

## **Applications to the Crofters' Commission for rent reductions and cancellation of arrears from North Walls and Brims, 1888**

The Crofters' Commission visited Orkney between 14 August and 22 September 1888 to hear evidence from and inspect the land rented by 443 Orkney crofters. That evidence provides a fascinating insight into their lives, the effort they had expended in improving their land through draining and ditching, the pressure of increasing rents and decreasing common grazing, and, in some cases, valuable information on how long they had been in the croft and other points of direct interest to family historians.

Their evidence, and the decisions made, were compiled by William R Mackintosh, editor and later proprietor of *The Orcadian* newspaper, and published in 1889 by James Anderson, Orcadian Office, as *The Orkney Crofters*.

I have transcribed the evidence of the North Walls and Brims crofters, along with the decisions made, from a copy of the book viewed at the National Library of Scotland, Edinburgh. There is also a copy in the Orkney Room, The Orkney Library and Archive, Kirkwall. For the time being, I have only included the names and addresses of South Walls and Fara crofters, not their evidence.

### **Some background to the Crofters' Commission**

The Royal Commission of Inquiry into the Condition of Crofters and Cottars in the Highlands and Islands was set up in 1883 as a response to growing discontent and demonstration in the west Highlands notably, with iconic incidents like the 'Battle of the Braes' in 1882 in Skye. Excessive rents, lack of security of tenure, loss of common grazing, evictions, no compensation for improvements to holdings, and falling incomes were some of the factors behind the discontent. The Napier Commission, as it became known after its chair, Lord Napier, heard evidence from crofters (those paying rent of less than £30 per year), cottars, lairds and others with a knowledge of the situation, in the seven crofting counties of Argyllshire, Inverness-shire, Ross and Cromarty, Sutherland, Caithness, Orkney and Shetland, and reported in 1884. William PL Thomson's *Orkney Crofters in crisis* (published by The

Orcadian, Kirkwall, 2013) contains the verbatim transcripts of that evidence, along with supplementary information submitted later. The transcripts are also available online: <http://www.napier-orkney.blogspot.co.uk/>.

Alexander Wilson, formerly of “Linehouse” [Lyness surely], then of Rendall, spoke of his time in Walls (Thomson pp246-9), but no-one else from the parish.

The Crofters’ Holdings (Scotland) Act was passed in 1886 and applied to what were deemed to be ‘crofting parishes’ including all the Orkney parishes, though this was at first disputed. The Crofters’ Commission was set up with power to fix fair rents and cancel arrears, where it saw fit, as well as hear applications for the enlargement of holdings. Faced with a high volume of applications, it was August 1888 before the Commission made its first visit to Orkney. David Brand, Sheriff of Ayr was chairman and David Hosack, a land valuer in Oban (Thomson p317) was with him in the hearings for Walls. The valuer and assessor sometimes inspected the land on the same day as the hearing.

In Orkney as a whole, there were 443 applications for fair rent and several applications for extension of holdings. They resulted in a 30% reduction in rents overall and the cancellation of 44% of arrears. (Mackintosh *The Orkney Crofters* pvi).

## Glossary

Deponed – gave evidence

Outrun – rough pasture belonging to a croft, not common land

Bingefea – small hill in North Walls

Whitsunday – a term day (also Candlemas, Lammas, Martinmas) on which leases started or finished, rent was due etc. 7<sup>th</sup> Sunday after Easter Sunday (also called Pentecost), legal day fixed as 15<sup>th</sup> May but removals and hirings fixed at 28 May from 1886

1 (imperial) chain = 22 yards or 21.12 metres

Sea-ware – seaweed, often used as fertiliser and important in land reclamation

Bushel – a dry or liquid measure equal to 8 imperial gallons or 36.4 litres

Quey or quoy – a young heifer, which has not yet had a calf

Stirk – bullock (or heifer in some areas) more than a year old

Stot – young bullock/ox

1 pole – 30¼ square yards or 25.29 square metres

Boll – measure of volume, especially grain, equalling 10 stones (140 lbs) or 6 bushels

(land was) Squared – replacement of often scattered strips of runrig land with single, consolidated holdings. Referred to elsewhere in the evidence as the squaring of the land.

Flags for the roof – flagstones taken from the shore

Crockness – area in North Walls with mainly unnamed crofts from the evidence given in 1888. There was also an area of common grazing referred to by several witnesses.

Weifea/Wefea – a small hill above Lyness, in North Walls.

Rood – ¼ of an acre

Martinmas – a term day (also Candlemas, Whitsunday and Lammas) on which leases started or finished, rent was due. Initially 11 November but removals and hirings fixed at 28 November from 1886.

Deepdale Commons – peat moss, possibly on the Melsetter side of Brims (trying to find out where it was exactly)

Brake – poorer quality, usually dry, land, often on a slope

## TRANSCRIPTION

Mackintosh, W.R. (compiler.) (1889) *The Orkney crofters : their evidence and statements by agents, as given before the Crofters' Commission, 1888, also the decisions in the various cases as well as the Crofters Acts 1886, and 1887, and an index*. Kirkwall: James Anderson, Orcadian Office. pp65-89

Any additional information or explanation not included in the original text is [in square brackets]. There are no specific croft names in some cases, only the name of the wider area eg Crockness. Where possible, I have added a croft name based on evidence from censuses from 1891 onwards, though there is no guarantee that this was where the respective crofters were living in 1888. There are names for very few individual crofts in the Crockness area in the pre-1891 censuses.

[sic] indicates this text is exactly as it is in the book but something different might have been expected, for example the name of a croft is misspelt. Page numbers are (in round brackets).

(p65)

### PARISH OF WALLS

Stromness, 22nd August, 1888

ESTATE OF MR JG MOODIE HEDDLE, of Melsetter. – Agent for the Crofters, Mr A Thomson; for the Proprietor, Mr JAS Brown.

The Crofters' Commission resumed sittings in the Town Hall, Stromness, to-day – Sheriff Brand and Mr Hosack on the bench.

**James Corrigall, Quoys, North Walls**, deponed: The area of my croft is 24 acres arable, 18 acres of outrun, and the right of grazing on Bingefea. Eight crofters have a right to graze on this hill, along with larger tenants. My rent is £16, and the arrears were £9 at Whitsunday, but in respect of compensation between the crofter and the proprietor, the arrears were reduced to £5. I have been in the croft 9 years, have

reclaimed 2½ acres, made 14 chains of drains, and cleared out 44 chains of ditches at Mr Heddle's orders. I spent £4 10s on improvements and buildings on the holding. When I went to the place the house was uninhabitable; but Mr Heddle provided wood, and I built the walls and repaired it. The rent of my holding was at first £15, and in 1882 £1 was added to it. (p66) The average return from the land of crofters in our district is about 3 quarters an acre. The average weight would be about 37 to 38lbs per bushel.

Cross-examined: The increase of rent was to pay interest on £20 expended by the proprietor on the houses. I was a proprietor in Stromness, but I sold the house before I went to this croft. I am going to pay up the arrears. I have the exclusive right to sea-ware, but it is scarce. When I went into the place, Mr Heddle told me it was in a bad state, and that it would take some years to put it right.

MR HEDDLE said the land was not exhausted by the previous occupant. It was dirty, as it had not been kept clear of weeds

By the COURT: I have 1 milk cow, 1 calf, 1 heifer, a one-year-old, 2 horses, and 22 sheep.

**Decision.** – The rent was reduced from £16 to £13 10s. Of the £5 of arrears, £3 were cancelled, and the balance of £2 ordered to be paid up in one instalment.

**Wm. Corrigan, Stonequoy**, deponed: I have 3 cows, 5 calves, 5 one-year-olds, 1 two-year-old quey, 2 horses and 28 sheep. I have 37½ acres arable, and 6 of outrun – 4 acres of which are covered by the spring tides. My rent is £23 11s and my arrears are £5 11s. I have been in the place for 20 years, and it has been occupied for about 80 years by my predecessors. I have reclaimed 14 acres myself, and my father reclaimed 6½ acres. I spent £4 10s on the stable. Mr Heddle sorted the barn, at an expense of £21. I put in 195 chains of drains, and cut 82 chains of ditches. I put up about 50 chains of fencing. My father paid £22. My first rent was £22 10s, and when the barn was sorted it was raised to £23 11s. I had a right to the grazing.

Cross-examined: There has been no raising of rent since 1823, unless the small increases already referred to. I have peats adjoining my property, and sea-weed under my house.

Re-examined: my father was a fisherman, and paid most of the rent out of his earnings at the fishing. I have not been at the fishing for 18 years.

**Decision.** – The rent was reduced from £23 11s to £18 10s, and the whole arrears of £5 11s were cancelled.

**James Baikie, [possibly Boathouse] Crockness**, deponed: I have 12 cows, 1 stirk, 1 heifer, and 1 stot. I have 11 acres arable and 4¼ outrun. My rental is £6, but I had 10s allowed off at the last two settlements. Arrears £10. I have been in the holding for ten years, and my father was in it from 1815. The whole arable land has been reclaimed by my father and myself. There were no houses on the croft then. My father pitched on the bare hill. We have expended £95 on the buildings. My father spent £35 of that, and I have spent £60. I earned the money at the fishing. I did not get anyone to value the buildings for me. I did some trenching – one half of the reclaimed land was trenched. I put in 10 chains of drains, and 30 chains of ditches. I built 3 chains of stone dyke. The (p67) original agreement was that we would get the place at 1s an acre, for 19 years; but after the first 5 years the lease was broken. The laird promised that if a house was put on the ground, my grandfather should have a lease for 19 years at 1s. In 1820, however, the lease was broken, and the rent was increased to £2 10s.

MR HEDDLE explained that the property was sold to his grandfather in 1818. The son of the dead proprietor had made a series of arrangements, which, on the property changing hands, were looked into, some of them being sustained, but others were not.

Sheriff BRAND: It looks as if what you said were correct.

Examination continued: In 1862 the rent was raised to £3 10s; and in 1877 to £6 10s – the 10s being taken off two years ago.

Cross-examined: There are two sets of buildings on the croft. I do not work at the shoemaking. At the time these buildings were erected, they were to enable me to carry on business. I own a herring boat of 33 feet of keel, but I do not use her, as she is too small to compete with the others. I have 1½ shares in small boats. I am at the fishing in Holm. I always managed to pay my rent previous to the passing of the Crofters' Act; but I did so from the proceeds of fishing, and last two years the fishing has been a failure. I get peats off the land, and in taking them reclaim the land.

**Decision.** – The rent was reduced from £6 to £4 15s. Of the £10 of arrears, £5 were cancelled, and the balance of £5 ordered to be paid up in two instalments of £2 10s.

**John Wilson, Bulwark [Crockness area],** deponed: I have 2 cows, 2 calves, and 1 ox, and I sold a stirk this year, for which I got £3. The area of my croft is 11 acres arable, and 22 poles of outrun. My rent is £6 15s. I have occupied the croft for 10 years, and reclaimed 5 acres, the half of which were trenched. I have put in 40 chains of ditching, and erected 3 small outhouses, and a cart shed at my own expense. The proprietor put a new roof on my dwelling-house for which I pay interest of 15s. I graze on the hill of Crockness.

Cross-examined: In addition I got lime and other things to the value of about £3.

**Decision.** – The rent was reduced from £6 15s to £5.

**James Isaac Smith, [probably West the Ruff] Crockness,** deponed: Since the application was lodged my father died. My mother is living, and I stay with her. There are only two of us on the farm. We have 2 cows, 2 sheep, and 2 oxen. The area of the croft is 11 acres arable and 16 poles of outrun. The rent is £6 6s. My father had occupied the croft from 1845. He reclaimed 9½ acres from the hill, and built houses to an estimated cost of £25. He put in 21 chains of drains and 11 chains of ditching. The rent of the holding at first was £2 5s. In 1860 £1 was added to the rent, and £2 16s in 1877.

Mr BROWN read a letter from the tenant, agreeing to take the houses. When leaving he was to get compensation for improvements, and if the buildings deteriorated he was to pay for the difference.

**Decision.** – The rent was reduced from £6 6s to £4 8s.

(p68)

**James Gray, [probably West Moness] Crockness**, deponed: I have 2 cows, 1 one-year-old, 2 stots, 2 calves and 4 sheep. The extent of my croft is  $17\frac{3}{4}$  acres arable, and  $\frac{1}{4}$  of an acre outrun. My rent is £8, and I am £2 in arrears. I have occupied the place for 23 years, and my father and myself reclaimed 15 acres. My grandfather built the first house – there being no buildings there at that time. My father built a new house – the old one being converted into a byre. I added 12 feet to the dwelling-house. I built stone dykes. The rent to my grandfather was £1 10s; in 1861 it was increased to £3, and in 1871 to £8. My cattle graze on Crockness.

Cross-examined: Margaret Bruce was not in the place before my grandfather. I have a sub-tenant. Sometimes he does not pay a rent. When he does pay it is £1. I do little jobs at joiner work, but never served my apprenticeship. The landlord expended £12 11s 3d on the dwelling-house in 1877.

**Decision.** – The rent was reduced from £8 to £7, and the arrears of £2 were ordered to be paid in one instalment.

**Wm. Malcolmson, [probably Heathfield] Crockness**, deponed: I have 3 cows, 3 calves, 3 ewes, and 3 lambs. My arable land is over 19 acres, and outrun over 7 acres. My rent is £12 9s 6d, and arrears £4 9s 6d. I have been in the croft 17 years – my father being in it before me. There was a dwelling-house on the ground when my father went to it. Eleven acres have been reclaimed – 7 or 8 being reclaimed by myself. The old house was condemned, and a new one rebuilt in 1878. I did the quarrying and carriage. I think Mr Heddle expended £50 on it; and I think my labour would amount to £10. My father and myself put in 40 chains of ditches – perhaps half

of them were put in by myself. The landlord in 1878 gave me 3 bolls of lime, and I paid for putting it on. The rent was raised from £7 to £12 9s 6d.

Cross-examined: I am not aware that my father agreed to improve the land on a lease. When the rent was raised in 1861 the croft had been squared. I put up a new byre; but Mr Heddle supplied the wood and the flags for the roof.

**Decision.** – The rent was reduced from £12 9s 6d to £10. Of the £4 9s 6d of arrears, £2 9s 6d were cancelled, and the balance of £2 ordered to be paid up in one instalment.

**Walter Ross, [probably Wellbraes] Crockness**, deponed: I have one cow, 1 ox, and 2 calves; but the croft only keeps one cow and an ox with the hill grazing. Arable, 8¼ acres; and outrun ½ an acre. My rent is £4 8s, and arrears, £1 8s. I have been in the place since 1862, and have reclaimed 6 acres; but Mr Heddle gave us the use of a subsoil plough. I built a house and outhouses at an expense of £35, and the proprietor expended £10 1s. I put in 13 chains of ditches. The rent in 1862 was increased to £3, and in 1877 to £4 8s. The average return of grain per acre in our district will be 3 bushels for 1 bushel. We put in from 3 to 4 bushels.

Cross-examined: I fished till within the last three years. My inability to pay the rent is because I do not now go to the fishing.

(p69) **Decision.** – The rent was reduced from £4 8s to £3 10s, and the arrears of £1 8s were cancelled.

**Donald Shearer, [probably Peatnear] Crockness**, deponed: I have 1 cow, 1 stot, 1 calf, 1 ewe, and 1 lamb. My arable land is 9¾ acres, and outrun 2 acres. My rent is £5 10s and arrears £4 12s 2d. I have been tenant for 5 years, but have been in the place 50 years. We have reclaimed the whole land. I have not reclaimed much for the past 10 years. The first rent was £1 10s; then it was put up to £3 10s; and latterly it was increased to £5 10s. I put in 35 chains of division drains. I have the same grazing as the other crofters.

Cross-examined: There was a house on the place when my great grandmother was there, which she got from Mr Moodie [owner of the Melsetter estate before the Heddles] for being a midwife. (Laughter.)

**Decision.** – The rent was reduced from £5 10s to £4 10s. Of the £4 12s 2d of arrears, £2 12s 2d were cancelled, and the balance of £2 ordered to be paid in one instalment.

John Wilson appeared for **Henry Thomson [probably Moness, Crockness]**, who was unable to attend. Witness deponed: There is 1 cow, 1 calf, 1 quey, 1 ox, and 1 sheep on the croft. The arable land is 13 acres, and the outrun 35 poles. The rent is £5 12s. The applicant and his predecessors have been in occupancy since 1808. The present tenant has been there all his life. They have reclaimed 11¼ acres, and applicant reclaimed fully a half of that. He put in 42 chains of ditching. The rent of the holding at first to the applicant's father was £2 2s, in 1863 it was increased to £2 12s, and latterly to £5 12s.

**Decision.** – The rent was reduced from £5 12s to £4 15s.

**John Ross, Downatown**, deponed: I have 4 cows, 1 two-year-old quey, 4 one-year-olds, 3 calves, 2 work horses, and a young one, I have 9 sheep but generally I only keep 7. I have 37¾ acres arable, and 17¾ outrun. The rent is £25 8s. I have been in the place since 1862; and I think my father went to it in 1835. We have reclaimed 10 acres. Most of the reclamation was done in my father's time. I have repaired dwelling-houses and built 2 byres, at a cost of £16 1s. The proprietor paid £1 9s as one half of the expense of ditches. He also spent about £50 on the buildings – for which I was charged interest at the rate of 5 per cent. The rent was increased in 1855 to £22, when I got wet ground added.

**Decision.** – The rent was reduced from £25 8s to £21.

**James Fiddler, Gair, Crockness**, deponed: I have 3 cows, 1 two-year-old, 2 one-year-olds, 2 calves, 2 horses, 4 sheep, and 2 lambs. Arable 17 acres, and outrun 13¾ acres. My rent is £14. I have occupied since 1881, and have put in 40 chains of open surface drains, and 40 chains of stone drains besides. My stock graze upon Weifea. All I have done to the house was to keep thatch on the roof to keep out the rain.

By the COURT: The common price we get for our lambs is 12s.

(p70) MR HEDDLE said the price of lambs taken off recently from farms of £35 to £40 was 18s to 25s.

**Decision.** – The rent was reduced from £14 to £11.

**George Swanson, Rinnigill, Crockness**, deponed: I have 1 cow, 1 stot, and 2 sheep. Arable over 7 acres, and outrun less than an acre. The rent is £4, and the arrears £3 10s. I have been on the croft since 1863. My father entered in 1825. I have reclaimed nearly 4½ acres. I have spent £10 on the houses; but got the couples from the landlord. I put in 20 chains of stone drains, and 20 chains of ditches. The rent of the holding when first I remember was £2 12s, and in 1878 it was increased to £4, when 2 acres were added.

MR HEDDLE said witness was spoiling himself. He had got no land added.

Sheriff BRAND: Q. – Did you get no land added? A. – No.

Sheriff BRAND: You see we have to help you. I will take the added land out.

Mr THOMSON [Andrew Thomson, lawyer for the crofters]: Thank you, Mr Heddle, for pointing out the mistake.

**Decision.** – The rent was reduced from £4 to £3. Of the £3 10s of arrears, £1 10s were cancelled, and the balance of £2 ordered, to be paid in one instalment.

**Donald Sutherland, Saltness**, deponed: I have 1 cow, 1 one-year-old ox, and six sheep. Arable 3 acres, and outrun 1 acre. My rent is £1, and the arrears 18s. I have

occupied the croft 8 years, and my mother was in it before me. My predecessors have held it since 1823. I have reclaimed about 2½ acres myself. I erected a barn since I went to the place. The value of the buildings put up would be £10. I trenched half an acre, and put in 10 chains of ditching and 20 chains of drains. My first rent from 1839 to 1862, was 10s; from that onward, £1. I had grazing on Saltness Hill.

Cross-examined: I have the right to cut some peats. I sold a beast the other day for which I got £17.

**Decision.** – The rent of £1 was continued, and the 18s of arrears ordered to be paid.

**Thomas Mackay, Hylual [Halyiel]**, deponed: My stock consists of 1 heifer. Arable, 2 acres; 1½ outrun. My rent is £1 14s, and my arrears, £2 11s.

Sheriff BRAND: Are you going to pay up the arrears?

Witness: Yes, if it's legal.

Sheriff BRAND: It is quite legal.

Examination continued: I have been 11 years in the place. I spent £7 in repairs. I trenched 1 acre, and put in 5 chains of drains. The proprietor expended £4, for which he charges 4s of interest. I graze upon Bingefea.

By the COURT: I am a roadman, and have got 6 miles of road to keep up for £20 10s per year.

(p71)Cross-examined: I promised by letter to repair and enlarge the house if I got the first year's crop. My father belonged to Sutherland, but I belong to Edinburgh. I came to work at Cantick Lighthouse [in South Walls], and married and settled down here.

**Decision.** – The rent was reduced from £1 14s to £1 10s. Of the £3 11s of arrears, £1 1s were cancelled, and the balance of £2 10s ordered to be paid up in two instalments of £1 5s.

**Hugh Ross, Upper Seatter**, deponed: I have 2 cows, 2 calves, and 2 one-year-olds. Arable, 17 acres; outrun, 15 poles. My rent is £12. I have occupied the croft since 1850, and have reclaimed 9¼ acres. In 1886 I built a dwelling-house, 41 feet by 15 feet, inside measurement. The proprietor contributed slates, couples and rafts [sic]. The rest cost me £41 10s. The proprietor contributed £19 6s 9d. I graze on Bingefea and Wefea. I have seaweed and peat moss.

By the COURT: I have been reclaiming and draining a little every year since I came to the croft 38 years ago. All the drains in the 9¼ acres reclaimed have been put in by me.

Cross-examined: My rent has remained the same for the last 38 years. My family helped me to pay for the house. I have expended the £41 10s on the dwelling house in cash.

**Decision.** – The rent was reduced from £12 to £9 10s.

Hugh Ross appeared and gave evidence for **John G Smith, [possibly Campbells Haven] Crockness**. He deponed: The holding was arable, 8 acres 9 poles; outrun, 1·28 poles [one rood·28 poles]. Rent, £5 5s. His stock is 1 cow, 1 work ox, and 1 calf. He has reclaimed about 4 acres, and has been in the farm since 1827. He built a barn and a byre at a cost of £10. The rent of the holding from 1862 to 1876 was £3; from 1876 to 1877, £4 5s; from 1878 £5; and in 1879 £5 5s.

**Decision.** – The rent was reduced from £5 5s to £4 5s.

**John Corrigall, Hall of Seatter**, deponed: I have 5 cows, 5 one-year-olds, 3 calves, and 2 horses. Arable, 29 acres 14 poles; outrun, 13 acres 2 roods. My rent is £17 10s. I have occupied the croft since 1882. My father entered in 1837, and reclaimed 16 or 17 acres. I have myself reclaimed a quarter of an acre, and the rest was done by my father. My father also built an addition to the dwelling-house at a cost of £5 10s. I put in 64 chains of drains, and 65 chains of ditches. The rent prior to Martinmas 1885 was £18 10s. I graze on Bingefea and Wefea. I wish sea-weed and the peat moss to remain as at present.

**Decision.** – The rent was reduced from £17 10s to £15 10s.

**Alexander Johnston, Fea** [South Walls]

(p72)

**James Gunn, Ferryhouse, Brims**, deponed: I have 2 cows, 2 calves, 2 one-year-olds, 5 sheep, and 2 horses. Arable land, 22·215 [22 acres 2 roods 15 poles probably]; outrun, 28. The rent is £20 16s. I have occupied since 1853, and have reclaimed 7 acres. I spent £4 2s on the dwelling-house and offices. I put in 30 chains of drains, and 10 chains of ditching. The rent in 1853 was £15, in 1857 it was £17, in 1876 it was £17. The last rise of £3 17s was interest for money expended by Mr Heddle. In 1857 I lost some land, but my rent was raised. I was deprived of cutting sea-weed in 1881, and Deepdale commons were taken from me in 1868. I wish a share of sea-weed.

By the COURT: I am a fisherman.

In the course of a discussion about peats.

Mr HEDDLE said he would have no objection to this crofter getting a share of the peats at Deepdale, if the Commission thought it would not be interfering with the prosperity of the people there.

**Decision.** – The rent was reduced from £20 16s to £18.

**Benjamin Stout, Newhouse [Brims]**, deponed: I have 1 stot, 2 cows, 1 calf, 1 ewe, and 2 lambs. My rent is £6 5s. Arable, 10½ acres; outrun 4 acres. I have reclaimed 6¾ acres. My predecessors and myself have occupied the place since 1826. I have reclaimed half the ground. I expended £25 on the buildings, and Mr Heddle spent £20, for which I pay 5 per cent of interest. I made 40 chains of drains, and 40 chains of ditches. From 1846 to 1857 the rent was £3 15s; it was increased then to £5 5s, and in 1861 to £6 5s. At the squaring I got a lot of brake added, and some arable land was taken from me. The land so taken was of far more value than that I got. I was deprived of cutting moss, and sea-weed, in the way that the previous tenant could do.

Cross-examined: I agreed in 1857 to put in my share of the ditches. James Gunn got some brake ground off me, and the other tenants must have got the rest that was taken off me. It could not fly into the bay. (Laughter.)

Sheriff BRAND: Mr Brown [presumably Mr JAS Brown, agent for Heddle at the hearing] goes on the assumption that what goes to a friend is not lost. (Laughter.)

Examination continued: I am a fisherman, and go to the lobster and cod fishing. I am coxswain of the lifeboat.

**Decision.** – This rent was reduced from £6 5s to £4 15s.

**Alex. Gunn, [probably Mucklehouse] Brims**, deponed: I have only 2 cows at present, but the croft keeps 3. I have 2 calves, 1 quey in calf, 2 work oxen, 1 ewe, and 2 lambs. I have 17¾ acres arable, and 13 acres outrun. My rent is £20 14s. I have occupied since 1853, (p73) reclaimed 32 [sic] acres. I spent £27 4s on the steading. Mr Heddle expended £64 on my house. I put in 40 chains of stone drains, and cut 34 chains ditches. My rent was raised twice, including the interest on the money spent by Mr Heddle. I am in the same position as the others regarding sea-ware, and peats, etc.

Cross-examined: We agreed to keep the place in the same condition as when we got it. For the last 30 years the rent has been kept the same unless the money put on for interest. I fish lobsters.

Re-examined: I am safe to say that I have but one crop out of six owing to sea-gust.

**Decision.** – The rent was reduced from £20 14s to £15.

John Swanson, gave evidence for **Wm Mowat, Salwick, Brims**. He deponed: Applicant has 1 cow, and 1 sheep.

Sheriff BRAND; That is a very small stock.

MR THOMSON [agent for the crofters]: It is a case of 3 acres and a cow.

Examination continued: He has 3 acres arable, and less than an acre of outrun. The rent is £3 3s. Wm. Mowat was 3 years in the place. His uncle and grandfather were there before him. He has no hill pasture.

**Decision.** – The rent was reduced from £3 3s to £2 10s.

**Alex. Johnstone, Innerhaven [Brims]**, deponed: I have only 1 cow. I have over 3 acres arable and less than one acre of outrun. The rent is £3. My father and grandfather were in the place before me. I have reclaimed no land; but my father and grandfather reclaimed all the land, and put up the houses. The rent was £2 10s until 1874, when it was raised to the present figure. I was deprived of the common grazing like the others.

Cross-examined: I am a fisherman. There are two dwelling-houses on the place. I live in the one, and my mother in the other. On the place there is myself, wife and two children, and in my mother's house there is my mother, sister, and four children.

**Decision.** – The rent was reduced from £3 to £2 10s.

**George Manson, Crustave House** [sic – 'Crusted' in the official Crofters Commission report, probably in Brims?], deponed: I have 1 horse, 1 cow, 1 one-year-old stot, 1 calf, and 3 sheep. Arable, 7 acres; outrun, 1. My rent is £3. I have been in the place 13 years. My father occupied it from 1836. There has been no land reclaimed since I came into occupancy – but I reclaimed 4¾ acres during my father's time. All the houses were put on the croft by myself and my father; but the proprietor gave a little assistance. I am in the same position as the others about the peat moss. My place suffers from sea-gust.

Cross-examined: I am a fisherman. My rent has been the same for the past 30 years.

**Decision.** – The rent was reduced from £3 to £2 15s.

**James Nicolson, Affrigae** [sic – should be Afrigate, Brims], deponed: I have 2 cows, 2 stots, sometimes 2 horses, and sometimes 1 horse, and 2 sheep. Arable, (p74) 14 acres; and 7 acres outrun. My rent is £15 14s. 3½ acres have been reclaimed during my father's tenancy. My predecessor and myself put up buildings to the value of £40. We put in 27 chains of stone drains, and 30 chains of ditches. Mr Heddle put up a dwelling house at a cost of £49. The first rent was £7 15s; in 1873 another croft, the rent of which was £5 10s, was added, and the rent was increased to £13 5s; in 1874 the interest of the £49 was added, bringing the rent up to £15 14s. I have the worst croft on the estate – from damage from sea-gust and shaking of crops.

**Decision.** – The rent was reduced from £15 14s to £11 5s.

**Robert McKay, sen.,** appeared for his son **Robert Mackay, jun.,** Upperhouse, Fara.

**John Sandison, Upper Quoys, Fara**

**Wm Manson, Mucklehouse, Fara**

(p75) **Walter Stout, Netherhouse, Fara**

**Stromness, 23<sup>rd</sup> August, 1888**

The Commissioners resumed sittings in the Town Hall to-day.

**Esther Ross, Park, Longhope,** deponed: I have 2 cows, 1 ox, 2 stirks, 1 calf, and 4 sheep. I have 12 acres arable, and 2¾ outrun. My rent is £11 3s, and arrears £8 4s 6d. I have been in the place since 1875. We reclaimed over 3 acres, 2½ of which were taken in since my husband died. I have expended £12 8s on the building myself. My rent prior to 1875 was £7 14s; and it was raised at that time to £11 6s, being interest on the money expended by the proprietor.

Mr Brown said there had been no increase of rent on this croft since 1815.

**Decision.** – The rent was reduced from £11 3s to £9. Of the £8 4s 6d of arrears, £4 4s 6d were cancelled, and the balance of £4 ordered to be paid in two instalments of £2.

**Euphemia Sandison, Helyiel**, deponed: I have 1 cow, 1 ox, and 1 sheep. I hold over 2 acres arable. My rent is £2, and the arrears £2 10s. I have been in the place since 1878. I have improved 1 acres, and expended £2 on a byre. I have the right of grazing on Bingefea and Crockness, but I do not want to go to the latter place.

**Decision.** – The rent was reduced from £2 to £1 15s. Of the £2 10s of arrears, £1 10s were cancelled, and the balance of £1 ordered to be paid in two instalments of 10s.

(p76)

**Robert Matheson, Rinnigill**: Q. – What is your stock? A. – Six head of cloven hoofs. (Laughter.) Q. – Enumerate them? A. – 1 horse, 2 cows, 2 one-year-olds, 2 calves, and 3 sheep. Arable 11½ acres, outrun 9. Rent £7 2s; arrears, £8 1s. I have reclaimed 9 acres. My buildings were all burnt down about 10 years ago. I expended £36 3s in re-building them. The proprietor expended about £27 on the work. I have put in about 80 chains of stone drains, and have cut 26 chains of ditches. My rent was raised in 1880 from £2 12s to £7 2s. My right of sea-weed was also restricted about one half 12 years ago. I only wish to graze on Crockness.

Cross-examined: I want more sea-weed than I can get. The kind of ground I reclaimed was real bog, and you would have required sea-boots to have travelled through it. (Laughter.) I always managed to pay my arrears previously by borrowing.

**Decision.** – The rent was reduced from £7 2s to £5 10s. Of the £8 1s of arrears, £3 1s were cancelled, and the balance of £5 ordered to be paid in two instalments of £2 10s.

**Wm Nicolson, Hurliness, Brims**, deponed: I have 1 one-year-old. I had a cow last year, but had to sell it. I have 2 acres of arable, and ½ outrun. My rent is £2 6s and my arrears are £2 6s. I have occupied 4 years, and put in 17 chains of stone drains. I have no peat moss, and cut it off the glebe property. I do not pay for it – I just took it in my own hand. I would like to get peats from Deepdale.

Cross-examined: Where I was appointed to take peats, neither man nor beast could go. I am a fisherman.

In reply to Sheriff BRAND,

Mr LAUGHTON [not identified possibly a misprint for Mr JAS Robertson, Heddle's agent?] admitted this crofter, not having a cart and horse, was in a worse state than the others, in having to go so far for his peats.

Sheriff BRAND said in fixing the rent, the Commission would take into consideration the peat question. If the man did not get peats at Deepdale, and had to go to the Glebe [in South Walls] for them, then this would be taken into consideration when the rent was being fixed.

**Decision.** – The rent was reduced from £2 6s to £1 15s. Of the £2 6s of arrears, £1 6s were cancelled, and the balance of £1 ordered to be paid up in two instalments of 10s.

**Malcolm Groat, Osmondwall [South Walls]**

(p77) **Donald Thomson, Barrostoun, Osmondwall [South Walls]**

**Edward Fiddler, Little Butts [South Walls]**

(p78) **Benjamin Sutherland, Butts, Osmondwall [South Walls]**

**John Dunnet, Booth, Osmondwall [South Walls]**

John Manson appeared for his mother, **Janet Manson, Stoop, Osmondwall [South Walls]**

(p79) **John Manson, Stoop [for himself] [South Walls]**

**Wm Taylor and James Taylor** are the joint tenants of **Old Hall, Osmondwall [South Walls]**

(p80) **George Dunnet, Storehouse, Osmondwall [South Walls]**

**John Stout, Misbuster, Osmondwall [South Walls]**

**Charles Sinclair, Skerp, Aithe [South Walls]**

(p81) **Wm. Sutherland, Boo, Aithe [South Walls]**

Ralph Mowat appeared for his father, **James Mowat, Wing [South Walls]**

**John Bruce, Wing, Kirbister [South Walls]**

(p82) **Wm Mowat, Wing, Kirbister [South Walls]**

**Benjamin Waters** – application withdrawn

**George Swanson, Burnhouse [South Walls]**

(p83) When the case of **John Thomson, Summercleavey [Summercleary], Millbay**, was called, applicant did not appear, but Mr Thomson furnished the following particulars: – The extent of the holding is 6·2·20 [6 acres 2 roods 20 poles] arable and ½ acre of outrun. Rent, £5 10s. He has been in the place 9 years. His first rent was £4 2s, but in 1882 £1 8s was added.

**Decision.** – The rent was reduced from £5 10s to £4 5s.

**Stromness, 24<sup>th</sup> August, 1888**

The Commission resumed sittings in the Town Hall to-day

**George Robertson, Wing [South Walls]**

**Andrew Chalmers, Hurtiness** [sic – should be Hurliness], Brims, had 1 cow, and 1 sheep. He had 2½ acres arable, and paid a rent of £2 4s. He was £1 6s in arrears,

and said he could not pay as he was a fisherman and had made nothing at the fishing. He had been tenant for 14 years, and gave in detail the various improvements he had executed. He had always a right to peats, and still had it.

(p84) In answer to the CHAIRMAN, he said he sold nothing but one calf last year.

By Mr BROWN: He was going to the lobster fishing in spring, but did not make what would clear expenses up till June. They were then fairly successful. He had been prosecuting the fishing since he was 15 years of age, and the fish during the last year was the cheapest he had ever seen.

**Decision.** – The rent was reduced from £2 4s to £2, and the whole of the arrears of £1 6s were ordered to be paid in one instalment.

The Missetter enquiry being concluded, Mr Brown put in certain documents showing the rates of carriage from Walls to the southern markets.

Mr THOMSON was not inclined to admit the documents.

The CHAIRMAN: They are just as good as yours.

Mr THOMSON: Yes, but I cannot admit them as evidence.

The CHAIRMAN: Well, we will look at them.

**PROPERTY OF CAPTAIN CORRIGALL AND MRS BRUCE**, Osmondwall, Longhope. Agent for the Proprietors, Mr Brown; for the Crofters, Mr Thomson

**John Malcolmson**, first on the schedule, withdrew his application, having come to terms with his proprietor.

**Wm Robertson, Scarton [South Walls]**, appearing for his mother, **Catherine Robertson**.

(p85) **John Groat, Newbigging [South Walls]**

**Wm Groat, Hillside [South Walls]**

(p86) **Wm Omond, Point, Hackness [South Walls]**, was unwell but was represented by his wife.

**Wm. Robertson and James Omond, joint-tenants on a croft at Cruting [South Walls]**, both appeared to give evidence.

**Wm. Sutherland, Seatter [South Walls]**

(p87) **Willimina Sutherland, Green [South Walls]**

**John Cromarty, Point, Hackness**, was at the Shetland fishing, and Mr Thomson said his wife would appear to give evidence, if that would be accepted.

The CHAIRMAN: Certainly. His better half. (Laughter.)

**Samuel Anderson, Point [South Walls]**

(p88) **Helen Groat, Newbigging [South Walls]**

**Captain Corrigall**, one of the proprietors, was put into the witness-box by Mr Borwn, to give some general evidence.

[This was an interesting exchange, Captain Edward Corrigall was a local man, who had been in similar circumstances to the crofters before he went to sea. He had bought the property from 'the Crown' in 1871 and also acted as factor for Mrs Bruce, widow of Captain Bruce, a man of similar origins.]