

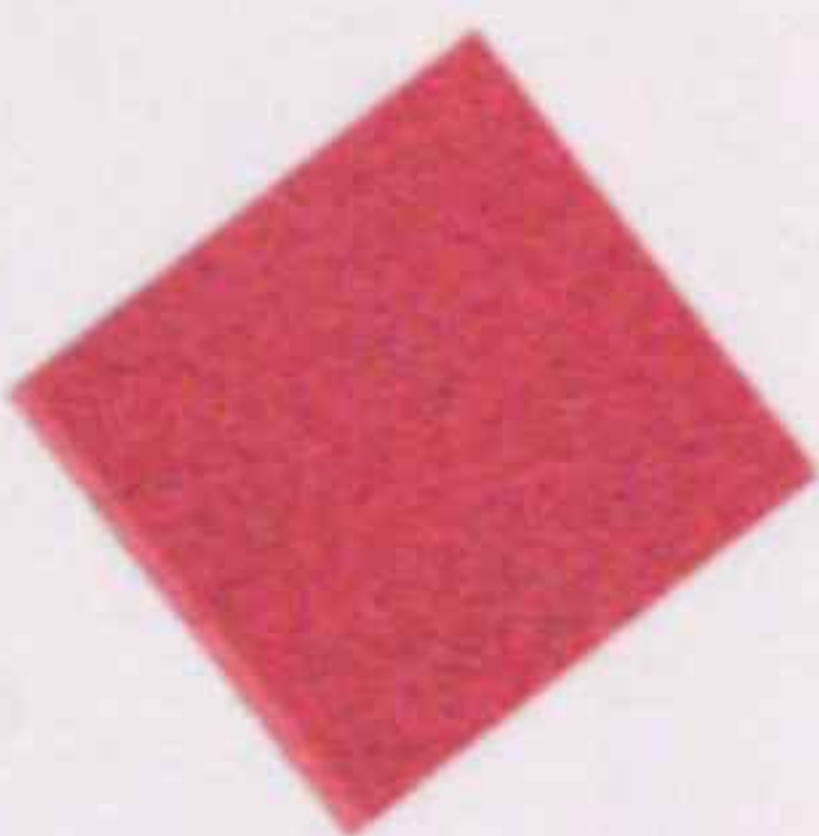


(c) crown copyright



H01

131/5087





To Her Majesty's Principal Secretary of State for the  
Home Department.

The Memorial of Charles Agathon  
Guillaüme Oliphant formerly of Seyden in the  
Kingdom of Holland but at present residing at N<sup>o</sup>  
29 Montagu Place Russell Square in the County of  
Middlesex Gentleman. —

Sheweth,

That your Memorialist is descended from the Scottish Family  
of Oliphant in the County of Perth, Scotland. Your Memorialist's  
Great-great-grandfather, John Oliphant, was descended of a younger  
Son of the Family of Oliphant of Gask in Perthshire. The said  
John Oliphant who was a Magistrate of Dundee, (having been  
for some time Bailie, and afterwards Dean of Guild), had a  
family of seven Children all born in Dundee. He emigrated  
with all his family to the Town of Rotterdam in Holland,  
where he was admitted a Citizen in the year 1723. His youngest  
Son James Oliphant who was born in Dundee removed to Seyden  
after the death of his Father and died there in the year 1797,  
leaving a Son Nicolas Oliphant. The said Nicolas Oliphant  
was the Father of Carol Maret Oliphant, who is still living,  
and presently residing in Seyden, and who is the Father of  
your Memorialist. —

In 1848 the late James Blair Oliphant of Gask died,  
leaving his Estate of Gask entailed upon his heirs male whomsoever,  
and directing his Trustees to put the heir in possession after the  
death of a sister, and after certain heritable debt has been paid  
off. Miss Oliphant, the Sister, died about a year ago, and the  
time has now arrived when the Trustees must transfer the Estate  
to the heir called to the succession.

As a direct male descendant of the Family of Oliphant

This is the Memorial referred to in the  
declaration of D<sup>r</sup>. John Blair.

Mr. John Farlinis D<sup>r</sup>. and Municipal Commissioner to Administration in Chambers  
2 June 1866.

This is the Memorial referred to  
in the Declaration of John Blair  
in the Declaration of John Blair  
in the Declaration of John Blair  
before and by me the 1st day of  
June 1866  
John Farlinis  
Commissioner to









I Charles Agathon Guillaume Oliphant the above named Memorialist at present residing at N<sup>o</sup> 29 Montagu Place Russell Square in the County of Middlesex Do solemnly and sincerely declare that the facts and circumstances stated in the above written Memorial are true to the best of my knowledge information and belief And I make this solemn Declaration conscientiously believing the same to be true and by virtue of the provisions of an Act made and passed in the sixth year of the reign of His late Majesty William the Fourth intituled "An Act to repeal an Act of the present Session of Parliament intituled "An Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the State and to substitute Declarations in lieu thereof and for the more entire suppression of voluntary and extrajudicial Oaths and Affidavits and to make other provisions for the abolition of unnecessary Oaths"

*C. A. G. Oliphant*

Declared by the said Charles Agathon Guillaume Oliphant at N<sup>o</sup> 29 Montagu Place Russell Square in the County of Middlesex this 16<sup>th</sup> day of May 1866

before me  
*W. P. Symonds*  
 a London Commissioner to administer oaths in Chancery. J.

This is the Memorial referred to in the declaration of William Forbes New taken this 16<sup>th</sup> day of June 1866 Before me *Michael North*



No 5087

Granted 19 June 1866

C. A. J. Oliphant



Subject of King of  
Holland, aged 55,  
married -

has resided since  
2<sup>nd</sup> of May last -

This is a very curious case.  
Mr Skene, His Scotch Agent,  
called here about it a few  
days ago. - I think that an  
exception to the rule.

which requires 3 years  
residence may properly  
be made in this case -  
he is very nearly a  
British subject as it  
is, & may properly  
have an Estate in -  
- he is able  
to take it as heir  
to his father, who  
is a British sub-  
- ject -

Grant cert.:

96





*Memorial of C. A.  
G. Oliphant Esq<sup>r</sup>.*

---

---



29. Montagu Place  
Russell Square  
16<sup>th</sup> June 1866

Sir,

I have the honor to lay before you a Memorial praying for Letters of Naturalisation accompanied by Declarations of four Householders in usual form.

I am aware that in the ordinary case of an alien applying for the privilege of naturalisation as a British Subject, the rules of the Home Office require that he should have resided continuously within the United Kingdom for a period of at least three years, but I am respectfully to submit that mine is an exceptional case to which this rule was not intended to apply and that if enforced it might be attended with injurious effects upon my patrimonial interest in this Country which I feel confident could not have been intended in attaching that condition to the granting of Letters of Naturalisation that an alien in my peculiar position should be exposed to.

The grounds on which I respectfully ask exemption from that condition are these;

1<sup>st</sup>. I am the descendant and male representative of an ancient



Scotch Family, my Great Grandfather having emigrated from  
Dunfermline in Scotland to Rotterdam -

2<sup>nd</sup> Though from having been born in Holland I am an alien  
yet I am not the son of an alien - my Father being  
the Grandson of a British Born Subject is entitled to all  
the privileges of a British Subject.

3<sup>rd</sup> The Succession to the Family Estate in Scotland has now  
opened to my Father as nearest heir male - He is at  
present in right of it and is to take immediate possession.

4<sup>th</sup> My Father being 85 years of age, should I be required  
to have resided in the United Kingdom for three years before  
I can be naturalised and should he die before the expiry  
of that period I may be debarred by alienage from  
succeeding to my own Father in the Family Estate under  
the Entail which calls me to the succession after him.

In proof of the truth of these statements on which I base  
my request I have respectfully to ask your attention to the  
Declaration of Mr. W. F. Skene one of the four Householders  
who was Agent for the late Mr. Cliphant of Gask by whose  
death the succession opened to my Father and who is now Agent  
for his Testamentary Trustees who are in possession of the Estate.

Trusting that in these peculiar circumstances you will  
favorably entertain my application

I have the honor to be, Sir,  
Your most Obedient Servant,

C. A. G. Cliphant

The Right Honble Sir George Grey Bart.  
ye ye ye

Secretary of State for the Home Department

Whitehall



6 New Square Lincoln Inn  
16<sup>th</sup> June 1866

Sir

We beg to submit the Memorial of M<sup>r</sup>.  
Charles Agathon Guillaume Oliphant praying  
for a Certificate of Naturalization under the  
Statute of 7 and 8 Victoria Cap 66 with  
Declarations in support of it and a letter  
from himself to which we would beg your  
favorable consideration.

We have the honor to be

Sir

Your most obedient Servants

Drumville Lawrence M<sup>r</sup>. Graham

The Right Honble Sir George Grey Bart

Q<sup>c</sup> V<sup>c</sup> V<sup>c</sup>

Secretary of State for the Home Department



276  
I John Waters of N<sup>o</sup> 15 Bedford Square in the County of Middlesex Doctor of Medicine a Householder and a British born subject Do solemnly and sincerely declare as follows. —

1. For six weeks last past I have known and been well acquainted with M<sup>r</sup>. Charles Agathon Guillaume Cliphant formerly of Leyden in the Kingdom of Holland but now residing at N<sup>o</sup> 29 Montague Place Russell Square in the County of Middlesex the Memorialist named in the annexed Memorial. —
2. The said Charles Agathon Guillaume Cliphant is a Gentleman of great respectability and I verily believe he would be a true and loyal subject of Her Majesty the Queen in the event of his obtaining a Certificate of naturalization as a British subject. —
3. I have read the annexed Memorial and the facts and circumstances therein stated are true and correct to the best of my knowledge information and belief. —

And I make this solemn Declaration conscientiously believing the same to be true and by virtue of the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the fourth intituled "An Act to repeal an Act of the present Session of Parliament intituled "An Act for the more effectual abolition of Oaths and affirmations taken and made in various Departments of the State and to substitute Declarations in lieu thereof and for the more entire suppression of voluntary and extra judicial



Oaths and Affidavits and to make other provisions for  
the abolition of unnecessary Oaths"

Declared and Signed by the said  
John Waters at N<sup>o</sup> 15 Bedford Square  
in the County of Middlesex this  
ninth day of June 1866.

John Waters M.C.

Before me

*Mr. W. P. G. G. G.*

London  
A Commissioner to administer Oaths in  
Chancery, England.

I Donald M<sup>c</sup> Lachlan of Hazelmount Ryde in  
the Isle of Wight Esquire a Householder and a British  
born subject do solemnly and sincerely declare as follows.

- 1 For Ten years last past I have known and been well  
acquainted with Mr. Charles Agathon Guillaume Olyphant  
formerly of Leyden in the Kingdom of Holland but now  
residing at N<sup>o</sup> 29 Montague Place Russell Square in the  
County of Middlesex the Memorialist named in the  
annexed Memorial.
- 2 The said Charles Agathon Guillaume Olyphant is a  
Gentleman of great respectability and I verily believe he would  
be a true and loyal subject of Her Majesty the Queen in  
the event of his obtaining a Certificate of Naturalization as  
a British subject.
- 3 I have read the annexed Memorial and the facts and  
circumstances therein stated are true and correct to the  
best of my knowledge and belief.

And I make this solemn declaration conscientiously  
believing the same to be true and by virtue of the provisions  
of an Act made and passed in the sixth year of the reign  
of His late Majesty King William the Fourth intituled an  
Act to repeal an Act of the present Session of Parliament,  
intituled an Act for the more effectual abolition of Oaths  
and Affirmations taken and made in various Departments  
of the State and to substitute Declarations in lieu thereof  
and for the more entire suppression of voluntary and extra-  
judicial Oaths and Affidavits and to make other provisions  
for the abolition of unnecessary Oaths.

Declared and signed by the said  
Donald M<sup>c</sup> Lachlan at Ryde in  
the Isle of Wight this First day  
of June 1866.

Before me

*W. P. G. G. G.*

a Commissioner to administer Oaths  
in Chancery in England.

*Donald M. Lachlan*



I The Reverend Charles Badham of Francis Road  
Birmingham in the County of Warwick Doctor of Divinity  
a Householder and a British born subject do solemnly  
and sincerely declare as follows.

- 1 For **four** years last past I have known and been  
well acquainted with Mr. Charles Agathon Guillaume  
Oliphant formerly of Leyden in the Kingdom of Holland  
but now residing at N<sup>o</sup>. 29 Montague Place Russell Square  
in the County of Middlesex the Memorialist named in  
the annexed Memorial.
- 2 The said Charles Agathon Guillaume Oliphant is a  
Gentleman of great respectability and I verily believe he  
would be a true and loyal subject of her Majesty the  
Queen in the event of his obtaining a Certificate of  
naturalization as a British subject.
- 3 I have read the annexed Memorial and the facts  
and circumstances therein stated are true and correct to  
the best of my knowledge information and belief.  
And I make this solemn declaration conscientiously believing  
the same to be true and by virtue of the provisions of an  
Act made and passed in the sixth year of the reign of His  
late Majesty King William the Fourth intituled an Act to  
Repeal an Act of the present Session of Parliament intituled  
an Act for the more effectual abolition of Oaths and Affirmations  
taken and made in various Departments of the State and to  
substitute Declarations in lieu thereof and for the more entire  
suppression of voluntary and extra judicial Oaths and Affidavits  
and to make other provisions for the abolition of unnecessary  
oaths.

Charles Badham

declaration made before  
~~before~~ in the presence of  
Edwin Stoughton, a  
Justice of the Peace for the  
Borough of Birmingham



26

I William Forbes Skene of 18 Hill Street in the City of Edinburgh Writer to the Signet Do solemnly and sincerely declare as follows:



I was born in Scotland and am a natural born British Subject - I have practised as a Writer to the Signet in Edinburgh for the last thirty three years and I am a householder - My place of Business is at 18 Hill Street in the City of Edinburgh and my Dwellinghouse is at 20 Montith Row Edinburgh.

2. I know Charles Agathon Guillaume Cliphant, who has addressed a Memorial to Her Majesty's Principal Secretary of State for the Home Department praying for a Certificate of Naturalization under the Statute 7 and 8 Victoria Chapter 66 and have been well acquainted with him for upwards of ten years. Mr Cliphant was born at Syden in the Kingdom of the Netherlands and he is a Subject of that Kingdom but his Father Carel Naret Cliphant is a natural born Subject of the Crown of Great Britain under the Statute 13 George III Chapter 21 being the Grandson of a Scotchman videlicet James Cliphant who was born at Dundee in the month of December One thousand seven hundred and thirteen. His object in now seeking to obtain a Certificate of Naturalization is that he may be enabled on the death of his Father to hold a Landed Estate in Scotland which will then devolve upon him as the heir male and representative of the ancient Scottish Family of Cliphant.

3. James Blair Cliphant of Gask in the County of Perth for whom I acted as Agent and Solicitor entailed his Estate of Gask in Perthshire (which is a property producing Four thousand pounds a year or thereabouts) upon his heirs male whomsoever and directed his Trustees to put the

532



her male in possession after the death of his sister. He died in One thousand eight hundred and forty eight, and his sister having died in the year One thousand eight hundred and sixty four it became the duty of the Trustees to transfer the Estate to the heir called to the Succession. —

4. I have acted as the professional Adviser of the Trustees ever since the death of James Blair Oliphant and on their behalf I have instituted enquiries in order to ascertain who is now the heir male of James Blair Oliphant and as the result of such enquiries I have arrived at the conclusion and I believe that the nearest heir male is Carol Naret Oliphant. I have submitted the evidence of his descent to the Lord Advocate of Scotland and Mr. Patrick Fraser Advocate and have been advised by them that he will succeed in establishing his title to a transfer of the Estate of Gask. He is now aged eighty five years and supposing him to be entitled as I believe him to be, the Estate will on his death devolve by Law upon his Son Charles Agathon Guillaume Oliphant the present Applicant as the next heir male but he will be unable to hold it unless he be naturalized. —

5. Mr. Charles Agathon Guillaume Oliphant came with his Family on the second of May last to reside in the United Kingdom with intent to settle therein and he is now living at N<sup>o</sup> 29 Montagu Place Russell Square. I am, as before stated, well acquainted with him and I can state with confidence that he is a man of good character and a gentleman and that in the event of his being naturalized as a British Subject he will prove a true and loyal Subject of Her Most Gracious Majesty. —

6. I have been informed at the Home Office and I believe that with respect to ordinary applications for naturalization

by persons of foreign extraction a rule has been laid down by the Secretary of State which requires a residence of three years or thereabouts as a condition for the grant of a Certificate of Naturalization but such rule does not, as I apprehend, apply to a case like the present, where the applicant is the Son of a natural born British Subject and the male heir and representative of an ancient British Family. It might entail this great hardship upon the Applicant that as, owing to his Father having attained the great age of eighty five, the succession may devolve upon him before the expiration of the three years residence which is required in ordinary cases, — he might by the operation of that rule be debarred from succeeding to his Father in the Family Estate. —

7. I have perused the annexed Memorial of Mr. Charles Agathon Guillaume Oliphant and I know the facts and circumstances therein stated to be true. —

And I make this solemn Declaration conscientiously believing the same to be true and by virtue of the provisions of an Act made and passed in the fifth and sixth years of the Reign of His late Majesty King William the Fourth intituled "An Act to repeal an Act of the present Session of Parliament intituled An Act for the more effectual abolition of Oaths and Affirmations taken, and made in various Departments of the State and to substitute Declarations in lieu thereof and for the more entire suppression of voluntary and extrajudicial Oaths and Affidavits and to make other provisions for the abolition of unnecessary Oaths". —

Taken and Declared at N<sup>o</sup> 6  
New Square Lincoln Inn in the  
County of Middlesex this 16<sup>th</sup> day of  
June 1866.

before me

*William J. Stene*

a London Commissioner to administer oaths  
in Chancery.



Donville

2/6

Re Olyphant.

Declaration of  
William Forbes Skene  
Esq<sup>r</sup>.           

---

---



8. Great George Street, Westminster, S.W.

Jan<sup>y</sup> 8, 1867.

Sir,

We beg to send herewith a Letter addressed to you by W. C. A. G. Oliphant, requesting that a Licence to remain in Leyden till the 1<sup>st</sup> of August next may be granted to him, with a Copy of his letter to the Secretary of State of June last therein referred to, and a Declaration by W. W. F. Skene as to the truth of the statements in W. Oliphant's letters.

We are informed that W. Oliphant left this Country for Leyden on 27<sup>th</sup> July last; and in the circumstances we trust you will be pleased to grant a Licence to him to remain there till the 1<sup>st</sup> of August next, as requested in his letter.

We are,

Sir,

Your most obed<sup>t</sup> serv<sup>t</sup>

The Right Honorable  
The Secretary of State  
for the Home Department  
Whitehall.

Lockhart Maclean



S. Jan. 64.  
W. Oliphant's Agents

Pat<sup>n</sup> No 5087



9<sup>th</sup> Jan  
10

Naturalization

Their Client applies  
for permission to  
remain abroad until  
1<sup>st</sup> of Aug<sup>t</sup> next—

8400.

Pressing

27 great permission  
S. H. W.

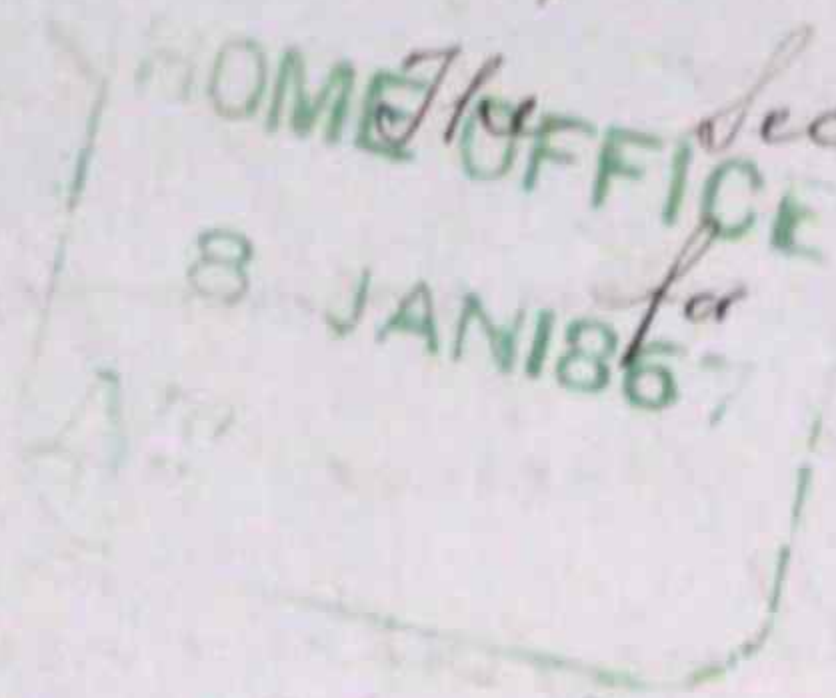


To

The Right Honorable

The Secretary of State

for the Home Department



Leyden 4 Jan'y 1867.

Sir,

In June last I laid a Memorial before you praying for letters of Naturalization, on the ground that the Succession of an Estate in Scotland had opened to my father M<sup>r</sup>. Carel Caret Oliphant of Leyden, who being the Grandson of a British-born Subject was entitled to the privileges of a British Subject, but that I, his eldest son, having been born in Holland would, as an alien be prevented from succeeding to my father in said Estate, unless naturalized as a British Subject during his life.

The particulars of my case are fully stated in the Memorial and Affidavits then lodged, and in the letter which accompanied them, and of which letter I enclose a copy; and in the circumstances of the case Sir George Grey, then Secretary of State was pleased at once to grant the Certificate of Naturalization.

The Certificate is dated 19<sup>th</sup> June 1866 and enrolled in Chancery in terms of the Statute the 22 June, and the usual oath was taken conform to Certificate thereon.

I was at that time resident in London, but I was obliged some time after to return to Leyden in order to be examined as a Witness under a Commission from the Sheriff of Chancery in Scotland for taking evidence in Holland, in proving my Father's descent from his great grandfather John Oliphant, Magistrate of Dundee in Scotland, during which time



the family lived in Holland.

The letters of naturalization provide that if at any time I should voluntarily be absent from the United Kingdom for a period of six months at any one time without license in writing under the hand of one of Her Majesty's Principal Secretaries of State, I should be deemed to have ceased to reside permanently within the United Kingdom, and then and in such case the Certificate in my favor, and all the rights and capacities thereby granted should absolutely cease and determine. My health is at present very delicate which renders it unadvisable <sup>for me</sup> to return to England till the weather be warmer. I am also anxious to remain this winter in Leyden with my father now eighty-five years of age.

My intention is to return to England in summer, and I trust you will be pleased in the circumstances to grant me license to remain with my father in Leyden till the first day of August next.

I have the honor to be  
Sir

Your most obedient Servant  
C. A. G. Cliphant



Copy

HOME OFFICE

8 JAN 1867

29 Montagu Place

Russell Square

June 1866

Sir

I have the honor to lay before you a Memorial presenting for letters of naturalization accompanied by Declarations of four householders in usual form.

I am aware that in the ordinary case of an alien applying for the privilege of naturalization as a British subject, the rules of the Home Office require that he should have resided continuously within the United Kingdom for a period of at least three years but I am respectfully to submit that mine is an exceptional case to which this rule was not intended to apply and that if enforced it might be attended with injurious effects upon my patrimonial interest in this country which I feel confident could not have been intended in attaching that condition to the granting of Letters of Naturalization that an alien in my peculiar position should be exposed to.

The grounds on which I respectfully ask exemption from that condition are these.

1<sup>st</sup>. I am the descendant and male representative of an ancient Scotch family, my great Grandfather having emigrated from Dundee in Scotland to Rotterdam.

2<sup>nd</sup>. Though from having been born in Holland I am an alien



yet I am not the son of an alien, my father being the  
Grandson of a British born subject is entitled to all the  
privileges of a British subject.

3<sup>rd</sup> The succession to the family estate in Scotland has now  
opened to my father as nearest heir male. He is at present  
in right of it and is to take immediate possession

4<sup>th</sup> My father being 85 years of age, should I be required to  
have resided in the United Kingdom for three years before  
I can be naturalized & should he die before the expiry of  
that period I may be debarred by alienage from succeeding  
to my own father in the family estate under the entail  
which calls me to the succession after him.

In proof of the truth of the statements on which I  
base my request I have respectfully to ask your attention to  
the Declaration of Mr. W. F. Skene one of the four householders  
who was agent for the late Mr. Oliphant of Gask by whose  
death the succession opened to my father & who is now  
Agent for his testamentary trustees who are in possession of  
the Estate.

Trusting that in these peculiar circumstances you  
will favorably entertain my application.

I have the honor to be

Sir

Your Obedient Servant

L. A. G. Oliphant.

To the R<sup>ts</sup> Honble the  
Secretary of State  
for the Home Department



HOME OFFICE

8 JAN 1867

I William Forbes Skene Esq. Writer to the  
Signet, of N. Eighteen Hill Street, Edinburgh,  
Do solemnly and sincerely Declare, That I  
am Agent for the Trustees of the late James  
Blair Oliphant of Gask: that I am acquainted  
with the whole circumstances connected with the  
descent of Mr. Carel Caret Oliphant of Leyden  
from the Scotch family of Oliphants, and his  
claim to property in Scotland, and that I made  
affidavit to the truth of the statements con-  
tained in his son, Mr. C. A. G. Oliphant's letter  
of June Eighteen hundred & sixty six  
applying for a Certificate of Naturalisation which  
was granted on nineteenth June Eighteen hundred  
& sixty six: That I know that Petitions were pre-  
sented by Mr. Carel Caret Oliphant to the Sheriff  
of Chancery in Scotland praying to have him  
served heir to his great grandfather John Oli-  
phant, Magistrate of Dundee, and his great  
great grandfather William Oliphant Merchant  
in Dundee, and that on seventeenth August Eight-  
een hundred & sixty six the said Sheriff granted  
Commission to David Boyle Hope, Esq. Advocate to  
take evidence in Holland; that I was present  
when said (said) evidence was taken at Leyden  
on the tenth and eleventh of September Eighteen  
hundred & sixty six when Mr. C. A. G. Oliphant  
was examined as a witness: That the evidence  
then taken completely established the descent of  
Mr. Carel Caret Oliphant from the said John Oli-  
phant, Magistrate in Dundee his great grand  
father

Wm Forbes Skene  
Per Wm Wright



father, and that his grandfather James Oliphant  
of Rotterdam was born at Dundee in Scotland:  
That I am also aware that Mr. C. A. G. Oli-  
phant is in delicate health, and that any ex-  
posure to extreme cold is injurious to him: And  
I make this solemn Declaration conscientiously  
believing the same to be true, and in virtue of  
the provisions of an Act passed in the fifth &  
sixth years of His late Majesty William the  
Fourth Chapter sixty-two entitled "An Act to  
" repeal an Act of the present Session of Parlia-  
" ment entitled 'An Act for the more effectual  
" abolition of oaths and affirmations taken and  
" made in various departments of the State and  
" to substitute declarations in lieu thereof, and for  
" the more entire suppression of voluntary & extra-  
" judicial oaths and affidavits, and to make  
" other provisions for the abolition of unnecessary  
" oaths."

William J. Stewart

Declared at Edinburgh the Seventh  
day of January Eighteen hundred  
and sixty seven Before me one of  
Her Majesty's Justices of the Peace  
for the City of Edinburgh

John Smith J.P.