

Researching Scottish Ancestors

*Class 1: Origins and Journeys:
Migrations to the U.S. and Canada*

Rhonda R. McClure, Senior Genealogist

THE BRUE FAMILY LEARNING CENTER



American Ancestors®
by NEW ENGLAND HISTORIC GENEALOGICAL SOCIETY

Meet today's presenter



Rhonda R. McClure
Senior Genealogist

OVERVIEW

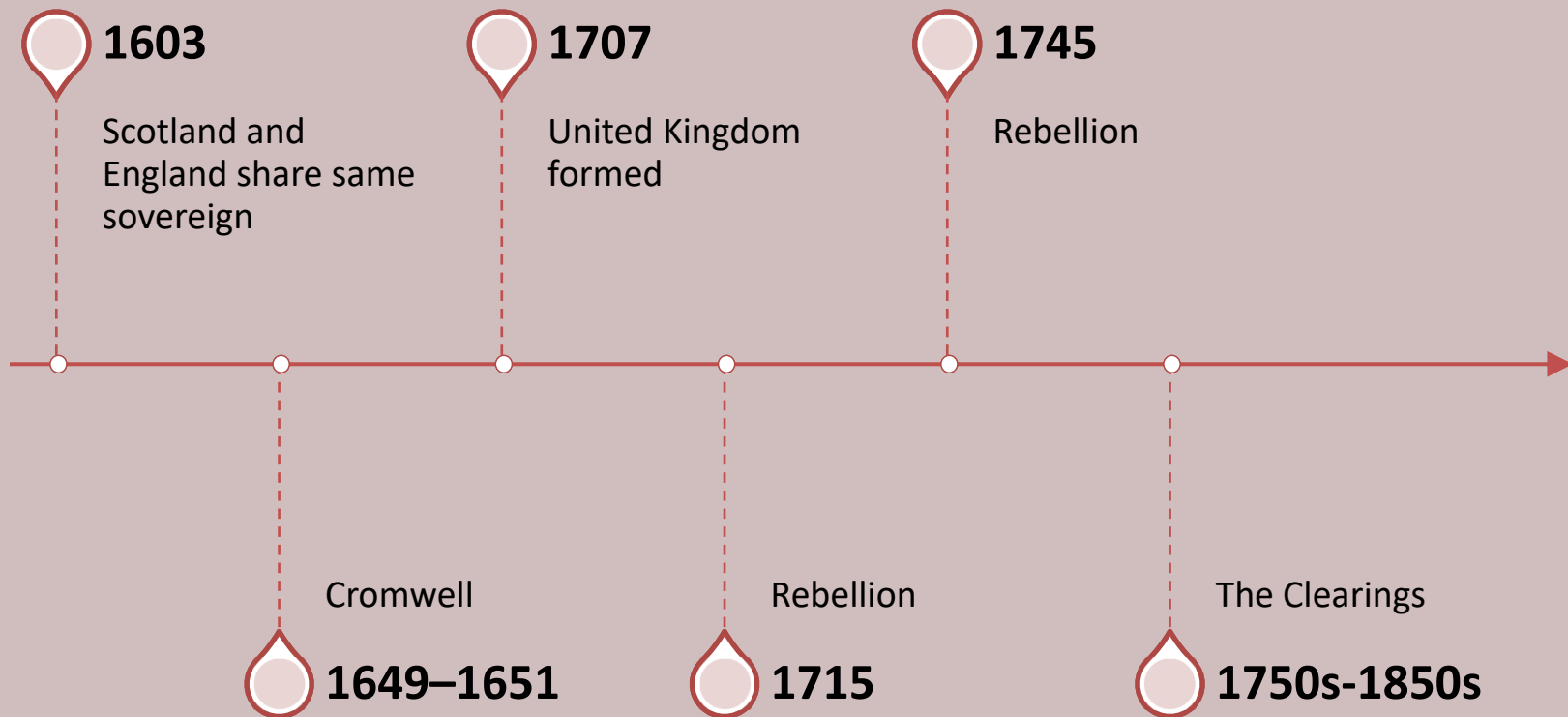
- **Presentation (60 mins.)**
 - Early Immigration and short-lived settlements
 - Clearances
 - Published compilations
- **Q&A (30 mins.)**

History



Voice of
Rhonda R. McClure
Senior Genealogist

Scottish History



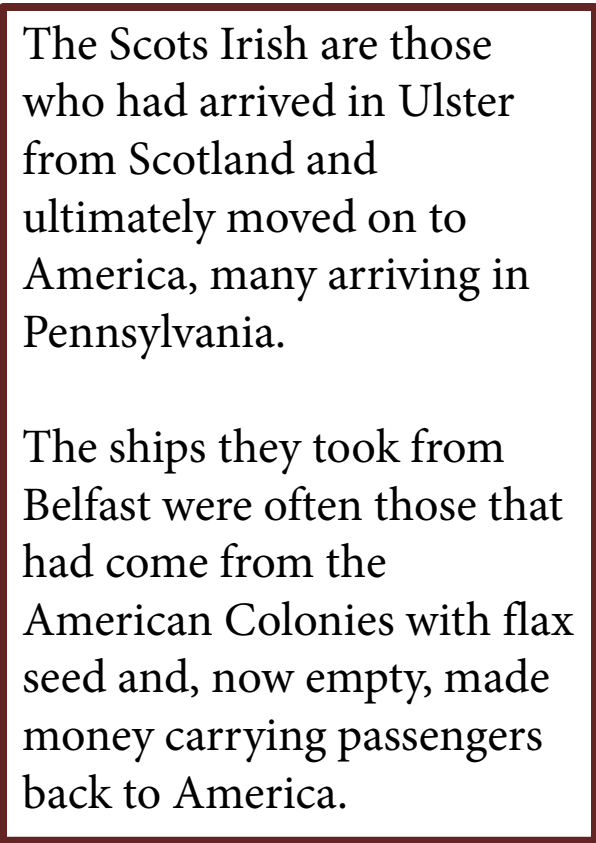
Early Immigration

Earliest Immigration

- Scotland's inclusion in Great Britain allowed it to establish settlements in the New World
 - Small, short-lived colonies established
 - Nova Scotia (1629)
 - East Jersey (1683)
 - South Carolina (1684)
 - New Caledonia at Darien near Panama (1698)
 - Darien (New Inverness) Georgia (1736)
 - Much slower momentum of immigration to America by Scots

Earliest Immigration

- Scots had been migrating to European areas since Middle Ages
- 16th & 17th centuries, they helped colonize:
 - The Hebrides
 - Orkney
 - Shetland
- Approximately 50,000 Scots were in Ulster by 1650



Map of short-lived settlements

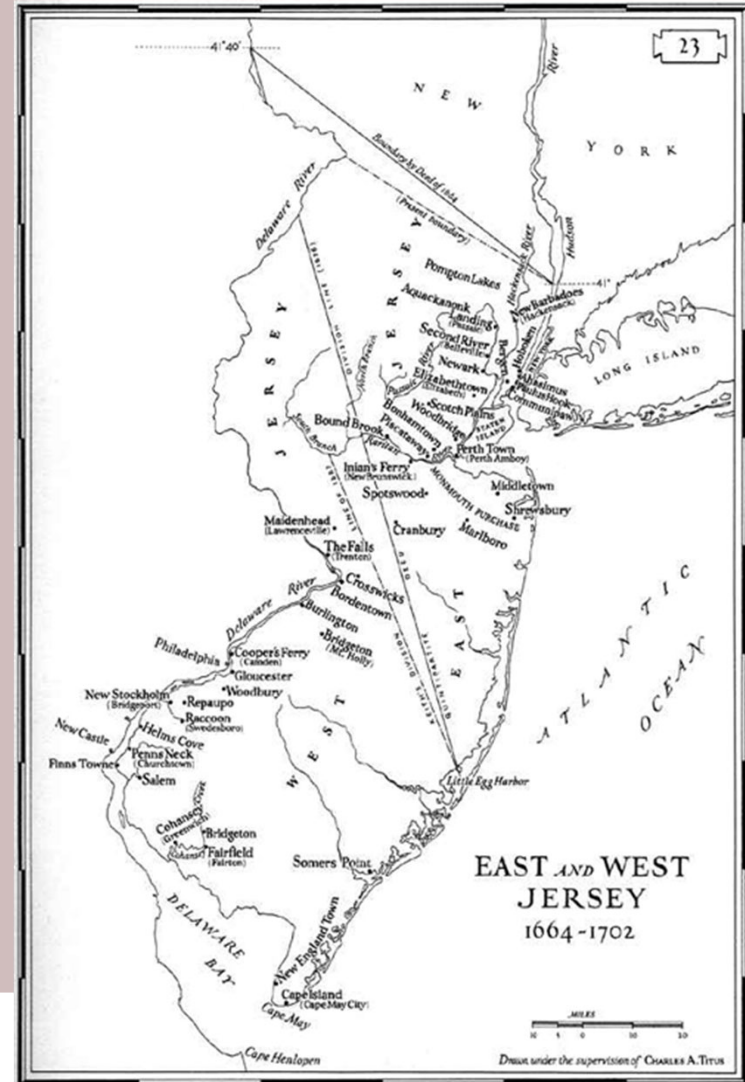


Nova Scotia - History

- Originally the Colony of Acadia (French)
- 1621 – France cedes parts of it to England
- 1621 – King James I of England (James VI of Scotland) grants a charter to create the colony of Nova Scotia (New Scotland)
- Settled by Sir William Alexander of Menstrie in 1629
- Settlement lasts only until 1632

East Jersey

- The Jerseys were separate from 1664-1702
- Quakers from Scotland settled in East Jersey
- Had suffered ill treatment in Scotland



South Carolina

- 1684 – Arrival of 148 Scots from Gourock
- They were Covenanters (Covenant Presbyterians)
- Town was named Stuarts Town
- 1686 – Attacked by Spanish and Indian allies

Darien Scheme

- Trading colony at Darién on the isthmus of Panama
- 1696 – 2,500 Scottish settlers set out
- Lack of:
 - Provisions
 - Colonizing experience
- Disease and Spanish attacks

Darien, Georgia

- 1736 – Founded in January, named for the failed colony in Panama
- Scots came mainly from Inverness and referred to the town as “New Inverness”
- 1739 – Some Scots abandoned Darien for South Carolina
- Scots from here involved in the American Revolution

Push Factors

- Religious persecutions:
 - Quakers
 - Presbyterians
- Deportations (called “transportations”):
 - Criminals
 - Debtors
 - Losers of civil or ecclesiastical battles



Cromwell at Dunbar
by Andrew Carrick Dow



1649

- Execution of Charles I
- Scots support Charles II

1650

- September 3
- Battle of Dunbar

1651

- September 3
- Battle of Worcester

[ABOUT US](#) [BATTLE OF DUNBAR](#) [BATTLE OF WORCESTER](#) [Y-DNA PROJECT](#) [EVENTS](#) [FAQ](#) [RESOURCES](#)





SCOTTISH PRISONERS of WAR SOCIETY

Promoting knowledge of the Scottish prisoners from the Battles of Dunbar (1650) and Worcester (1651).



[BATTLE OF DUNBAR - 1650](#)



[BATTLE OF WORCESTER - 1651](#)



[SCOTTISH SOLDIERS PROJECT](#)



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<https://spows.org/>



PRISONER PROFILES: DUNBAR

[Home](#) » [Battle of Dunbar](#) » [Aftermath and Prisoners](#) » Prisoner Profiles: Dunbar

The Scottish prisoners *found on this website* are prisoners of war from *two battles of the Wars of the Three Kingdoms, the first, in Scotland in 1650 and, the second, in England in 1651.*

On 03 Sep 1650, the BATTLE OF DUNBAR, took place at *Dunbar, Scotland* and resulted in many Scottish prisoners of war being marched to Durham Cathedral where they were kept before being moved on to other places. Out of the thousands in Durham only about 150 were sent to the *Massachusetts Bay Colony* via the ship, *Unity*. A passenger list for the ship *Unity* has yet to be found.

On this site a list has been *compiled* with over 180 *suggested* names of men *found in New England* who appear to fit the *criteria* of a *Scottish prisoner of war*. [View the documentation](#) and explore the links below to see if your ancestor may be on the list.

VIEW PROFILES:

- ▶ Dunbar Prisoners of War – All
- ▶ Dunbar Prisoners in Connecticut
- ▶ Dunbar Prisoners in Maine
- ▶ Dunbar Prisoners in Massachusetts
- ▶ Dunbar Prisoners in New Hampshire
- ▶ Dunbar Prisoners in New Jersey
- ▶ Dunbar Prisoners in New York
- ▶ Dunbar Prisoners in Rhode Island
- ▶ Possible Scottish Prisoners of War



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Battle of Dunbar



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DUNBAR PRISONERS IN MASSACHUSETTS

The men below are documented SPOW living in the following communities:

BARNSTABLE

- ▶ Cleghorn, James
- ▶ Stewart, Daniel

BILLERICA

- ▶ Fassett, Patrick
- ▶ Ross, Thomas

BOSTON

- ▶ Bennett, John
- ▶ Bogle, Alexander
- ▶ Davison, "ye Scot"
- ▶ Forbes, Thomas
- ▶ Jameson, Andrew
- ▶ Kelton, Thomas
- ▶ Kneeland, John
- ▶ Marshall, John
- ▶ Mason, John
- ▶ McDonald, Dennis

EDGARTOWN

- ▶ Stewart, Daniel

ESSEX COUNTY

- ▶ Taylor, Robert
- ▶ Taylor, Robert (2)

FALMOUTH

- ▶ Frizzell, John (2)

HINGHAM

- ▶ Dunbar, Robert
- ▶ Magoon, John
- ▶ McFarland, Purdie

IPSWICH

- ▶ Ferguson, John
- ▶ Maxey, Alexander
- ▶ Ross, Finlay
- ▶ Ross, Gilchrist
- ▶ Ross, John

- ▶ Dowty, Thomas (Doughty)
- ▶ Eager, William
- ▶ Fassett, Patrick
- ▶ Paul, John

MARBLEHEAD

- ▶ Darling, George
- ▶ Forbes, John (2)

MARLBOROUGH

- ▶ Forbes, Daniel (alias Forbush)
- ▶ Stewart, Alexander

NEWBURY

- ▶ Moore, Mathew
- ▶ Stewart, Duncan

NEWTON

- ▶ McKay, Daniel

READING

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Dunbar Prisoners in Massachusetts

BENNETT, JOHN

[Home](#) » [Battle of Dunbar](#) » [Aftermath and Prisoners](#) » [Prisoner Profiles: Dunbar](#) » Bennett, John

BATTLE:	<i>Battle of Dunbar in Dunbar, East Lothian, Scotland</i>
SHIP/ARRIVAL:	<i>Unity, Dec 1650</i>
PRISONER AND LIST:	
NAME VARIATIONS:	
RESIDENCES:	
OTHER SPOW ASSOCIATIONS:	

Every attempt has been made to ensure accuracy; please independently verify all data.

Published: 02 Dec 2014

Updated: 09 Mar 2020

Researchers: Andrew Millard, Teresa Rust

Editor: Teresa Rust

John Bennett, #4 on George S. Stewart's *Captured at Dunbar* list.

Name Variations: Benet

Family Migration: Charlestown, Middlesex County, Massachusetts to Little Compton, Newport County, Rhode Island.

Contributed by *Dr. Andrew Millard* in July 2018:

According to, Christopher Gerrard, Pam Graves, Andrew Millard, Richard Annis, and Anwen Caffell, in, *Lost Lives, New Voices: Unlocking the Stories of the Scottish Soldiers at the Battle of*

Prisoner Profile



Jacobite Rebellions

1715

- September 6: Starts in Braemar
- November 13: Battle of Sheriffmuir

1745

- July 23: Prince Charles lands on Eriskay Island
- September: Jacobites experience victories in England

1746

- Jacobites retreat into Scotland but continue to fight
- Battle of Culloden ends Jacobitism

QUESTIONS?

A large audience of people is seated in a lecture hall, viewed from behind. They are facing a presentation screen at the front of the room. The room has a curved ceiling and patterned walls. The word "QUESTIONS?" is overlaid in large white text on the image.

Voluntary Immigration

Voluntary Immigration

- 17th century – came mainly from the Lowlands
- 18th century – increase of emigration from the Highlands
- Most traveled as indentured servants



Highlands & Lowlands

- Lowlands:
 - Inhabited the east and south of Scotland
 - Partly Teutonic origins
 - Spoke a form of English derived from Teutonic tongue
- Highlands:
 - Center and west of Scotland
 - Spoke Gaelic
 - Barren lands
 - Required its men to raid for supplies

Immigration

- Began to increase in the 1730s
- Increase in rents
- 1763–1775 – Estimates of 25,000 Scots immigrating
 - Small amount went to Nova Scotia and Prince Edward Island
 - Majority settled in the colonies
- Religious discrimination of the Roman Catholics

Cape Fear, North Carolina

- 1739 – 360 Highland Scots settle in North Carolina
 - Encouraged by Gabriel Johnston, royal governor
 - Were provided a 10-year tax exemption for emigrating
- Most Highlanders arriving in the early 1700s had land grants to the Upper Cape Fear region
- Lowlanders tended to settle in the Lower Cape Fear region
- Highlanders and Lowlanders intermarried in N.C.

Tip

Many Scots, especially
Highlanders, were
Loyalists.

Post-American Revolution

- Many Scots elected to move to Canada or back to Scotland
- 1790 Census Population
 - 3,929,214 people
 - 6% or approximately 260,000 were Scottish
 - Scottish would have included the Scots Irish

19th Century

- Canada was more popular than the U.S. for immigrants
- U.S. immigration 1820–1851:
 - Seldom reached 1,000 immigrants per year
 - Some years under 100
 - Total of 10,525 in those 31 years

Table 1. Region of origin of 5,737 Scottish settlers in the United States from colonial times through 1854.

Region	Percentage of Scottish population	Percentage of Scottish emigration
Edinburgh and Lothians	12.5	10.6
Eastern borders	4.5	4.4
Glasgow, Lanark, Renfrew, and Ayr	24.2	21.7
Southwest	7.2	8.9
Fife, etc.	6.8	4.5
Stirling and Dunbarton	4.7	3.1
Aberdeen, Kincardine, and Angus	15.0	5.5
Perth	6.9	8.7
Inverness	4.5	9.3
Ross and Cromarty	3.5	3.7
Argyll	4.9	13.9
Sutherland, Caithness, Orkney, and Shetland	5.3	3.1

Source: Donald Whyte, *Dictionary of Scottish Emigrants to the U.S.A.* (Baltimore, 1972).

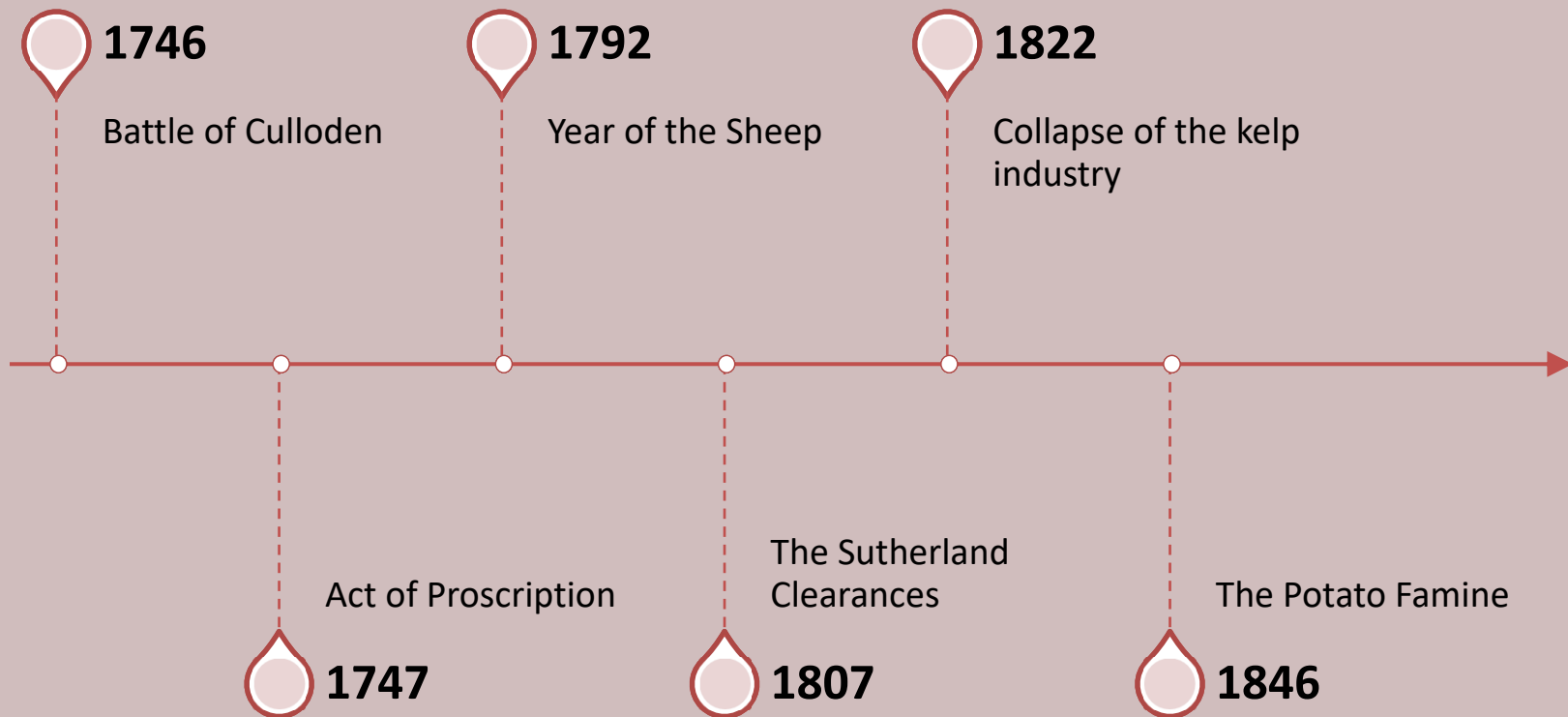
Origins of Scots to America

The Clearances

The Clearances

- Evictions of tenants
- 1750–1860
- Two phases:
 - Mid-18th century
 - 1815–1850
- Went against dùthchas – clan members inalienable right to rent land in clan territory
- Farmers becoming crofters

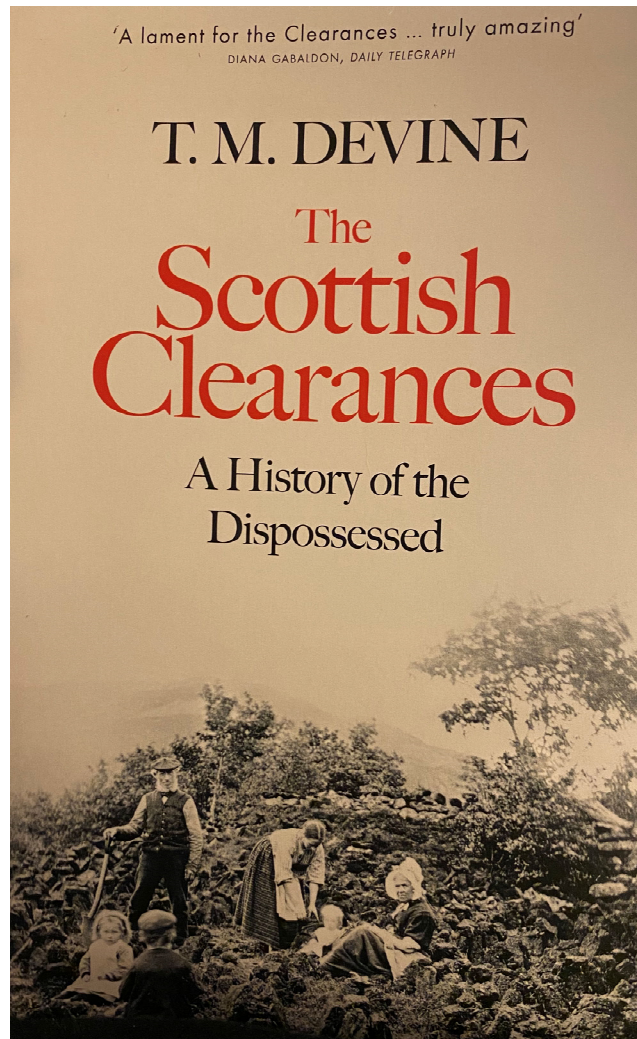
Highland Timeline



Hungry Forties

- Potato famine in the Highlands
 - Clearance and emigration
 - 11,000 people provided with “assisted passage”, 1846–1856
 - 5,000 emigrated to Australia
 - Unknown number paid for their own emigration
 - Unknown number assisted by Colonial Land and Emigration commission

T.M. Devine



CLEARANCE BY STEALTH

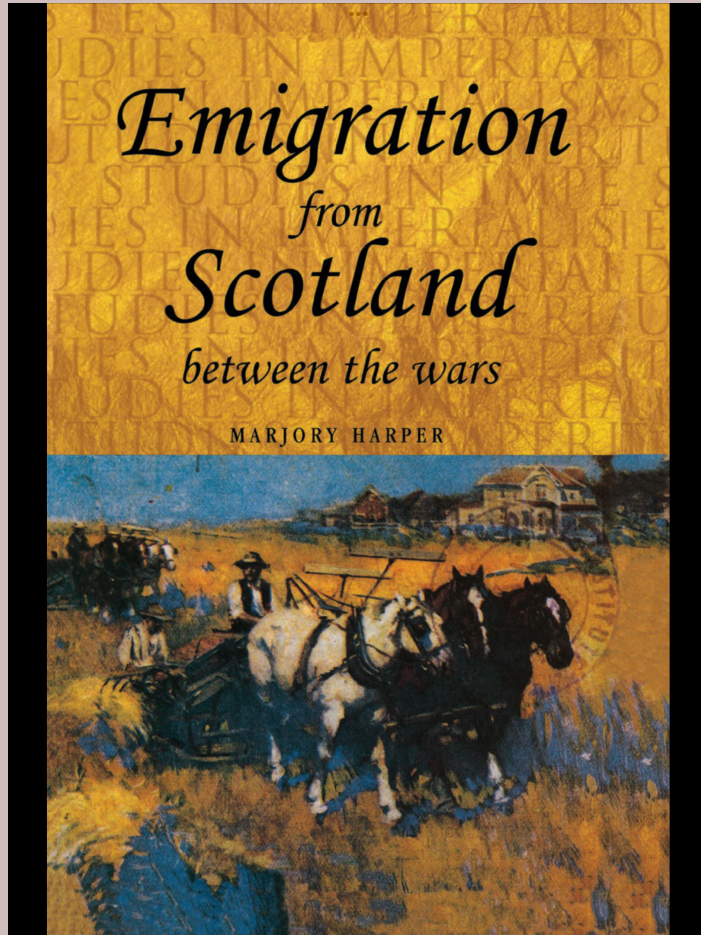
Table 5 Tenant numbers on eleven Lowland estates, 1735-1850

Estate	Period	Change in tenant numbers	Percentage change
Bertram of Nisbet	1769-1850	42 → 31	-26
*Crawford	1771-2	38 → 32	-16
Douglas	1774-1815	99 → 72	-27
Hamilton	1758-98	142 → 123	-13
Glasgow (Shewalton)	1761-1806	25 → 19	-24
Cavens	1741-82	27 → 22	-18
Balbirnie	1770-1818	46 → 38	-17
Leven & Melville (Balgonie & Melville)	1750-80	114 → 131	+15
Morton (Aberdour)	1735-1811	50 → 38	-24
Panmure	1758-1826	177 → 176	-1
Airlie	1790-1821	122 → 103	-16
Eglinton (Coilsfield)	1757-1800	38 → 34	-11

* The estate of Crawford figure only covers two years because it is derived from the original survey of farm reorganization to be implemented in subsequent years.

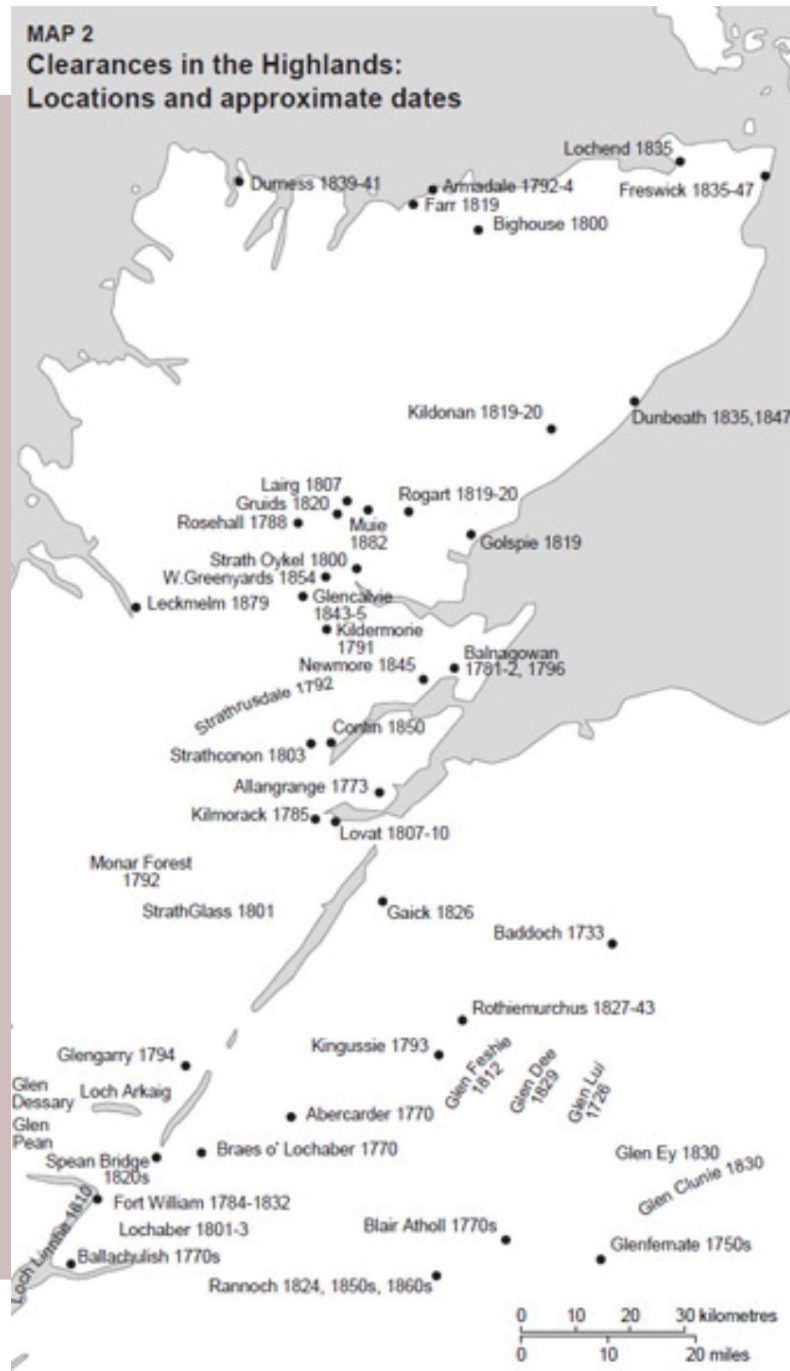
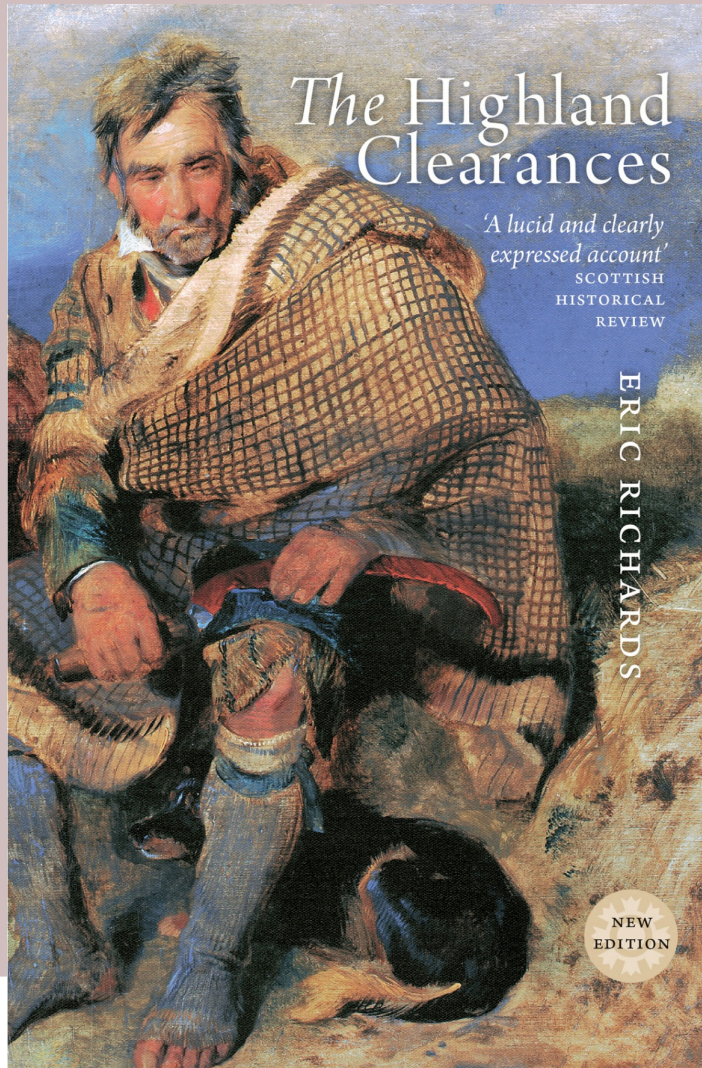
A bracketed reference is to a barony of the estate.

Marjory Harper

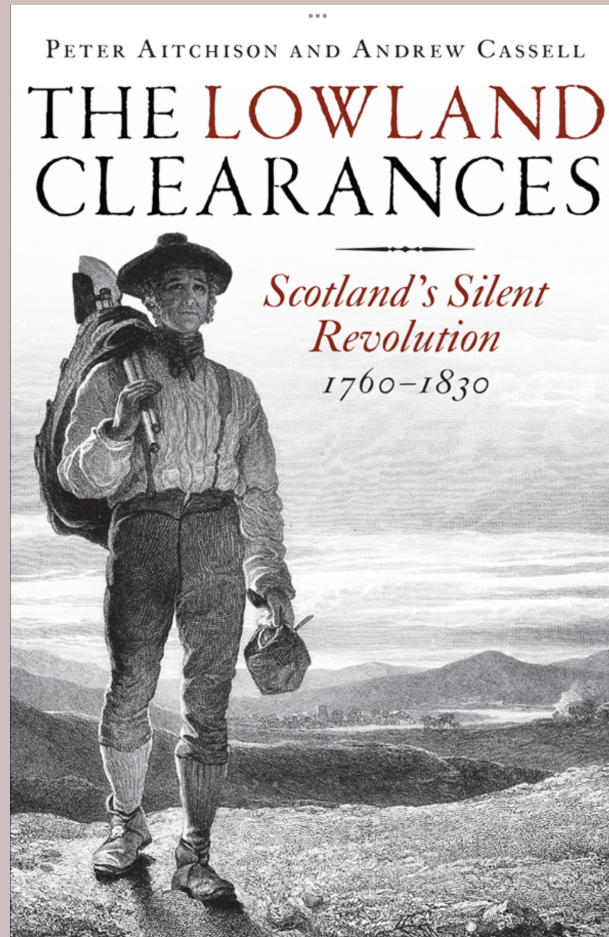


- *Emigration from Scotland Between the Wars* (published 1998)
- Looks at later clearances in the 20th century

Eric Richards



P. Aitchison & A. Cassell



- Looks at the “improvement” of the Lowland
- Clearances that took place 1760–1830
- Impacted the approach to the Highlands problems

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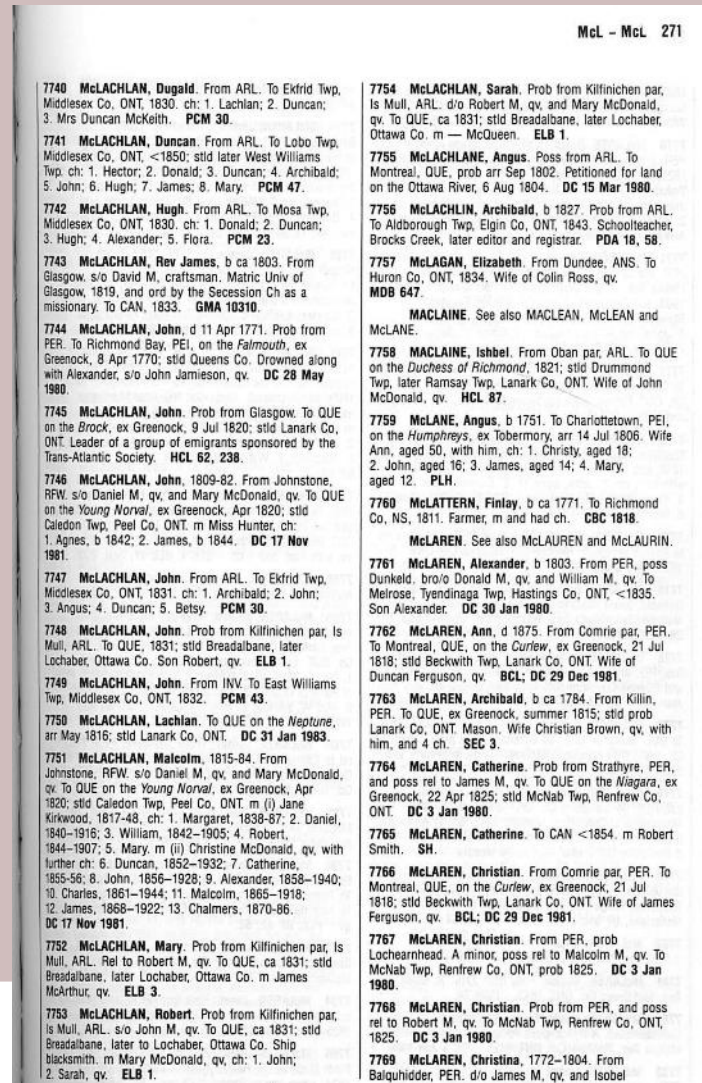
Published Compilations

Published Compilations

- Books by Donald Whyte:
 - Four volumes of Scots to Canada
 - One volume of Scots to USA
- David Dobson:
 - Eight volumes of Scottish Settlers in North America, 1625–1825
 - Five volumes of Scots in the USA and Canada, 1825–1875
- P. William Filby's *Passenger and Immigration Lists Bibliography, 1538–1900*

Donald Whyte

- *A Dictionary of Scottish Emigrants to Canada Before Confederation* (4 volumes)



Donald Whyte

- *A Dictionary of Scottish Emigrants to the U.S.A.*
(published 1972)

HERRON, James, aged 12. From Gatehouse, Kirkcudbrightshire. To New York on Gale, 7 May, 1774. (T. 47/12) 2314

HERRON, James, aged 16. From Gatehouse, Kirkcudbrightshire. To New York on Gale, 7 May, 1774. (T. 47/12) 2315

HERRON, John, aged 14. From Gatehouse, Kirkcudbrightshire. Possibly son of James H. (q.v.) To New York on Gale, 7 May, 1774. (T. 47/12) 2316

HERRON, Samuel, aged 22. From Gatehouse, Kirkcudbrightshire. Probably related to James H., mason (q.v.) To New York on Gale, 7 May, 1774. (T. 47/12) 2317

HERVEY, George. From Evanton, Ross & Cromarty. To Charleston, South Carolina, ca. 1770. Cotton merchant. M. Elizabeth Giles, daughter of John Munro and Margaret Russell. (D.C., 13 May, 1960) 2318

HESLOP, John, died 16 Sept., 1837. From Middlebie, Dumfriesshire. Son of James H., 1763 - 1851 (d. Australia) To Chicago, Illinois. (Tombstone, Carruthers burial ground) 2319

HESLOP, Jane, died 19 Mar., 1835. From Middlebie, Dumfriesshire. Daughter of James H., 1763 - 1851, and Jane Little, 1768 - 1832. Settled Chicago, Illinois, before 1835. (Tombstone, Middlebie) 2320

HETHERINGTON, James. From Hutton, Dumfriesshire. To U.S. Blacksmith. M. Marion Burnie (q.v.) (Tombstone, Hutton) 2321

HETHERINGTON, John. From Hutton, Dumfriesshire. To U.S. M. Sarah Burnie (q.v.) (Tombstone, Hutton) 2322

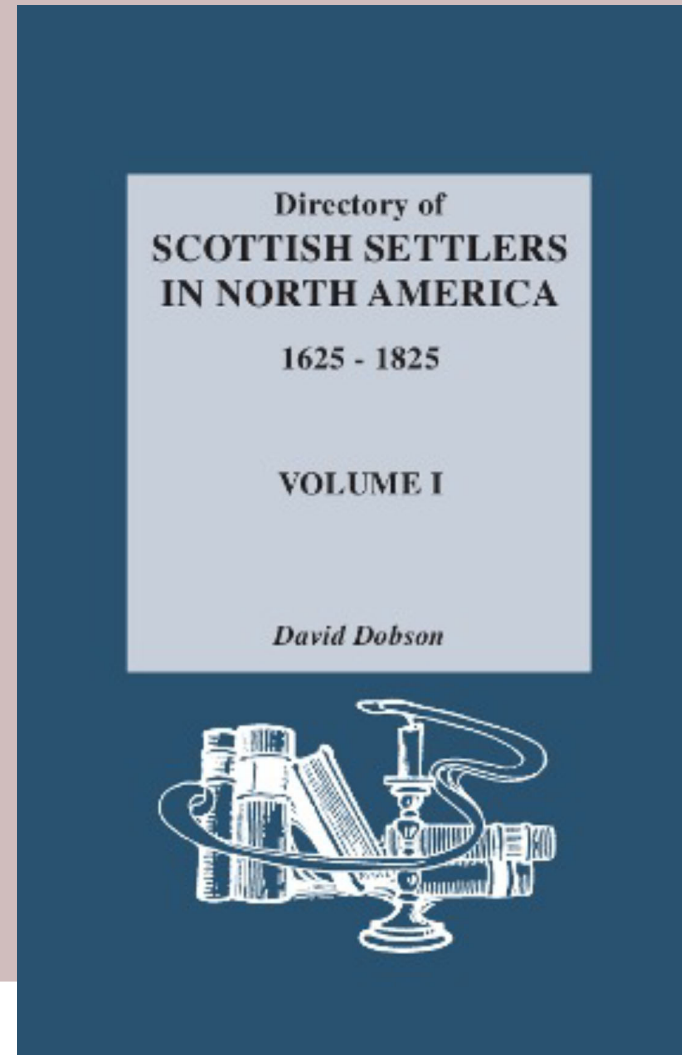
HEUGH, John, ca. 1813 - 31 July, 1857. From Airth, Stirlingshire. Son of Walter H. and Janet Bald. To Philadelphia, Pa. (Tombstone, Airth) 2323

HEUGH, Walter, ca. 1816 - 6 Dec., 1876. From Airth, Stirlingshire. Son of Walter H. and Janet Bald. Settled Jersey City, New Jersey. (Tombstone, Airth) 2324

HEUGH, William, ca. 1811 - 21 Aug., 1867. From Airth, Stirlingshire. Son of Walter H. and Janet Bald. To Missouri. Settled Nevada. (Tombstone, Airth) 2325

David Dobson

- *Directory of Scottish Settlers in North America, 1625–1825*
- 8 volumes
- Available through Genealogical Publishing Company, Inc.



Stirling Guildry Book
(Stirling, 1916)

GILCHRIST ARCHIBALD JR.
Guildsbrother of
Stirling. To America
16 May 1801.
(SGB)

Aberdeen Propinquity
Books (MS)

GILCHRIST JOHN
Son of Arthur Gilchrist,
Premnay, and Liliass
Barclay. Merchant.
Settled in Virginia.
Died 1762.
(APB)

Fastii Ecclesia
Scoticae
(Edinburgh, 1915)

GILCHRIST JOHN
25 cooper Wife Marion Taylor
21. Kintyre. From Greenock
to Wilmington N.C. August
1774 on the *Ulysses*,
J.Chalmers.
(T47.12)

Scotus Americanus
(Edinburgh, 1982)

GILDART RICHARD
30. Dyer. Scotland. From
Whitehaven to N.Y. June
1774 on the *Golden Rule*.
(PRO)

GILLESPIE George
Born Glasgow 1683. Educated
Glasgow University. To New
England 1712. Ordained as a
minister 1713. Served in N.J.
Whie Clay Creek 1713.
Died January 1760.
(F) (SA)

Dir. of Scottish Settlers in No. Am.

Entries that comprise this volume have been found in original records in:

- America
- England
- Scotland

Also derived from published volumes

Directory of Scots Banished to the American Plantations 1650-1775

ABBOTT, FREDERICK, a Jacobite, tra. on the Elizabeth and Anne, fr. Liverpool on 29 June 1716, landed in Virginia. [SPAWI.1716.310][VSP.I.186]

ABERCROMBY, JOHN, fr. Skeith, Banffshire, a Jacobite, tra. aboard the Elizabeth and Anne, fr. Liverpool on 29 June 1716, landed in Virginia. [SPAWI.1716.310]

ABERNETHY, JANET, daughter of the late William Abernethy in the Old Manse of Foveran, Aberdeenshire, a petty thief, tra. on the Betsy, and landed at the Port of James River, Upper District, Virginia, on 29 Apr. 1772. [NAS.JC27.10.3]

ADAIR, MARGARET, from Edinburgh, a whore, tra. to the American Plantations, 19 March 1695. [NAS.SP2.25.216]

ADAM, JAMES, captured at the Battle of Dunbar, tra. fr. London aboard the Unity of Boston, bound for Boston in Nov. 1650. [SCF#1226]

ADAM, JOHN, fr. Ormadale, a soldier in Argyll's Rebellion, tra. fr. Leith to Jamaica on 7 Aug. 1685. [RPCS.II.329]

ADAM, ROBERT, a Covenanter, ban. 25 Aug. 1685, tra. fr. Leith aboard the Henry and Francis, to East New Jersey on 5 Sep. 1685. [RPCS.XI.162/336]

ADAM, ROBERT, b. 1729, a laborer from Stirling, a Jacobite tra. fr. Liverpool on 5 May 1747 aboard the Veteran, bound for the Leeward Islands, liberated by a French privateer and landed on Martinique in June 1747. [NA.SP36.102]

ADAM, WILLIAM, a merchant from Culross, a Covenanter, ban. to America in 1670. [RPCS.III.204]

ADAMSON, WILLIAM, a smith from Williamston, a Covenanter, tra. fr. Leith on the Convertin to Virginia, Sep. 1668. [RPCS.II.470/507/534]

AGNEW, MARY, guilty of infanticide, in Dumfries Tolbooth, tra. to Virginia in 1745. [DGA.Jailbook.GF4.21]

Dir. of Scots Banished to the American
Plantations 1650-1775

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U.S. and Canada, Passenger and Immigration Lists Index, 1500s-1900s

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Last Name

Year

Location

Birth

—

Arrival

City, County, State, Country

Any Event

City, County, State, Country

Keyword

scotland

☐ Exact[e.g. pilot or "Flying Tigers" ▾](#)

Source Publication Code

Annotation

Related data collections

[New York, U.S., Arriving Passenger and Immigration Lists, 1820-1850](#)

This data set contains alphabetical listings of approximately 1.6 million individuals who arrived in the United States at New York from foreign ports between 1820 and 1850. The following types of information may be included here: gender, birthplace, age, occupation, country of origin, port of departure, port of arrival, date of arrival, destination, and name of ship.

[Baltimore, Passenger and Immigration Lists, 1820-1872](#)

This data set contains alphabetical listings of approximately 227,000 individuals who arrived at Baltimore, Maryland, U.S.A. from foreign ports between 1820 and 1872. Information available in this database includes: name, gender, age, occupation, place of origin, destination, name of ship, port of departure, port of arrival, date of arrival, and source information.

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To get better results, add more information such as **First Name, Last Name, Birth Info, Death Info or Location**—even a guess will help. [Edit your search](#) or [learn more](#).

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View Record	Donald Mackay	1765-1825	America
View Record	Alexander Nicol	1738	Georgia
View Record	John Firth	1783	Georgia
View Record	Jane Carnochan		Georgia
View Record	John Carnochan		Georgia
View Record	Elizabeth Johnston	1722-1825	Georgia
View Record	William Carnochan	1810	Georgia
View Record	Janet Nisbet	1722-1825	Georgia
View Record	Jane Henie	1777-1815	Georgia
View Record	Robert Ewing	1796-1824	Georgia
View Record	Alexander Currie	1775-1813	Georgia

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Location

Birth

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Arrival

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Any Event

City, County, State, Country

Keyword

e.g. pilot or "Flying Tigers" ▾

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Results 1-6 of 6

View Record	Name	Birth Year	Arrival Date	Arrival Place
View Record	Grisel Gemble		1685	New Jersey
View Record	Grizel Gemble		1685	New Jersey
View Record	John Gemble		1685	New Jersey
View Record	James Gemble	abt 1827	1851	New York, New York
View Record	Grizel Gemble		1685	America
View Record	John Gemble		1685	America
1-6 of 6				Per page 50 ▼

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View Record	Name	Birth Year	Arrival Date	Arrival Place
View Record	Grisel Gemble		1685	New Jersey
View Record	Grizel Gemble		1685	New Jersey
View Record	John Gemble		1685	New Jersey
View Record	James Gemble	abt 1827	1851	New York, New York
View Record	Grizel Gemble		1685	America
View Record	John Gemble		1685	America

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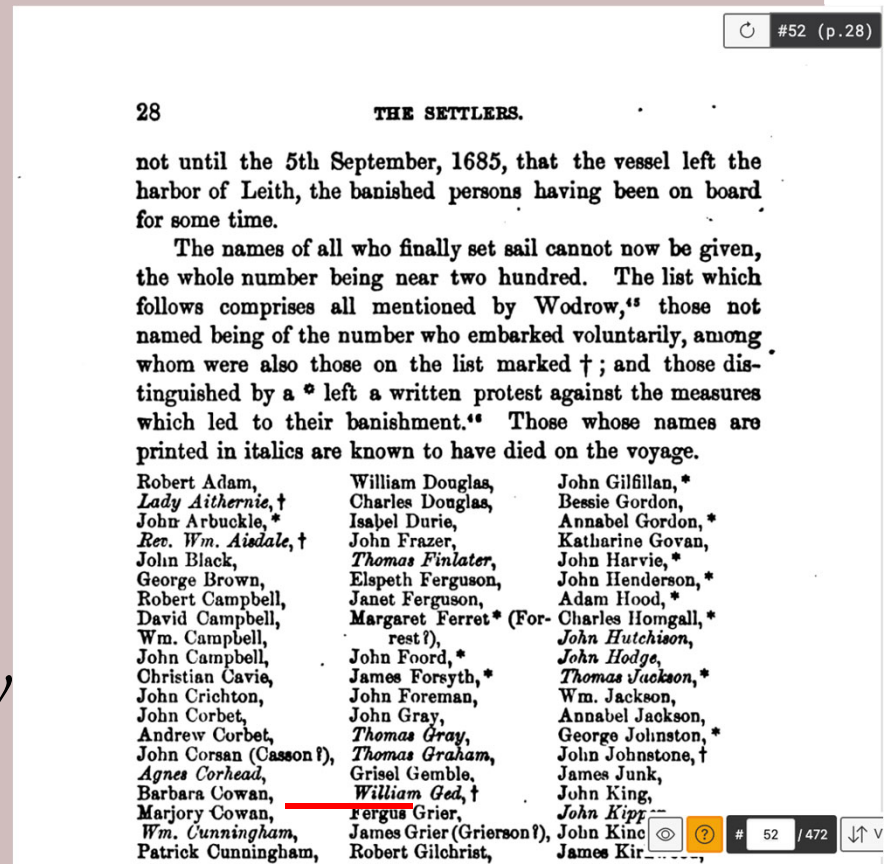
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Ancestry.com

Grisel Gemble

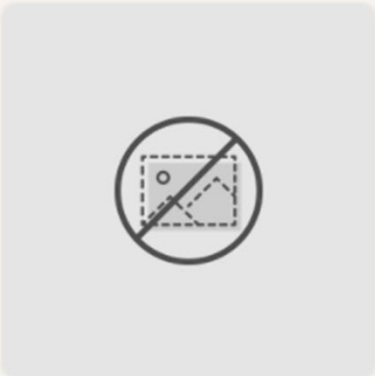
William Whitehead's
 "Names of Those Who
 Sailed on the Henry and
 Francis 1685 from Leith,
 Scotland, to Perth Amboy,
 New Jersey, 5th September
 1685," *Contributions to the
 Early History of Perth Amboy
 and Adjoining Country*
 (published 1856)



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Grizel Gemble

in the U.S. and Canada, Passenger and Immigration Lists Index, 1500s-1900s



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Detail	Source
Name: Grizel Gemble	
Arrival Year: 1685	
Arrival Place: America	
Primary Immigrant: Gemble, Grizel	
Source Publication Code: 9840	
Annotation:	Names of Scottish prisoners ordered deported to plantations in East New Jersey. The list appears as well in vol. 4, pp. 216-223, of the 1830 edition (Glasgow: Blackie, Fullarton & Co.). Also in no. 714, Boyer, Ship Passenger Lists, New York and New Jersey
Source Bibliography:	WODROW, ROBERT. ["Lists of Scotch Prisoners Deported to New Jersey, 1685."] In The History of the Sufferings of the Church of Scotland, from the Restauration to the Revolution.... Edinburgh: James Watson, 1722. Vol. 2, pp. 481-487.

Household Members

Grizel Gemble

NS

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allow the Committee to dispose of them as they shall find Cause."

Greater Numbers were before them *August 17.* and their Sentence will best appear from the Decreet itself. ' Forasmuch as the Persons underwritten, viz. Mr. John Frazer, William Oliphant, John Foreman, John Martin, Patrick Cunningham, John Kincaid, Adam Hood, James Kirkwood, John Henderson, Peter Russel, Charles Douglas, Robert M^cQueen, William Turnbull, John M^cEuen, William Hanna, William Wilson, John Foord, John Sintoun, Andrew M^cLellan, Andrew Corbet, John Hunter, John Kennie, John Gray, George Moor, John Gilfillan, John M^cGhie, John Turpnie, John Urie, James Junk, William Campbel, John Campbel, James Forsyth, Thomas Russel, George Brown, John Pollock, James Restoun, John Black, John Corsan, Robert Gilchrist, John Smith, Fergus Grier, William Douglas, John Creightoun, James Grier, Walter M^cEuen, Barbara Cowan, Agnes Corhead, Bessie Gordon, Grizel Gemble, Margaret M^cLellan, Elspeth Fergusson, Janet Fergusson, Elizabeth Whitelaw, Janet Lintoun, Christian Scot, Katharine Kellie, Annabel Jackson, Annabel Gordon, Jean Moffat, Margaret Lestly, Marjory Cowan, Margaret Miller, Agnes Tannis, and Marian Rennie, George Johnston, Christopher Strang, Alexander Dalgleish, John Harvie, Robert Young, and Andrew Paterson, Katharine Gowan, and Isobel Durie, at present Prisoners in the Tolbooth of Leith, being convened before the Lords of his Majesty's Privy Council, at the Instance of his Majesty's Advocate, for several Crimes and Irregularities, refusing the Oath of *Allegiance*, or to own the King's Authority, or take the Oath of *Abjuration*, in manner at Length libelled; and all the said Persons being Men, having judicially in Presence of the Council, refused to take or sign the Oath of Allegiance, and the Women abovesaid having altogether refused to own his Majesty's Authority, or to take the Oath of Abjuration, the Lords of his Majesty's Privy Council have banished, and do hereby banish the haill forenamed Persons, Men and Women, conform to the Act of Parliament, to his Majesty's Plantations abroad, and discharge them ever to return to this Kingdom hereafter, without the King or the Council's special Licence, under the Pain of Death to be inflicted on them without Mercy: and further ordain the haill forenamed

Another AG
August 17.

Grizel Gemble





Preserving the past | Recording the present | Informing the future

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Crime and Criminals

We hold many records relating to crime and criminals. Ironically, you are more likely to find information about someone who committed a crime than about a respectable, law-abiding citizen. Information about crime and criminals can be found in the records of criminal courts, criminal investigations and prisons.

Many of these records are out-stored and we require 24 hours' notice before they can be produced. We recommend that you contact the [Historical Search Room](#) to check the location of records before visiting. Many of the records are un-indexed and we do not make speculative searches through un-indexed records for enquirers.

For a selection of [images relating to crime and criminals](#) from our collections, visit our image gallery.

This guide covers the court records:

- [Admiralty Court](#)



www.nrscotland.gov.uk/research/guides/crime-and-criminals

Transportation

Information on prisoners sentenced to be transported can be found in the registers for the local prisons (see below) serving the courts where they were sentenced. However, because prisoners were shipped from England there is often further information in the Home Office records at [The National Archives](#).

We hold microfilm copies of the transportation registers, 1787-1870 (our reference RH4/160/1-7). The registers are arranged chronologically by the date of departure of each ship. They record the name of the convict and where, when and for how many years he or she was sentenced. The State Library of Queensland has compiled a database from the [British convict transportation registers](#) of 123,000 of the estimated 160,000 convicts transported to Australia during the period 1787 to 1879.

A small series of transportation papers (JC41) can be found in High Court records for the period 1653-1853. The early period mainly consists of certificates of transportation for convicts to America in the 1770s; the latter papers date from 1837-1853, and consist of lists of convicts and extract sentences of transportation.

The criminal trials for individuals sentenced to transportation can be found in the papers of the High Court of Justiciary (above).

Witchcraft

Witchcraft was a criminal offence between 1563 and 1736. Witchcraft trials are found in the records of the High Court of Justiciary (JC), the Privy Council (PC) and local kirk sessions (CH). In addition to the main series of High Court papers, JC40 contains a number of indictments, summons and verdicts in witchcraft cases, c.1572-1709.

[The Survey of Scottish Witchcraft](#) is a database of Scottish witchcraft cases maintained by Edinburgh University. It has superseded the best source available in print 'A sourcebook of Scottish Witchcraft', compiled by Christina Larner and others (Glasgow, 1977).

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Exchequer Records

Fatal Accident Inquiry
Records

High Court Criminal Trials

Inheriting Land and Buildings

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and Field Books

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Lighthouses

Maps and Plans

Military Records

National Registration

Poor Relief Records

Private Papers

Privy Council Records

Privy Seal Records

Railway Records

Sasines

Scottish Government Records
After 1707

Scottish Parliament Records

Sheriff Court Records

High Court of Justiciary (reference JC)

The principal source for information on crime and criminals is the records of the High Court of Justiciary, Scotland's supreme criminal court. The court has exclusive jurisdiction over serious crimes, in particular murder, rape, treason, heresy, counterfeiting and crimes of a sexual nature. It sits permanently in Edinburgh, and travels on circuit throughout Scotland. The court also acts as a court of appeal from criminal proceedings in the sheriff (or inferior) courts.

Prisoners who were sentenced to be transported were always tried in the High Court.

We normally receive records from the High Court when they are more than 10 years old. Please note that the following High Court records are closed to the public for 100 years and cannot be accessed without the permission of the court:

- Records of criminal trials (JC26)
- Records of criminal appeals (JC31, JC34 and JC67)
- Minute books (JC5, JC9, JC11, JC12 and JC13)
- Books of Adjournal (JC15 and JC72)
- Judicial opinions (JC70)
- Punishment part hearings (JC74)

The main record of a High Court trial is the bundle of case papers known as the 'process' or 'small papers', (also 'case papers' or 'sitting papers') (JC26). They usually include a copy of the indictment, which sets out the charges against the accused, depositions, confessions and other information on the accused and the crime, together with information about witnesses and jurors. You may also find statements by the accused and other papers produced as evidence, but case papers do not include transcripts of trials.



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Scottish Immigration

- Important to understand the history of Scotland
- Where your ancestors settled could be a clue to origins in the early years
- Many published resources
- Search repositories both in Scotland and in the country of settlement
- May require going offline to archives in Scotland

Useful Websites

A to Z

Archives and Libraries

Births, Deaths and Marriages

Census

Directories and Electoral Rolls

Emigration

Family History Societies

General Reference

Heraldry, Clans and Tartans

Irish Family History

Military

Monumental Inscriptions

Names

Occupations

Places

Registration Offices

Visiting Scotland

Wills and Testaments

Useful Websites - Emigration

Click on the links below for information about people who emigrated from Scotland:

- [Scottish emigration database](#) - passengers who embarked at Scottish ports, 1890-1960
- [Hebridespeople.com](#) - emigrants database
- [Merseyside Maritime Museum information sheets: emigration](#)
- [Travel and migration](#) (find my past)
- [TheShipsList](#) - passenger lists of emigrants to Australia, Canada, United States of America and South Africa

Australia

- [Highland and Island Emigration Society records](#) (ScotlandsPeople)
- [Convict Transportation Registers Database, 1787-1867](#) (State Library of Queensland, Australia)
- [Female Convicts Research Centre](#) - transportees to Tasmania (Van Diemen's Land)
- [Inveraray Jail: prisoner records](#) - link at end of page (includes some transported to Australia)

North America

- [Castle Garden: America's First Immigration Center, 1820-1892](#)
- [The Statue of Liberty - Ellis Island](#) - USA's immigration centre database of 51 million plus passengers and crew, 1892-1924
- [Emigrants from England and Scotland to North Carolina, 1774-1775](#) (Genealogy trails)
- [Immigration](#) (Library and Archives Canada)
- [Hudson's Bay Company Archives: biographical sheets](#)

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