

## John Bremner, Fish Poaching

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### Sheriff Court, Banff

On Monday the 24<sup>th</sup> ult., the following parties were brought before the **Sheriff of Banffshire**, at the instance of **James Rose, Esq.**, solicitor in Banff, Law-agent in that County for his Grace the **Duke of Richmond**, accused on trespassing under the Act 9, George IV., chap. 39, viz:--

**John Bremner, sen., John Bremner, jun.,** and **William Bremner**, all residing at the Mill of Tombreckachie, in the parish of Inveraven, **James Anderson, sen.,** and **James Anderson, jun.,** at Bog of Kininvie, in the parish of Mortlach. We may here mention that **Peter Stuart**, residing at Charlestown of Aberlour, **Angus Macdonald**, servant at Bog of Kininvie, and **Alexander Dunn**, servant at Tulloch of Kininvie, not having appeared, the Sheriff granted warrants for their apprehension. The case against the other parties was then proceeded with.

**William Grant, Esq.**, solicitor, as agent for the **Bremners** took a preliminary objection to the complaint, to the effect that the concurrence of the Procurator-fiscal being wanting, the case should be dismissed, the conclusions being for penalties, which **Mr. Grant** contended could not be recovered without such concurrence.

The Sheriff, having referred to "*Tait's Justice of the Peace*," refused to entertain the objection, and ordered the case to be proceeded with, when the charges were clearly proved against the whole of the parties. The Sheriff then, in an impressive address decerned against them in the following penalties, viz.—**John Bremner, jun.** £5 10s., **John Bremner, sen.**, £1 10s.; **William Bremner**; £10s.

**Mr. Mortimer**, as agent for the **Andersons**, having stated some preliminary objections, which were overruled.

The Sheriff, after hearing the evidence, found the complaint proven, and awarded the following penalties against them viz:--**James Anderson, sen.**, £6 10s., **James Anderson, jun.**, £4. Full expenses were also awarded in all the cases. The Sheriff intimated his determination to visit all persons who shall after this be convicted of such trespasses with the highest penalties, justly remarking that they are not only calculated to injure the interests of the lessee of the fishings, but also to pave the way to far more serious violations of the law.

Based on the incidence of the **Bremner** names, I suspect that **John Bremner, sen.**, detailed above is **John Bremner**, son of **James Bremner** and **Margaret McBarnet**. He married **Jane Findlay** in 1813, and among his ten children was a **John Bremner** and a **William Bremner** that would fit with being the other Bremner defendants in the case. The family lived in Inveraven in the 1841 census.

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