

# Case 14

## Edinburgh Silver Tea Set

### 1. Tea pot, inscribed:

Presented  
To  
DONALD MACLEOD SMITH Esq  
Advocate  
By  
Members of the  
Edinburgh and Caithness Association  
PROFESSIONAL FRIENDS:  
as a testimonial of their friendship & esteem  
ON THE OCCASION OF HIS LEAVING EDINBURGH  
AS SHERIFF - SUBSTITUTE OF ELGINSHIRE,  
24<sup>th</sup> Oct<sup>r</sup> 1862

ELGNM: 2023.7.1

### 2. Milk jug, inscribed with initials DMS

ELGNM: 2023.7.2

### 3. Sugar basin, inscribed with initials DMS

ELGNM: 2023.7.3

### About the tea set:

Comments from Colin T. Fraser who was an active member of the Museum's Discovery Club in the 1990s and who is now a Fellow of the Scottish Society of Antiquaries; he is one of the country's foremost experts in Scottish silver and works of art:

'Looks like a nice little tea set. The tea pot and sugar items are hallmarked Edinburgh 1861 (the E is the date letter) and the maker is Marshall & Sons.

Marshall & Sons were established in 1801 and went on marking silver until 1891, when, I think, the firm was absorbed into another. Marshalls were an important family in silversmithing and jewellery in Edinburgh and there are many different family members involved – a total nightmare to untangle.

The milk jug is a little trickier; it is 1861 as well (same E) but the maker's mark is a little poorly defined and may be double or mis-struck. I think it is also Marshall & Son's mark, but overstriking another's mark, presumably the company who produced the milk jug for them. This is common practice where things were made to order. Marshall & Son would want their client to consider them the maker. There is nothing rare or 'illegal' in that.

A tea set such as this and as large in scale would have been a high society status symbol in any city, Edinburgh perhaps more so than others, being the capital. The new style, not old and boring, and the size being larger than normal would indicate wealth and prosperity. Just think how much sugar would have cost to fill the bowl or how many scoops of tea in the pot – both still expensive commodities.

Tea sets were a popular presentation gift, I suppose due to tea and tea parties being high fashion so the set is also interesting from that angle, not just the monetary value.'

Further to Colin's remarks, we have the context of the mid-nineteenth century activities of the East India Company transferring tea growing to British India from China and the consequent opium wars, and sugar importation to Scotland from Caribbean plantations. Both of these trades had links with Moray families.

**The recipient, Donald Macleod Smith (1821 – 1885), Sheriff-Substitute of Elginshire from 1862, and in addition, the county of Nairn from 1879**

Macleod Smith was a native of Caithness, and at the outset of his career held the office of Principal Sheriff-Clerk of Sutherland. He later practised, very extensively and successfully, as a solicitor and banker at Golspie in that county for some years. After a few years' practice there, he went to Edinburgh. In 1853 he was admitted an Advocate before the Supreme Court. Prior to him taking up the post as Sheriff-Substitute of Elginshire in 1862, the *Elgin Courier* reported that Macleod Smith 'has been making his way most creditably'. In fact, in the several press articles about Macleod Smith, he is referred to only in the highest terms: an able lawyer, greatest punctuality and impartiality, his talents, energy, activity, uniform courtesy, aptness for his business.

Before leaving Edinburgh, Macleod Smith was presented with this elegant silver tea set as a testimonial of the esteem in which he was held by the gentlemen connected with the Edinburgh Caithness Association and other professional friends. Macleod Smith was a member of the Association's committee and he was presented with a claret jug on the same occasion. The missing claret jug came as news to Macleod Smith's great-great-great nephew who kindly donated the tea set to the Museum!

All the accolades both before and after his death made the consequent research and uncovering of Macleod Smith's final chapter the more poignant:

His wife Christina Gunn had died in 1883, preceded by their beloved daughter. It sounds as if Macleod Smith's mental health was deteriorating after their untimely deaths. At the time of his own death in 1885, an Acting Sheriff-Substitute was already in post because of the 'indisposition' for which he had sought treatment in

Edinburgh and at the spa at Strathpeffer. Macleod Smith was found on the floor by his servant when he didn't appear for his usual morning walk at 8 am. He had two razor cuts to his neck and though doctors were there very quickly it was to no avail.

We also know that Macleod Smith's judicial duties did not take him away from the pursuit of literature, to which he was always devoted. He was the author of a translation of a German version of the Song of Solomon, and prepared a large octavo volume of sermons by Dr Robert Lee, the Greyfriars' Church' for the press.

**Sources:**

Libindx NM006347

*Nairnshire Telegraph and General Advertiser for the Northern Counties*, dated 3 Sep 1862.

*Inverness Courier* dated 30 October 1862.

*Illustrated London News* dated 18 July 1885

*Aberdeen Weekly News* dated 13 January 1883

*Northern Ensign & Military Gazette* dated 15 July 1885

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***Janet Trythall, Elgin Museum Volunteer, February 2024***