lethendry, Cromdale. (NAS GD248/1701.)

⁷⁵ MacLeod and Morton, p.5. The Stuart family resided at Lainchoil, Abernethy. John Stuart, of the Hudson's Bay Company, was a cousin of Major Charles Grant, of the Honourable East India Company's service, tenant in Crask, from 1814 until his death in 1817. He left a legacy "to John McPherson lately my Servant now at Letterattan or Crask of Abernethy the sum of Thirty pounds sterling". (NAS CC16/9/11, p.390.)

⁷⁶ NAS GD248/1701 p.217.

⁷⁷ *Oxford D.N.B.*, vol.35, p.982.

⁷⁸ *Scottish Notes & Queries*, 3rd ser., vol.iii, p.175 (by A.M. Mackintosh). Sir James McGrigor, Bt., K.C.B., Director-General of the Army Medical Department, according to the article on 'Grant of Kincorth' in *Burke's Landed Gentry* (6th ed.) 1879, was another grandson of this Robert Grant. Sir James's autobiography does not confirm this statement, however, giving his grandfather's forename as *Lewis*. Yet it is clear that Sir James was counted as a cousin of the Grants of Kincorth, John Stuart, Lainchoil, and Captain John Grant, Birchfield.

⁷⁹ Robert N. Smart (ed.), *Biographical Register of the University of St. Andrews 1747-1897* (St. Andrews, 2004), p.343. If the expelled student is correctly identified as the Alexander, born in 1744 to Robert Grant of Wester Lethendry, Cromdale, he would have been quite old to have been a student; the average age of new students is stated to have been 15 years.

⁸⁰ NAS GD248/533/2/9 and 10

⁸¹ Forsyth, *op. cit.*, p.427; "Roll of the Armed Association for the Parish of Abernethy 1798", no.50, "James MacPherson, Letterattin Crask". (NAS GD248/213/5/43.)

⁸² Alan G. Macpherson, *A Day's March to Ruin* (Clan Macpherson Association, 1996), p.53.

⁸³ I. F. Grant, *The Clan Grant* (Stirling, 1955), p.25.

⁸⁴ Forsyth, *op. cit.*, p.259.

⁸⁵ NAS CC16/9/11 p.390. John Macpherson was born at Crask in 1790. (OPR, Abernethy and Kincardine.)

⁸⁶ Forsyth, *op. cit.*, p.261.

⁸⁷ Andrew Jervise, *Epitaphs and Inscriptions from Burial Grounds and Old Buildings in the North East of Scotland*, 2 vols. (Edinburgh, 1875), vol.i, p.331. Jervise here calls William, “the reputed Croesus of Glenlivat”.

⁸⁸ Shaw, *op. cit.*, vol.i, p.151.

⁸⁹ *The Victualling Trades Review*, January 1905, p.8.

⁹⁰ *The Scottish Masonic Historical Directory for 1910*, inside cover – Lodge Caledonian Railway, No.354.

⁹¹ NAS CS318/55/196; CS318/66/157; and SC36/10B/146.

⁹² Trust Deed for Creditors: J. & W. Sloan and partners, registered in the Books of Council and Session 2nd March 1911; deed executed 15th and 16th November 1909.

⁹³ NAS SC36/10B/146.

⁹⁴ NAS CS318/84/121; CS334/7 (121).

⁹⁵ Of course, an illegitimate descent is involved here. William Gordon in Tomnavoulin, who was William Gordon of Bogfouton’s senior grandson, “died on January 30, 1875, aged 84, the Auchorachan family becoming extinct in him.” (Bulloch, *The Gordons and Smiths* (see p.42 for full citation), p.49.) William in Tomnavoulin’s Trust Disposition and Deed of Settlement and Codicils (NAS SC2/40/28, ff.84-92) only identify Ann as his child; but a small legacy was also left to Jane, wife of Francis Watt. In fact, William was quite in the habit of cutting off relatives without a penny. A codicil of 1856 states that George Smith, the distiller, his first cousin, “has annoyed me so much and from other marks of disrespect” that his legacy was revoked. The will had also given £100 to William Gordon Grant, “my name son, and a great favourite” – but only “providing he shall not marry Christian Grant presently in Blairfindy”. (The lady was a sister – a half-sister, it appears – of the eminent schoolmaster, James Grant.) They did marry and a codicil, added in 1856, noting that “William Grant presently at Blairfindy has married his Wife Christian Grant there so independently and obstinately against his father’s advice and mine,” gave this direction: to “instruct my Executors to give him no legacy nor nothing belonging to my Estate”.

⁹⁶ “William died at Auchorachan, Sept. 8, 1790, aged 71.” (Bulloch, *The Gordons and Smiths*, p.45.)

⁹⁷ John R. Hume and Michael S. Moss, *The Making of Scotch Whisky: A History of the Scotch Whisky Distilling Industry* (Edinburgh, 2000 ed.), p.278.

⁹⁸ NAS GD44/23/11/2 item F, “Memorial and Queries For The Duke of Gordon, 1795”. For further information on the family’s finances, see NAS

CS96/3298, NAS CS25/1797/12/12, and the confirmation of the estate of Ensign William Gordon, NAS CC16/4/8.

⁹⁹ Although his designation refers to a property in the parish of Rayne, Aberdeenshire (Mains of Rothmaise lying just some three miles from Mains of Bogfouton, in the neighbouring parish of Forgue), John Grant of Rothmaise was a Glenlivet notable, being son of John Grant of Tomnavoulin. The father and son are referred to several times in John Watts, *Scalan: The Forbidden College, 1716-1799* (East Linton, 1999). Rothmaise's failure was declared in 1778, when he gave up a list of his debts amounting to around twenty three thousand pounds sterling. (See J. M. Bulloch, 'Minister and Laird', *Transactions of the Banffshire Field Club* 1929, pp.64-71. NAS CS231/G/5/15 shows that Rothmaise's personal estate was sequestrated at the Court of Session on 26th December 1778. The inventory of the process at the instance of the Reverend James Gordon against him is at NAS CS230/G/52.)

¹⁰⁰ NAS RS64/12. "William Gordon, Achorachan", and his son, "John Gordon, Blairfindie" were ranked as creditors on Rothmaise's estate, for £72/1/7 and £74/16/6 respectively. (NAS GD44/42/1/28.)

¹⁰¹ See Bulloch, *The Gordons and Smiths*; also *Oxford D.N.B.*, vol.51, pp.9-11. John Gordon in Tomnavoulin, maternal uncle of George Smith, was influential in the establishment of the Smiths at Upper Drumin. See F. Paul Pacult, *A Double Scotch: How Chivas Regal and The Glenlivet Became Global Icons* (New Jersey, 2005), p.55 and NAS GD44/52/252 p.124. The marriage contract between George Smith's parents, Andrew Smith and Margaret Gordon, is found at NAS SC26/53/11 pp.374-76.

¹⁰² W. Smith Grant's *Glenlivet – Where Romance and Business Meet* (Glenlivet, 1924), p.19. John Gordon Smith's year of birth is stated in this publication as 1822; however, the baptism at Upper Drumin, 23rd June 1825, of "[blank] Smith born on the [blank] lawful child to George Smith Gow & Helen Stuart there" probably refers to him, suggesting that 1825 was the year of birth. (NAS RH21/34/1 p.32.)

¹⁰³ Robert Gordon (aged 29) was at Upper Drumin in the 1841 census; a generation later, Robert's children, Jane (aged 24) and William (aged 13, he being the future hotelier in Peebles) were at Minmore in 1871.

¹⁰⁴ NAS CR6/20 p.30; see p.125, there.

¹⁰⁵ "Aberdeen Journal" *Notes and Queries*, no.99, March 9 1910, pp.71-72.

¹⁰⁶ NAS GD44/23/4.

¹⁰⁷ NAS SC26/53/11 pp.374-76.

¹⁰⁸ *Elgin Courant*, 1st December 1871, p.5.

¹⁰⁹ *Evening Citizen*, 9th March 1938: “W. Gordon Macpherson”; from 14th March 1938 onwards, “Gordon Macpherson”; and *Evening Times*, March 1938 onwards. The advertisements were only for the “Marriage Office” side of the business.

¹¹⁰ For an account of the procedure of irregular marriages and the duties of the “marriage agent”, see *The Scotsman*, 4th February 1936, pp.9-10.

¹¹¹ *Evening Times*, 31st December 1934.

¹¹² *The Scotsman*, 10th May 1918.

¹¹³ *Ashmore Inquiry*, p.10.

¹¹⁴ Alistair and Henrietta Tayler, *Jacobites of Aberdeenshire and Banffshire in the Rising of 1715* (Edinburgh and London, 1934), pp.46-48.

¹¹⁵ J.J. Darling, *The Powers and Duties of Messengers-at-Arms* (Edinburgh, 1840), p.10.

¹¹⁶ A.J. Aitken (ed.), *A Dictionary of the Older Scottish Tongue*, vol.iv (Chicago and London, 1971), p.221.

¹¹⁷ “Robert Gordon, Tomnavoulin, and Mary Watt, Refrish . . . were lawfully married by me on the 25th April 1843. Witnesses: William Gordon, Tomnavoulin, John Watt, Refrish, and others. *Robert Stuart*”. (NAS RH21/34/2 p.3.)

¹¹⁸ NAS GD44/51/745/3 John Gordon’s lease of Blairfindy, 1767-84.

¹¹⁹ NAS GD44/23/5/35-36. For details of John Gordon’s household at Tomnavoulin, see *Glenlivet Status Animarum. The Catholic Censuses of Glenlivet – 1814, 1822 and 1834* (Transcribed and indexed by Stuart Mitchell, Local Heritage Centre, Elgin, 2000), p.17 and p.59. The mill of Tomnavoulin – “hill of the mill” – seems originally to have been named the mill of Blairfindy. (“Miln of Blairfinday”, NAS GD44/7/4, Sasine in favour of John Grant of Rothmaise of the lands of Tomavilian, 1767.)

¹²⁰ E.g.: “March 21st 1770. Isobel lawful Daughter to John Stewart & Helen Stewart in Keirn was Baptised. Andrew Stewart there & John Gordon in Blairfindy Witnesses.” (OPR, Inveravon.) Isobel Stewart, Mrs. McHardy, died in 1858, aged 88, at Torrancroy, Strathdon, Aberdeenshire. It is probable that her husband was a cousin of James McHardy of Glenboig (d.1854), sheriff clerk depute of Lanarkshire (for whom see George B. Young, *Reminiscences of Glasgow Sheriff Court* (Glasgow, 1907), pp. 4,10,11).

¹²¹ NAS CC16/4/8 p.210. Gallowhill was part of William Gordon of Bogfouton’s 13 year lease (in joint names with his son Robert) for Castletown of Blairfindy (Easter Blairfindy), from 1771. (NAS GD44/23/4.) This bill of exchange was included in the list of “desperate and irrecoverable” debts, in the “Inventory of Writs lodged by Revd. Dr. George

Gordon in the Multiplepointing at his Instance Against The Representatives & Creditors of William Gordon senior and junior, of Achorachan, 14 February 1798". (NAS CS25/1797/12/12 no.54.) Unfortunately this reference gives no further information about the acceptor: "25. Bill. John Stuart, Messenger in Gallowhill, dated in the 1781 [sic] – This Debt said by Tamnavoulen [John Gordon] not to be due."

¹²² Brodie had held office as Lyon since 1727; his successor, John Hooke Campbell, or Campbell-Hook, was appointed on 3rd April 1754.

¹²³ Renfrewshire Sasines, (12,540) 1816 and (13,295) 1817.

¹²⁴ Scottish Genealogy Society STEWART 3 BAN.LKS. James Stewart of Williamwood, *Some Family Papers of the Stewarts of Williamwood* (typescript by F. R. Stewart, Aberdeen, 1916). Notes on some 71 family members are contained in a paper by Captain Stewart, the title page of which states, "Notices of the Descendants of Mr. Archibald Stewart of Nether Downan, Banffshire, who was Married about 1725, Made by J. Stewart of Williamwood, March 20th, 1876. (Signed) J.S." The messenger-at-arms and his family have their surname spelt therein as *Stuart*, in distinction to *Stewart* for the descendants in the male line of the Downan family.

¹²⁵ NAS RH2/8/18 (at no.718); also again at RH2/8/19, 20th February 1804.

¹²⁶ A.J. Mackenzie Stuart, 'A Royal Debtor at Holyrood', *Miscellany One of The Stair Society* (Edinburgh, 1971), pp.193-201.

¹²⁷ Quoted from 2nd edition (London, 1901), p.503.

¹²⁸ These Stewart family researches, it is curious to note as a coincidence, had involved the professional services of Sir Francis J. Grant, when the future Lord Lyon had been Carrick Pursuivant. (*The Stewarts*, vol.6 (1930), pp.81-82; Lyon Office, "Bundle 72. Stewart of Williamwood".) A glamorous connection is presented by the fact that Captain James Stewart of Williamwood's senior grandson, James Lablache Stewart (1913-93), became the Hollywood film star "Stewart Granger".

¹²⁹ *Glasgow Herald*, 25th March 1869, p.4.

¹³⁰ Williamwood estate extended, by 1846, to some 600 acres in the parishes of Cathcart and Eastwood. (Glasgow City Archives (A.J. & A. Graham papers) D16 16/5.) It was purchased after James Stewart's retirement from the great mercantile house of James Finlay & Co., of which he was a partner from 1799 to 1816. Owned by the Stewart family from 1817 to 1927, the estate was sold after the death of Captain Stewart's widow in 1926. (*Crossroads Community – A History of Clarkston* (Eastwood District Libraries, 1988), pp.8-10.)

¹³¹ J. M. Bulloch, 'The Stewarts of Drumin and Pittyvaich', *Transactions of the Banffshire Field Club*, 1933, p.78.

¹³² Hew Scott, *Fasti Ecclesiae Scoticanæ* (Edinburgh, 1920), vol.iii, pp.191 and 332. The birth of Gordon Stewart in 1735 presents one of the earliest examples of *Gordon* being used as a forename. Colonel James Stewart's brother, Gordon, is the earliest example from Inveravon, it seems (for whom see Bulloch, 'The Stewarts of Drumin and Pittyvaich').

¹³³ Taylers, *Jacobites of ... the Rising of 1715*, p.191.

¹³⁴ "John Stewart now residing at Drummin, son of Arthur Stewart deceased late in the parish of Kirkmichael and County of Banff by Elspett Stewart his wife" is mentioned in a deed of 1777. (NAS SC2/56/16, p.19.) An "Arthur Stewart in Achlonie" died in 1751, confirmation of his estate being given in 1755, and his wife being an Elspet Stewart. (NAS CC16/4/4.) However, the trust deed and settlement of Charles Stewart of Drumin (brother of Colonel Stewart), dated 1787, in referring to a bequest – "for defraying his Apprentice fee" – to a "James Stewart presently residing at Drummin and Lawfull Son of the deceased Arthur Stewart my Natural Brother" (NAS SC2/56/17, p.301), proves that the John Stewart in Drummin in 1777 was not the son of this Arthur. Two bonds by Alexander Grant of Arndilly, dated 1777, show the John "now Residing at Drummin" to be the brother of a Charles Stewart – "John and Charles Stewarts" then being "the two surviving sons of Arthur Stewart". (NAS SC2/56/16, p.21.)

¹³⁵ Lyon Office. "Register of Messengers Admissions between the Seventh day of October 1754 years" (ending 1777), pp.22 and 45.

¹³⁶ *Ashmore Inquiry*, pp.8-9.

¹³⁷ 'Noctes Ambrosianæ' No.11, *Blackwood's Magazine* (January 1827).

¹³⁸ Sir Robert Bruce Lockhart, *Scotch – The Whisky of Scotland in Fact and Story* (London, 1951), pp.20-21. (By permission of Campbell Thomson & McLaughlin Ltd.)

¹³⁹ Philip Ziegler, *King Edward VIII – The Official Biography* (London, 1990), p.38.

¹⁴⁰ *Oxford D.N.B.*, vol.47, p.213; *Dictionary of National Biography 1941-1950*, p.725; Bulloch, *The Gordons and Smiths*, p.54.

¹⁴¹ Peter Halkerston, *A Treatise on the History, Law, and Privileges of the Palace and Sanctuary of Holyroodhouse* (Edinburgh, 1831), p.2.

¹⁴² NAS SC2/9/241.

¹⁴³ NAS AD14/13/68.

¹⁴⁴ H.B. Mackintosh, *The Inverness Shire Highlanders or 97th Regiment of Foot 1794-1796* (Elgin, 1926), pp. 58-59.

¹⁴⁵ For the history of the Grants' ownership of the estate Airlie or Balgowan, see Ann Dean, 'Balgowan and the Aquhorthies Connection', *The Innes Review*, vol. 50 no.2 (Autumn 1999) pp.141-44.

¹⁴⁶ *Aberdeen Journal*, 28th April 1813.

¹⁴⁷ NAS CS25/1797/12/12. "Minutes in Causa Dr. Gordon Betwixt Mrs Helen Gordon & John Gordon in Tamnavoulline 1796", p.4.

¹⁴⁸ NAS CC16/9/8 pp.296-303 (at pp.301/2). Bulloch, *The Gordons and Smiths*, publishes a partial transcription of this deed (pp.45-47), commenting, "It is one of those documents that does the heart of the genealogist good, so full is it of the detail for which he hungers."

¹⁴⁹ NAS GD44/23/14 item F.

¹⁵⁰ NAS CC16/9/8 pp.253-56.

¹⁵¹ NAS CS25/1797/12/12, bundle entitled "12th December 1797. Decreet of Preference Division &c. Among The Representatives Legatees and Creditors of Wm. Gordon Senr. & Jun. of Auchorachan."

¹⁵² NAS GD44/23/11/2.

¹⁵³ NAS CS25/1797/12/12. "Minutes in Causa Dr. Gordon Betwixt Mrs. Helen Gordon & John Gordon in Tamnavoulline", p.4.

¹⁵⁴ SCA BL3/38/13. Peter Grant to Thomas Innes, 13th March 1738. Peter writes of his father having "difficulty enough to afford bread for himself, my mother and the two three [*sic*] daughters he has on his hand".

¹⁵⁵ Lyon Office. Register of Genealogies No.1, p.234.

¹⁵⁶ If this is true, Jean Irvine must have been the first wife of William Anderson of Glencarvie. His widow is stated to have been Helen Innes of Culquoich and their marriage was in 1678. (A. and H. Tayler, *The Valuation of the County of Aberdeen for the year 1667* (Aberdeen, 1933), pp.41 and 92; A. and H. Tayler, *The Jacobite Cess Roll for the County of Aberdeen in 1715* (Aberdeen, 1932), p.38.) The pedigree of John Charles Adolphus Grant de Blairfindy at the Lyon Office shows his father's maternal grandmother's parents as "Alexander Irvine de Drum Miles" and "Jeanna filia Joannis Scrymgeour de Dudhope Militis". Other sources, however, state the forename of the daughter of Sir John (d. 1643) who married Alexander Irvine as *Magdalene* and, moreover, show Sir John's daughter *Jane* as the wife of Sir John Carnegie. (*The Scots Peerage*, vol.iii, p.314.)

¹⁵⁷ Robert H. Landrum, 'Britain's First Citizen: Sir Alexander Irvine of Drum, accused Papist, and the Aberdeen Presbytery', *The Innes Review*, vol.53 no.2 (Autumn 2002), pp.189-200.

¹⁵⁸ P. Hume Brown (ed.), *Register of the Privy Council of Scotland*, 3rd series, vol.iii, 1669-1672 (Edinburgh, 1910), p.389.

¹⁵⁹ Fraser, *op. cit.*, vol.iii, pp.238-39.

¹⁶⁰ *Aberdeen Journal*, 5th July and 6th December 1796; NAS GD44/23/1 1/2 items c and d; NAS CC16/4/9.

¹⁶¹ NAS RH2/8/18. The address in Edinburgh of Robert, Castletown, was either Richmond Place or Street. (NAS CS25/1797/12/12.)

¹⁶² As quoted in NAS GD44/23/1 1/2 item f, pp. 26, 27 and 29.

¹⁶³ NAS GD44/52/252. Lieut. Robert Grant in Drummin's offer for Castletown of Blairfindy. Prior to the Gordons' occupancy of Easter Blairfindy in 1771 (NAS GD44/23/4 no.1) the lease had been held by Francis Forbes of Glencarvie, maternal uncle of Lieutenant Grant. The tack to Forbes is dated 1769. (*Ibid.*)

¹⁶⁴ SCA BL5/134. James Gordon to James Sharp, 27th May 1823.

¹⁶⁵ *Ibid.* James Gordon to Charles Gordon, 25th June 1823.

¹⁶⁶ *Cases Decided in the Court of Session, &c.*, Dunlop 1859-60, vol.xxii, no.15, pp.53-72, the quotation at p.61.

¹⁶⁷ This might be surmised from the Indexes to the Services of Heirs (vol.iv, p.67): "Grant – Barbara – (or *Robertson*) Widow of Alexander Robertson, Saddler, America, to her Brother Robert Charles Grant, Advocate, Aberdeen – Heir General – dated 23d February 1854." The following entry about her appears in *A Dictionary of Scottish Emigrants to the U.S.A.*, by Donald Whyte (1972) (p.146): "GRANT, Barbara. From Blairfindy, Aberdeenshire [sic]. Daughter of Charles G. of Blairfindy and Balgowan. To U.S. before 1850. M. Alexander Robertson, saddler, who died before 1854. (S.H.)."

¹⁶⁸ NAS GD44/52/207. Robert's son by Jean Gordon, Charles (b. 1801), would die insolvent, having been "in the habit of smuggling for which he was convicted before H.M. Justices of the Peace", according to the Petition of John Grant in Blairfindy (father of Dr. Grant, schoolmaster in Keith), Unto the Honourable The Commissioners of Excise, dated 1831. (NAS GD44/23/14 item G.)

¹⁶⁹ W. J. Anderson, 'The College for the Lowland District of Scotland at Scaln and Aquhorties: Registers and Documents', *The Innes Review*, vol.14, 1963, p.117. "Robert Grant, Tomavulan entered [Scalan] 18 April 1771".

¹⁷⁰ NAS RH2/8/19.

¹⁷¹ NAS GD44/52/207.

¹⁷² Inveravon Kirk Session Minutes.

¹⁷³ NAS RS3/444 pp.144-51.

¹⁷⁴ Inveravon O.P.R. Births, 23rd September 1750.

¹⁷⁵ Bulloch, *The Gordons and Smiths*, p.47 (in a note by "I.G.R.", Mrs. Robertson).

¹⁷⁶ John Watts, *Scalan: The Forbidden College, 1716-1799* (East Linton, 1999), note on John Farquharson (1748-1817), p.248.

¹⁷⁷ *Dictionary of Canadian Biography Online*, article on William Grant (1744-1805).

¹⁷⁸ SCA BL/3/160/17. Robert Grant to Peter Grant, 10th April 1763. “Petie” would have been a son of Alexander’s first marriage, to Margaret Stewart.

¹⁷⁹ *Oxford D.N.B.*, vol.23, p.313.

¹⁸⁰ NAS GD248/693/3. The grandnephew would become the grandfather of the writer Grant Allen.

¹⁸¹ *Ibid.*; GD248/697/1/2.

¹⁸² Alexander Fraser, as quoted in *D. Can. B. Online*, article on William Grant, p.7.

¹⁸³ *Ibid.*, p.1.

¹⁸⁴ NAS GD248/345/2/13

¹⁸⁵ Quoted by W. S. Wallace, ‘Strathspey in the Canadian Fur-Trade’, in *Essays in Canadian History Presented to George MacKinnon Wrong for his Eightieth Birthday* (ed. Ralph Flenley), (Toronto, 1939), pp. 278-95.

¹⁸⁶ *D. Can. B. Online*, article on William Grant, p.2.

¹⁸⁷ *A List of Persons Concerned in the Rebellion Transmitted to the Commissioners of Excise by the Several Supervisors in Scotland in Obedience to a General Letter of the 7th May 1746 and a Supplementary List with Evidences to Prove the Same*, preface by the Earl of Rosebery and annotations by Rev. Walter MacLeod (Edinburgh, 1890), pp.108-9.

¹⁸⁸ NAS GD44/51/379/2.

¹⁸⁹ *Ibid.*

¹⁹⁰ Robert Forbes, *The Lyon in Mourning*, 3 vols. (Edinburgh, 1895-6), vol.ii, p.33 (“Blairphinie his house”).

¹⁹¹ P.xlix (Edinburgh, 1928).

¹⁹² NAS GD44/51/2/2 item A.

¹⁹³ *List of Persons Concerned in the Rebellion*, p.108.

¹⁹⁴ Letter from Mrs. C. G. W. Roads, Lyon Clerk and Keeper of the Records, 18th June 2003. In the eighteenth century, as Robert Thomson writes in *The Duty and Office of a Messenger-at-Arms*, the offices of a messenger and a notary public were “often united in the same person” (p.viii). However, a search in the Register of Admissions of Notaries, from February 14 1741 until March 10 1763, shows that James Grant was not of this number. (NAS NP2/24-28.)

¹⁹⁵ *List of Persons Concerned in the Rebellion*, p.362.

¹⁹⁶ Macpherson, *Day’s March to Ruin*, p.276; *List of Persons Concerned in the Rebellion*, p.112.

¹⁹⁷ (Robert Thomson), *A Treatise on the Office of a Messenger* (Edinburgh, 1753), pp.16 and 20.

¹⁹⁸ Alistair and Henrietta Tayler, *Jacobites of Aberdeenshire and Banffshire in the Forty-Five*, (Aberdeen, 1928) pp.249-60.

¹⁹⁹ Alastair Livingstone of Bachuil, Christian W.H. Aikman and Betty Stuart Hart, (eds.), *Muste Roll of Prince Charles Edward Stuart's Army 1745-46* (Aberdeen, 1984), pp.121-22; Taylers, *Jacobites of . . the '45*, p.286.

²⁰⁰ Walter Biggar Blaikie (ed.), *Origins of the 'Forty-Five', and other papers relating to that rising* (Edinburgh, 1916), p.li. See also Henrietta Tayler, 'John Gordon of Glenbucket', *Scottish Historical Review*, vol.xxvii, no.104 (1948), pp.165-75.

²⁰¹ *Oxford D.N.B.*, vol.23, p.331; W.J. Anderson, 'Abbé Peter Grant, Roman Agent for the Scottish Catholic Mission, 1738-1783', *St Peter's College Magazine*, vol.xxiii, June 1957, no.88, pp.4-8.

²⁰² Taylers, *Jacobites of . . the '45*, p.260.

²⁰³ *Ibid.*, p.255. Glenbucket's letter to Edgar was first published in James Browne's *A History of the Highlands and of the Highland Clans; with an extensive selection from the hitherto inedited Stuart Papers* (Glasgow, 1836), vol.iv, no.cxv pp.17-19.

²⁰⁴ SCA/CC/1/15. Very Rev. William Clapperton, *Memoirs of Scotch Missionary Priests compiled from original letters formerly preserved at Preshome, now at Blairs College* (Revised and transcribed by George Wilson, typescript, Elgin, 1902), vol.iv, pt.ii, no.88, pp.2416-68. The quotation at p.2419.

²⁰⁵ Curiously, however, only "James Grant of Blairfindy" was recalled by the Duke of Gordon's factor, in answer to an inquiry of 1793 about the composition of Glenbucket's regiment. James is here listed amongst the lieutenants. (Charles Rampini, 'Correspondence of an Old Scotch Factor', *The Scottish Review*, vol. xvii (1891), p.127.)

²⁰⁶ SCA BL3/38/13. Peter Grant to Thomas Innes, 13th March 1738; referred to by Clapperton, *op.cit.*, no. 100, pp.2671-2.

²⁰⁷ OPR, Strathdon "1758. 9 June. Mr. Alexr. Grant in Glencarvy and Miss Babie Forbes daughter to John Forbes of Glencarvy" married; Charles and Robert were born, 1758 and 1760 respectively, to "Alexander Grant in Glencarvie".

²⁰⁸ NAS CC16/4/4.

²⁰⁹ NAS GD44/23/14.

²¹⁰ NAS CR8/188.

²¹¹ SCA BL3/160/17. Robert Grant to Peter Grant, 10th April 1763.

²¹² Wallace, 'Strathspey in the Canadian Fur-Trade'; Wallace, *Documents Relating to the North West Co.*, p.452.

²¹³ Taylers, *Jacobites of . . . the '45*, p.286.

²¹⁴ William Maxwell Morison, *The Decisions of the Court of Session*, vol.ix (Edinburgh, 1803), p.7652.

²¹⁵ Lyon Court. "Lyon Court Book Beginning 1st February 1728 And Ending 1770", p.104.

²¹⁶ P.4. The subsequent notice to James Grant's concerns a forged bill of exchange, the acceptor of which bore to be Charles Anderson of Candacraig. He was second cousin to James Grant. See Taylers, *Jacobite Cess Roll . . . in 1715*, pp.37-39.

²¹⁷ Wallace, *Documents Relating to the North West Co.*, p.452; *D. Can. B. Online*, article on William Grant.

²¹⁸ www.lacadiehautrichelieu.com/histoire.htm.

²¹⁹ *D. Can. B. Online*, article on Marie-Charles-Joseph Le Moynes de Longueuil, Baronne de Longueuil (Grant), (1756-1841); Rosanna Leprohon, *Antoinette De Mirecourt, Or Secret Marrying and Secret Sorrowing, A Canadian Tale* (John C. Stockdale, ed.), (Ottawa, 1989), Editor's Introduction, pp.xxviii-xxx.

²²⁰ Although the Lyon Court records do not appear to note a reponing of James Grant's deprivation from office, neither has mention been found, for example, of John Stewart Junior's reinstatement. Yet Stewart must have been properly readmitted; on 15th September 1791 an interlocutor was granted "against John Stewart Messenger Drummin by Keith", calling on him to find new cautioners (Lyon Office, "Court Book Vol.V 1770-1818", p.124). Moreover, it is recorded that on 6th November 1761, "John Stewart Senr." had his name published in the newspapers as having been suspended (Lyon Court Book 1728-1770, p.91). No reinstatement has been traced, yet the official list in the *Edinburgh Almanack* would include him until 1804.

²²¹ Morison, *op. cit.*, vol.ix, pp.7652-54.

²²² James Allardyce, *Historical Papers Relating to the Jacobite Period, 1699-1750* (Aberdeen, 1895), pp.563-64. An account of the attempted murder in Glenlivet of this John Grant is found in testimony taken in 1749. (NAS GD44/41/28/2/19, 2.)

²²³ SCA BL3/411/5. Peter Grant from Douai, 24th May 1784: "This at the request of my Nice the poor late Colonel Grant's Lady that I am here. She is most melancholy and unable to mind her concerns. He died the 23rd last month in the 48th year of his age."

²²⁴ James N.M. Maclean, 'Grant of Blairfindy, Junius and Francis', *Bulletin of the Institute of Historical Research* (1968), vol.41, pp.73-79; Richard

Cargill Cole, *Thomas Mante – Writer, Soldier, Adventurer* (New York, 1993), pp.101-6.

²²⁵ Margaret Cotter Morison, 'The Duc de Choiseul and the Invasion of England, 1768-1770, *Transactions of the Royal Historical Society*, 3rd ser., vol.iv (London, 1910), p.106.

²²⁶ Vol.v, appendix, pp.xix-xxi, quotation at p.xxi (5th ed., London, 1858).

²²⁷ Charles Grant, Vicomte de Vaux, *Mémoires de la Maison de Grant* ([London], 1796), pt.i, p.60.

²²⁸ *Oxford D.N.B.*, vol.31, p.70. The family connection with Marshal Keith was probably a remote one, through the Irvine of Drum family. The Blairfindy pedigree recorded at the Lyon Office shows Helen Anderson, wife of John Grant of Blairfindy, to have been a granddaughter of Sir Alexander Irvine of Drum (d.1657). Sir Alexander's paternal grandmother was Lady Elizabeth Keith, daughter of William, 4th Earl Marischal. Marshal Keith's name provides a link between three of the families mentioned in these inquiries: Grant, Macpherson and Burns. For Keith's supposed connection with the Clanpherson, see A. G. Macpherson, "'On the Death of Marshall Keith" and the Clan Consciousness of James Macpherson', in *From Gaelic to Romantic: Ossianic Translations*, (eds. Fiona Stafford and Howard Gaskill) (Amsterdam, 1998), pp.51-58. Robert Burns famously wrote of his forefathers having been tenants of the Keiths – "and had the honour to share their fate." (Letter to Dr. Moore, 2nd August 1787.)

²²⁹ Alexander Nisbet, *A System of Heraldry Speculative and Practical*, vol.ii (Edinburgh, 1742; facsimile ed. 1984), appendix p.67; Captain Douglas Wimberly, 'Short Account of the Family of Irvine of Drum', in *The Irvines and their Kin*, compiled by L. Boyd (Chicago, 1908), p.68; Ian B. Cowan, P.H.R. Mackay and Alan Macquarrie (eds.), *The Knights of St John of Jerusalem in Scotland* (Edinburgh, 1983), p.191.

²³⁰ Vicomte de Vaux, *op. cit.*, pt.i, p.60; NAS GD248/98/3/8.

²³¹ Didier Ozanam and Michel Antoine, *Correspondance Secrète du Comte de Broglie avec Louis XV (1756-1774)* (Paris, 1961), vol.ii, p.277.

²³² Vicomte de Vaux, *op. cit.*, pt.i, p.61 and pt.ii, pp.368/69.

²³³ Fraser, *op. cit.*, vol.ii, p.546. The uncle referred to is presumably Alexander.

²³⁴ *Oxford D.N.B.*, vol.52, p.702.

²³⁵ *Oxford D.N.B.*, vol.16, p.613.

²³⁶ Vicomte de Vaux, *op. cit.*, pt.i, p.61.

²³⁷ William Forbes-Leith, *The Scots Men-at-Arms and Life-Guards in France From their Formation until their final Dissolution A.D.*

MCCCCXVIII – MDCCCXXX, 2 vols. (Edinburgh, 1882), vol.i, p.159; the quotation at p.63.

²³⁸ Vicomte de Vaux, *op. cit.*, pt.i, pp.60-62 and pt.ii, pp.361, 363-64;

Fraser, *op. cit.*, vol.ii, pp.541-51; NAS GD248/98/3.

²³⁹ Vicomte de Vaux, *op. cit.*, pt.ii, pp.7-9.

²⁴⁰ Shaw, *op. cit.*, vol.i, p.90, citing Abercromby's *History*, vol. ii, p.124.

²⁴¹ *Oxford D.N.B.* vol.20, p.881.

²⁴² Fraser, *op. cit.*, vol.i, pp.41-42.

²⁴³ Michael Penman, *David II, 1329-71* (Edinburgh, 2005), pp.232, 305, 365 and 379.

²⁴⁴ Fraser, *op. cit.*, vol.i, p.52.

²⁴⁵ M. C. Morison, *op. cit.*, pp.83-115.

²⁴⁶ Ozanam and Antoine, *op.cit.*, vol.ii, p.277.

²⁴⁷ *Oxford D.N.B.*, vol.36, p.558.

²⁴⁸ Maclean, *op. cit.*

²⁴⁹ Fraser, *op. cit.*, vol.ii, p.548.

²⁵⁰ D.E. Pike, 'Hüllmandel', *Music and Letters*, vol.21, no.1 (January 1940), p.77; *Six Divertissements ou Ite. Suite De Petits Airs Pour Le Piano Forte ou Le Clavecin Dediés A Madame la Baronne de Grant de Blairfindy et Composés par N. J. Hüllmandel Oeuvre VIIe.* (Paris, undated).

²⁵¹ Vicomte de Vaux, *op. cit.*, pt.ii, p.361 (where in French translation).

²⁵² *Ibid.*, pp. 363-64. See NAS GD248/98/3.

²⁵³ NAS GD248/226/4 item 2.

²⁵⁴ Lyon Office. Register of Genealogies, no.1, p.234; See letters by James Cummyng, NAS GD248/510/2/55 and 56.

²⁵⁵ *D. Can. B. Online*, article on William Grant, p.5.

²⁵⁶ Albert G. Mackey, *An Encyclopaedia of Freemasonry and its Kindred Sciences*, new ed., by W.J. Hughan and E.L. Hawkins, 2 vols. (New York, 1914), vol.i, p.9. The Philosophic Scottish Rite is described as follows (vol.ii, p.562): "Some notion may be formed of the nature of the system which was taught in this Rite, from the name of the degree which is at its summit [12. Sublime Master of the Luminous Ring]. The Luminous Ring is a Pythagorean degree. In 1780, an Academy of the Sublime Masters of the Luminous Ring was established in France, in which the doctrine was taught that Freemasonry was originally founded by Pythagoras, and in which the most important portion of the lectures was engaged in an explanation of the peculiar dogmas of the sage of Samos." Another encyclopaedia refers to "Baron Grant of Blairfindy, Scotland," as "chief of the Scottish Philosophical Rite." (Kenneth R.H. Mackenzie, *The Royal Maconic Cyclopaedia* (London and New York, 1877), pt.i, pp.13-14.)

- ²⁵⁷ See *Oxford D.N.B.*, vol.23, p.331; and Anderson, 'Abbé Peter Grant Roman Agent for the Scottish Catholic Mission, 1738-1783'.
- ²⁵⁸ Clapperton, *op. cit.*, no.88, p.2435.
- ²⁵⁹ Henry Swinburne, *The Courts of Europe at the Close of the Last Century* (ed. C. White), (London, 1841), vol.i, p.210.
- ²⁶⁰ Swinburne, *op. cit.*, p.209.
- ²⁶¹ Basil Skinner, *Scots in Italy in the 18th Century* (Scottish National Portrait Gallery, 1966), pp.17-18.
- ²⁶² Lesley Lewis, *Connoisseurs and Secret Agents in Eighteenth Century Rome* (London, 1961), pp.123-4, 144, 168, 217, 222, 232-3.
- ²⁶³ David, Lord Elcho, *A Short Account of the Affairs of Scotland in the years 1744, 1745, 1746*, with a memoir by The Hon. Evan Charteris (Edinburgh, 1907), p.29. Elcho was godfather to Baron Grant de Blairfindy's son, *Alexander David Francis*. (NAS GD248/98/3/55.)
- ²⁶⁴ Lewis, *op. cit.*, p.222.
- ²⁶⁵ *Ibid.*, p.168.
- ²⁶⁶ *Ibid.*, p.123.
- ²⁶⁷ John Fleming, *Robert Adam and His Circle in Edinburgh and Rome* (London, 1962), p.146 and pp.349-50.
- ²⁶⁸ Francis Askham, *The Gay Delavals* (London, 1955), p.98.
- ²⁶⁹ Clapperton, *op. cit.*, no.88, pp.2441-49.
- ²⁷⁰ Maurice James Craig, *The Volunteer Earl – Being the Life and Times of James Caulfeild, First Earl of Charlemont* (London, 1948), pp.91-92.
- ²⁷¹ *Ibid.*, p.95.
- ²⁷² NAS GD248/49/3/12. See Fraser, *op. cit.*, vol. i, p.444, n.2.
- ²⁷³ NAS GD44/23/3 item 72.
- ²⁷⁴ NAS GD44/23/3 item 73. It was a condition of the lease that the ground officer of Glenlivet, the present officer being a *John Stuart*, would be accommodated on part of Croftbain, the pendicle to Tomnavoulin.
- ²⁷⁵ NAS GD248/56/4 item 25.
- ²⁷⁶ J.F.S. Gordon, *Journal and Appendix to Scotichronicon and Monasticon* (Glasgow, 1868), p.560 (quoting Abbé Paul Macpherson (1756-1846), the famous Glenlivet man, rector of the Scots College, Rome). The fullest biography is by Clapperton, *op. cit.*, no.100, pp.2671-2713. For the Duchess of Perth's good opinion of Robert, see Browne, *op. cit.*, vol. iv, p.104.
- ²⁷⁷ William Smellie, *Account of the Institution and Progress of the Society of the Antiquaries of Scotland* (Edinburgh, 1782), pp. 33-34.
- ²⁷⁸ SCA BL3/381/6. Robert Grant to John Geddes, 10th July 1783.
- ²⁷⁹ Fraser, *op. cit.*, vol.ii, pp.553-58. William Grant of Quebec, writing of his uncle, on 25th October 1780, to Sir James Grant of Grant, states that he

“wrote me sometime ago that he intended spending the short remainder of his days in Scotland.” (NAS GD248/363/1 item 1.)

²⁸⁰ SCA BL3/380/11. Peter Grant to John Geddes, 3rd September 1783.

²⁸¹ *Ibid.*

²⁸² SCA BL3/380/13. Peter Grant to John Geddes, 26th September 1783.

²⁸³ SCA BL3/407/14. John Geddes to George Hay, 12th April 1784.

²⁸⁴ NAS CR8/145 ; GD44/23/5.

²⁸⁵ *Aberdeen Journal*, 25th July 1791. Alexander Grant’s successors in the tenancy of Blairfindy would include a granddaughter’s husband, John Grant (d.1889), founder of the still flourishing firm of J. & G. Grant, distillers at Glenfarclas; who was followed by his son-in-law, William Gordon Grant (d.1904), an heir to the Gordons in Tomnavoulin and successor also to the tenancy there; who was followed in the tenancy of Blairfindy (and thereafter in Tomnavoulin) by his son, John Alexander Grant (d.1929).

²⁸⁶ George Gordon to Bishop Smith, 19th/30th October 1749, quoted in Clapperton, *op. cit.*, no.88, p.2439.

²⁸⁷ Index to Register of Sasines of Banffshire 1600-1780, 26th June 1618.

²⁸⁸ Fraser, *op. cit.*, vol ii, p.557.

²⁸⁹ *The Northern Scot*, 25th November 1899, p.8. The article states that “Dr Grant, of Keith, was favoured with a copy of it from Baron Grant a few years before his death.” This would have been Charles Colmore Grant, 7th baron, from 1879-98, who, notwithstanding his French Canadian title, resided at Pitlochry, Perthshire.

²⁹⁰ *Scottish Law Directory* 1938 onwards.

²⁹¹ Isaac Laird died in 1904, aged 44.

²⁹² *Edinburgh Gazette*, 10th August 1894, p.928.

²⁹³ *Evening Citizen*, 14th December 1894.

²⁹⁴ Alexander Morton, *Famous Detective Stories* (Glasgow, 1926), p.100.

²⁹⁵ As quoted in *Report of the Departmental Committee on Diligence* (Chairman: Sheriff H. McKechnie), (Cmnd 456 1958), s.25.

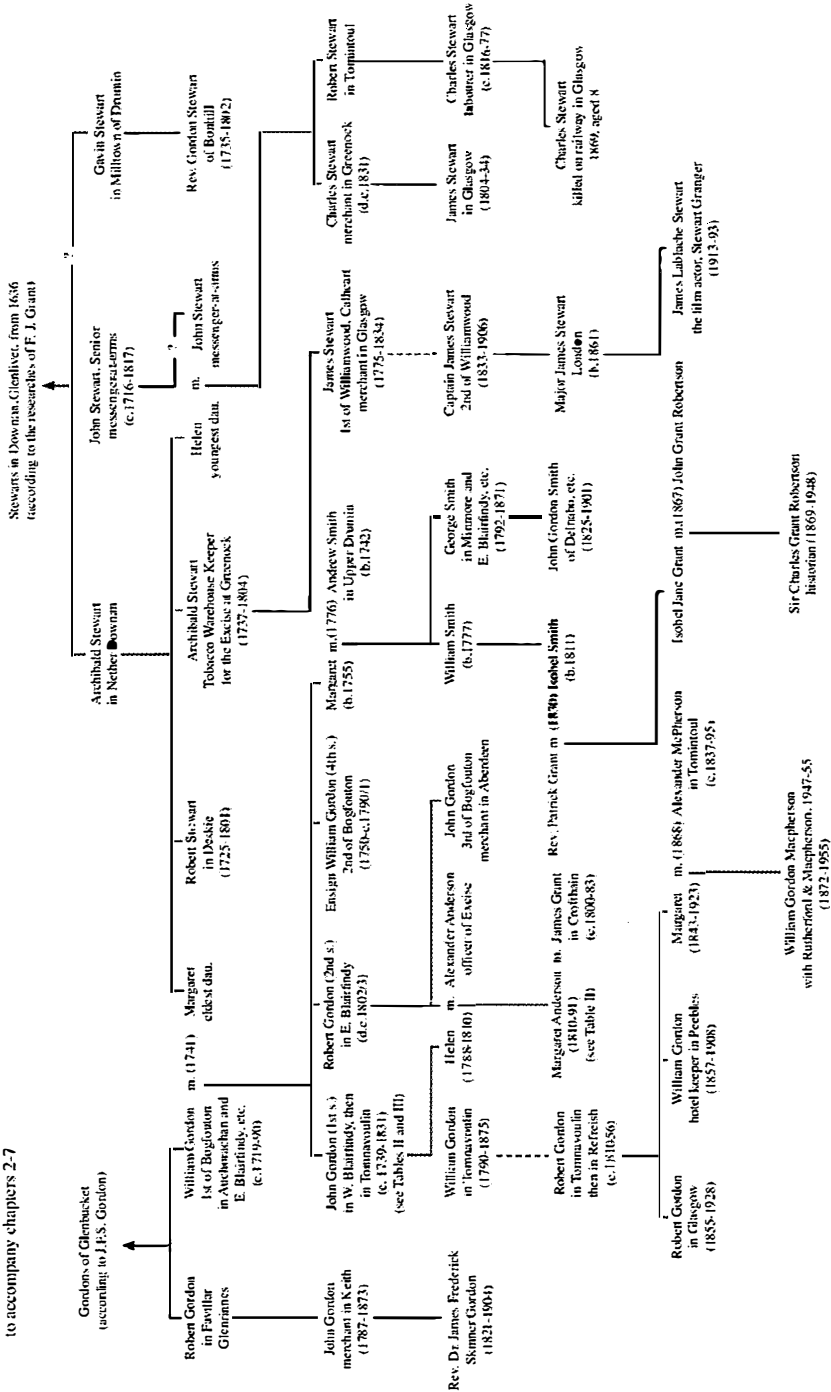
²⁹⁶ *Evening Citizen*, 15th August 1899. Advertisements, often of numerous paragraphs, appeared there from 1892 to 1902.

²⁹⁷ Lyon Office. Newspaper cutting.

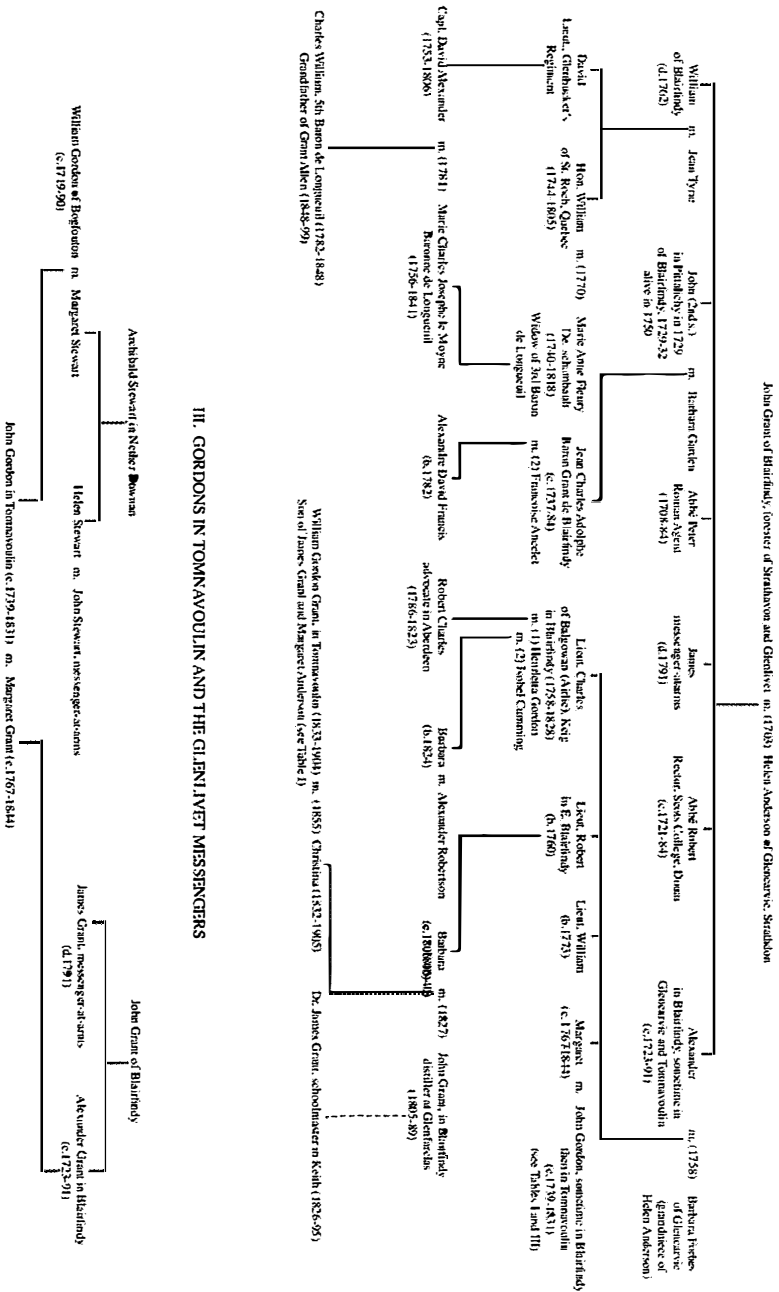
²⁹⁸ NAS SC36/65/200 folios 65-67.

²⁹⁹ NAS CS318/48/338.

³⁰⁰ *Scottish Law Directory* 1903 and 1904.

Genealogical Tables
to accompany chapters 2-7

II. GRANTS OF WESTER BLAIRFINDY



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Instead, our story is told here as *Mergers in Messengery: A Confusion of Livet and Clyde*. Alexander Grant’s brother was the messenger-at-arms in Glenlivet, Banffshire. In the *Aberdeen Journal* in 1776, James Grant promised that “those who are pleased to employ him will be served with Care and Fidelity, upon reasonable Terms”. Meanwhile, as research into the intrigues of secret agents in eighteenth century Europe shows, the Abbé Grant, their brother, was a leading Jacobite agent in Rome. Their nephew, the French Baron Grant de Blairfindy, was much associated with secrecy: he was a French spy in England and, as a grand officer of the Scottish Rite, was privy to many mysteries of Freemasonry.

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