

Pvt. Roderick MacNeil

78th Regiment of Foot (Fraser's Highlanders)

British Army 1757 - 1759

A revised article which first appeared under the heading of:

A Cape Breton MacNeil Family's connection to the Siege of Louisbourg, 1758

by Bernardine (MacNeil) Campbell

A brief glimpse into the life of Roderick (Rory) MacNeil, a soldier with the British Troops who was wounded at the Siege of Louisbourg in the summer of 1758, is revealed within a collection of land papers held at the Nova Scotia Archives (NSARM) in Halifax. The papers concern his widow Mary and her struggle to retain the land at Benacadie, in the Grand Narrows district of Cape Breton Island, where she and her late husband had settled about 1806. There is little mention about the man himself but the history surrounding the fall of Louisbourg serves as a time line and helps add flesh' to the bare bones information. The parties telling their story (in the documents) had to swear under oath that what was written was the truth and nothing but the truth. Settlers (and others) petitioning for land often embellished their stories in order to present their case more favorably to the Crown; some of the information in this collection proved no different.

The regiment Rory was with is unknown; he could have been attached to any regiment that was present at Louisbourg but the odds point to Fraser's Highlanders, assuming of course that he was a Barra man. Lieutenant Roderick MacNeil (the son of the *Macneil of Bara*) along with *several clansmen* went to North America with the 78th Regiment of Foot (Fraser's Highlanders).³ Rory, the former soldier who settled at Benacadie, could very well have been one of the *several clansmen* that accompanied Lieutenant MacNeil and followed him into battle.

The above is the beginning of the original article published in the March 2009 edition of the Clan MacNeil (in Canada) Newsletter. It also appeared under "Roderick MacNeil" on the Cape Breton Genealogy & Historical Association website on its June(?) 2009 Ezine and can be accessed (by members) on the site under RECORDS – FAMILY)

Thanks to the generosity of *Ian Macpherson McCulloch*, we now have evidence which confirms Rory MacNeil was at Louisbourg during the 1758 Siege. *Ian Macpherson McCulloch* is the author of —*Sons of the Mountains*,” two books about the history of the Highland Regiments during the *French & Indian War, 1756-1767*. He read the original article on the Clan MacNeil website and then followed up by sending a transcript of the *Royal Hospital, Chelsea, Regimental Registers of Pensioners, 78th Regiment of Foot, C.1717-1775 WO120-5*; Rory MacNeil's admittance to the hospital is listed on this transcript.¹ The story has been edited (April 2010) from this point in order to reflect the confirmed evidence and Ian Macpherson McCulloch's contribution.

Rodk. MacNeil (Rory) was a soldier in the British Army, a private in the 78th Regiment of Foot, also known as Fraser's Highlanders. The hospital record¹ states his army service as two and a half years which means he was likely among one of the first 1000 men recruited by Colonel Simon Fraser shortly after Jan. 5th 1757. Assembled at Inverness, the regiment marched to Glasgow and in June sailed across to Ireland;

then marched overland to Cork where on July 1st 1757 the convoy of ships sailed for North America, destination, the port of Halifax in Nova Scotia.²

In the latter part of August, eight weeks after the regiment set sail from Ireland, they arrived at Halifax. During the nine weeks the regiment was stationed there, a large number of the soldiers came down with Dysentery. From Halifax the regiment was reassigned to winter quarters in Connecticut where they stayed from the end of November 1757 to the end of March 1758.²

Assigned to Maj. Gen. Amherst's army, the regiment was again sent to Halifax where the army was assembling in preparation for the coming attack on Louisbourg in the Island of Cape Breton. Leaving Halifax on May 28th, the armada arrived and dropped anchor in Gabarus Bay on the morning of June 1st however, huge swells and violent surf prevented the launching of small boats. While these conditions continued the troops remained huddled below decks on board the anchored ships for another week before the sea calmed enough to launch the boats.²

In the early morning hours of June 8th the first of the three waves of boats, among which were the highlanders, headed for shore. Above the beach and unbeknown to the British Troops, gun batteries and entrenchments were hidden by camouflage. The concealed French Troops held their fire and waited until the leading landing crafts were about thirty yards from the beach before unleashing a tremendous barrage of firepower. It's likely Rory was wounded during this furious assault; it was reported *that the first men to get ashore at the cove after the Light Infantry and Wolfe were 400 to 500 Highlanders of the bonnet companies of the 78th under Colonel Fraser.*" The casualty roll states: four officers killed and three wounded; twelve privates killed and thirty-five wounded.²

According to the *Regimental Register of Pensioners* at Chelsea Hospital, Rory was admitted there July 20th 1759, almost one year to the day after the fall of Louisbourg. Rory, deemed unfit for further duty as a soldier, was at some point transported back to Britain but the record does not state the date of his return. However, it is interesting to note that ten soldiers, stated as wounded at Louisbourg, were admitted on that same date which suggests they may have only recently arrived in Britain prior to their being admitted to the hospital. Rory was *-Shot thro' the arm at Louisbourg-* The extent of his injuries and length of recovery period isn't known.

Rory's son stated in 1822 that his father ... *who, after serving many years in His Majesty's Troops in the course of which time he was present at several engagements, and among others at the capture of Louisbourg, was disabled and dismissed the service upon a pension.* His statement may have been embellished to some degree but at least we now have confirmation of the majority of it and the likelihood that Rory had the use of only one arm for the rest of his life.

We know that Lieutenant Roderick Macneil (son and heir to the ("*Macneil of Barra*") and *several clansmen* were also with the 78th Regiment of Foot in North America.³ It isn't clear if Rory (the settler at Benacadie) was one of the *several clansmen* or if he enlisted while residing in the town of Inverness, Scotland. The hospital record is ambiguous, it states he was born in Inverness but there is no distinction made to indicate whether this refers to the town of Inverness or to Inverness-shire where the Isle of Barra is situated. (*I suspect that Roderick MacNeil, the wounded soldier, of Benacadie and Rory "Big" MacNeil, who had children settled at Benacadie, was one and the same person and if correct, then he was born in Inverness-shire. According to family legend, Rory "Big" had been a foster brother to one of the Chiefs of Barra; the legend is unconfirmed but if true, it would then make sense that Rory would enlist when his chief was raising men on Barra to join the 78th Regiment of Foot to serve in North America during the French & Indian War.*)

Rory was about 75 years of age when he immigrated to Cape Breton, his wife Mary's age can only be guessed at but it's certain she was not young either. According to the Chelsea Hospital records Rory was born in 1731 which means he would have been a teenager at the time of the defeat of the Jacobite clans at *Culloden* in 1746, old enough to witness and remember the atrocities which followed. He was still alive up to and close to the year 1814 according to the petition of his son Donald. Mary claimed she was seventy years old in 1816 and Donald claimed she was about eighty years old in 1822 (rarely were ages stated correct), she was likely born between the years 1741-1746 and died after January 5th 1824 at Benacadie.

Mary, as was her husband, was a native of Scotland and sometime after his return they likely married there. Barra isn't mentioned anywhere in the land papers but wherever they were living, life would not have been easy during this period of time in the Highlands and Islands of Scotland. Tenants were unhappy with living conditions which lead to serious thoughts of immigrating to North America. Eventually, many of them did emigrate paving the way for other members of their families and neighbours (to follow) once they had established themselves in their adopted country. Considering their ages upon arrival in Cape Breton (c1806) this appears to be the case with Rory and his wife Mary.

"*Seven children*" were born to them in Scotland and from the little information found so far, it would appear they all emigrated, eventually settling in Cape Breton. According to Mary's petition of 1816, by that time all had —*families of their own*. I get the impression all of her children were residing nearby or in the general area. The names of only three of the seven children are mentioned in the papers; *Donald, James and Catherine*. The son Donald stated Rory had left Scotland and "*proceeded to this Island with his family*" which his mother had previously stated was about 1806. It's doubtful the whole family emigrated at the same time, likely some of the older children immigrated to Nova Scotia and eventually made their way across to Cape Breton prior to their parent's arrival at Benacadie.

Sometime after his arrival in Cape Breton, Rory took possession of a two hundred acre tract of land (which contained a marsh) at the head of the Benacadie River but he died before he could afford to complete the title. According to one document, he petitioned to the Crown and —*took out a Warrant of Survey for the same, but at the time being in no money, could not take the Crown Lease* — unfortunately, this item is not with the papers and NSARM has no record of it. Although not young and likely with the help of their children, Mary and Rory cleared about three acres of the lot and enclosed the marsh area. After her husband's death she continued to cut the grass that grew on the marsh which supported two cows for which she depended chiefly for her income. The three acres cleared, although not cultivated, provided pasture for a few sheep she kept there. In later years her son was cutting the grass (for her?) but there is no mention of which son this was; I suspect it was probably Donald. (*An early Benacadie settler by the name of Donald MacNeil, was known as Big Donald of the Marsh (Domhnall Mor nam Mhaghaigh).*³ *He was a son of Rory "Big" MacNeil who had (supposedly) been a foster-brother to one of the Chiefs of Barra. I cannot state positively that Rory "Big" was Mary's husband but the similarities between the two families strongly suggest that he was!*)

June 7th 1816, a David Brown petitioned the Crown for a lot of land situated at Benacadie, land in which he stated he was settled upon, this said lot contained a marsh. When Mary became acquainted of this she petitioned the Crown stating that her —*son-in-law David Brown was trying to —dispossess her of the marsh*" while he was settled on a different lot. A direct contradiction to Brown's sworn statement! The upshot of this was, on January 18th 1817, Mary was granted a Warrant of Survey by the Crown and no more was heard about what may or may not have transpired between the MacNeils and the Browns at Benacadie (suffice to say, more than the sky was probably blue there for awhile!). The papers indicate the daughter (Catherine) was the widow of William Kavanagh and after William's death; she married David Brown (sometime between 1811 and 1816).

Meanwhile, Mary was too poor to pay the fees to obtain title and there the matter rested for a few years. Apparently she had made arrangements to sell her interest in the lot for a sum that would maintain her for the remainder of her life but unfortunately, that deal was never realized. Then, September 29th 1821, a John MacDonald petitioned for the lot stating, the widow had sold it to a third party for £23. MacDonald stated he believed this transaction to be illegal and asked that a Ticket of Location be granted to himself. November 18th 1821, unbeknownst to Mary or her family, the Crown granted a Warrant to MacDonald. When Mary's son began preparing part of the land for planting the next season, MacDonald approached and forbid him to continue, informing the son the land had been —*granted to him*” by the Crown.

February 20th 1822 at Sydney, Donald MacNeil (Mary's son) filed a caveat against MacDonald's claim, effectively halting any further proceedings until his mother's claim had been considered. Upon due consideration, the Crown approved the lot be given to the Widow MacNeil and MacDonald's Warrant was cancelled.

November 30th 1822, a Warrant was issued by Sir James Kempt to Thomas Crawley Esq., Surveyor General of Lands in the Island of Cape Breton, ordering himself or a deputy to admeasure and lay out Lot No.7 for Mary MacNeil (Widow). Deputy Surveyor Cossit was appointed, his report states the order was completed July 24th 1823. The lot consisted of two hundred and thirteen acres more or less with about half fit for cultivation (the marsh area was said to be about twenty-four acres).

Mary's Grant was finally approved December 27th 1823 and executed January 5th 1824. It is registered in the Cape Breton Grant Book Letter K Page 116.

1. *Royal Hospital, Chelsea, Regimental Registers of Pensioners, 78th Regiment of Foot, C.1717-1775, WO 120 – 5*, the record was supplied by *Ian Macpherson McCulloch*. The record lists the rank, age, years of service, detail and date of admission to the hospital at Chelsea (England). The sixth name on the list was “*Rodk. McNeil; Age 28; Service 2½ Yrs.; Detail: Shot thro' the arm at Louisbourg; born at Inverness; Admission: 20 July 1759*”

2. *Sons of the Mountains*, (Volumes I and II), by Ian Macpherson McCulloch – The Highland Regiments in the French & Indian War, 1756-1767, 2006 Edition.

3. *The Clan MacNeil*, by Ian R. Macneil of Barra, 1985 Edition

4. *History of Christmas Island Parish*, by Archibald J. MacKenzie, 1926 Edition