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**The Liberal party in Scotland,  
1843-1868:  
electoral politics and party development**

**Gordon F. Millar**

**Departments of Scottish and Modern History  
University of Glasgow**

**Presented for the degree of Ph.D. at the University of Glasgow**

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## ABSTRACT

The Liberal party in Scotland in 1843 was, in both burghs and counties, Whig and moderate Liberal dominated. The Corn Law repeal controversy and, in Scotland of longer-lasting significance, the Disruption in the Church of Scotland changed this situation.

In the counties the split in the Conservative party began a process that was to make these constituencies increasingly receptive to the Liberal party. In the late 1840s this was largely a function of Conservative weakness. The Protectionists, Free Trade and Peelite Conservatives maintained their position overall, but were no longer able to mount any challenge to the Liberals. As the Conservatives were identified with the Established Church of Scotland, the Liberals gained from Free Church support, especially in the far north of Scotland.

Corn Law repeal had shown in the burghs that the Scottish Whigs, T.B. Macaulay in Edinburgh was a prominent example, were not prepared to move in step with the desires of the growing commercial and professional middle-class for further reform. This situation was made acute by the existence of the Free Church after 1843 whose membership largely came from this social group. They felt little loyalty to either Whigs or Conservatives and were Liberal out of their desire for change, by which they meant either purification or dismantling of the Establishment. Those who wanted purification tended to be moderate politically, those who wanted a dismantling were more radical. These Free Churchmen were energised by the increase in the Maynooth Grant in 1845. This provided a rallying point round which Free Church and Voluntary members could gather to exercise political influence, while forgetting their differences over the question of an Establishment. This alliance was successful in 1847 in winning significant victories in the Scottish burghs and in defeating leading figures in the Scottish Whig establishment.

The election of 1852 generally confirmed what had happened five years previously. In the counties it was obvious that Protection was a dead issue. The Free Trade Conservatives had begun returning to the Derbyite fold. Significant pockets of Peelite influence remained, especially in Ayrshire and wherever the Duke of Buccleuch was powerful. In the burghs there were some signs of strain in the Free Church/Voluntary alliance, most obviously in Edinburgh, where Duncan McLaren had to stand without Free Church support, and in Perth, where the Free Church chose to support the Whig, Arthur Kinnaird.

These strains became at times outright hostility thanks to the Education issue. Between 1854 and 1856 Lord Advocate James Moncreiff tried three times to open up the parish school system in Scotland to other Presbyterian denominations and to otherwise increase the level of educational provision. He failed partly because of the expected opposition of the Established Church of Scotland and the Conservative party, but also in the end because of Voluntary opposition to proposals which appeared to give too much power to the State and to the Free Church. This made co-operation between the Free Church and especially hard-line Voluntaries impossible at the 1857 general election.

The mid 1850s also witnessed the Crimean War, the resultant collapse of the Aberdeen ministry and the coming to power of Palmerston. The demand for administrative and structural reform which arose at this time found expression in Scotland even before the disasters experienced in the Crimea. Movements such as the Scottish Rights Movement and the National Education Association appeared which expressed a wish for change in the structures of Scottish society. These were to take place within the context of improving the Union, to match those which had taken place economically and socially. Scottish Liberals were involved in these organisations and individuals and sections of the party participated fully in debate on the issues, often using their position on one or more to define their position in the party and those of others.

In addition, therefore, to the disillusionment with sectarianism in Education, a more tolerant, secular, moderate political current began to make itself felt, above all in the burghs. This manifested itself at the 1857 election in the return of more moderate Whig Liberals and in the defeat of candidates who had stood out for religious intolerance. The Free Church, alienated from the Voluntaries by the experience of the Education issue, was an important factor in this development as were voters brought on to the rolls by the 1856 Burgh Registration Act.

In the counties Conservative satisfaction with Palmerston's foreign and ecclesiastical policies, the so-called Palmerston factor, led to these constituencies becoming even more receptive to the Liberals. With the collapse of the Aberdeen ministry, the remaining Scottish Peelites either returned to the Conservatives, for instance the Duke of Buccleuch, or maintained an independent position sympathetic to Palmerston. A few joined the Liberals.

The election of 1859 was quiet in terms of contests and confirmed, where they took place, the Whig and moderate Liberal recovery in the burghs and the Liberal ascendancy in the counties. Beneath the surface new issues were already emerging, most importantly Reform of the electoral system. The reactions to this issue in particular helped to define where individual Liberals belonged in the spectrum of the Liberal party.

The period to the passage of the Second Reform Act for Scotland in 1868 was marked by further pressure on the Liberal party to respond to groups in society which were looking to it to provide an answer to their concerns. In the burghs this concerned the working-class and especially that section of it which, thanks to a rise in rents, the efforts of housing co-operatives and the Burgh Registration Act already had the vote under the old system. Through opposition to the Master and Servant Law, the demand for the ballot and organisations like the Reform League, this group became politicised and looked to the Liberal party for political representation. They were interested in integration into the political system and in influencing the direction which the Liberal party was taking. A parallel can be drawn between this and the impact of the Free Church/Voluntary alliance on the Liberal party in the 1840s and early 1850s.

In the counties pressure came most of all from the tenant farmers disturbed by the Game Laws and the law of Hypothec. The former allowed the landlord to shoot game over a tenant's field, the latter allowed distraintment of goods even if they had been sold to a third party. This brought the economic interests of the tenant farmers into conflict with the existing system. Their political solution in the 1860s was to turn out Conservative M.P.s in favour of Liberals in the hope of getting a modification or abolition of these laws.

In 1868 the electoral system was reformed in Scotland. With household suffrage, burgh electorates increased greatly in size which changed the nature of politics. A personal canvass was no longer possible. This led to co-operation in two or three-member seats like Dundee and Glasgow between moderate Liberals and representatives of the working class to ensure that a split Liberal vote did not let a Conservative in.

The Liberal party in this period shows itself to be a very flexible body. It was able, not without internal battles, to take in new groups as they emerged in mid-nineteenth century Scotland. Where it proved less immediately responsive to some groups was in the nature of the representatives who could be elected under the 1832 franchise.

## INTRODUCTION

The Liberal party between the Disruption and the Second Reform Act was at the very core of Scottish life, involved in everything from debating the country's educational provision to discussing whether a tenant farmer should, or should not, be allowed to shoot the hares and rabbits that ran over the land he rented. A glance at the results for Scottish constituencies in McCalmont shows very clearly that the Liberals were the dominant force in Scottish politics in the period<sup>1</sup>. A closer glance reveals that these Liberals were often to be found standing against each other when matters came to a contest.

This raises the question of whether Liberalism at this time was a creed, a philosophy to which different sections of a broad spectrum of political opinion could, to varying degrees, subscribe, or whether it was, in fact, a 'party'? It then becomes necessary to discuss what a 'party' in the mid-nineteenth century was. Other questions lead on from this. For example, 'What electoral pressures were causing these disagreements within the Liberal party that had to be settled at the poll?' or 'What kind of organisation went with the concept of party in mid-nineteenth-century Scotland?'

This introduction opens discussion on the first question as to what is meant by 'party' and relates this to the problem of where the balance between 'Liberal party' and 'Liberal creed' lay in this period in Scotland. It also sets a framework by looking at what other historians have said about this subject. Finally, the definitions of a number of important terms necessary in discussing the Liberal party in this period are also given

A disillusioned David Bell in announcing the end of his damp squib candidature for the Falkirk Burghs in 1851 had this to say about 'party':

'Party, you are aware, has been said, and justly said, to be the "madness of many for the gain of a few."'<sup>2</sup>

Whether he was talking about the frenzied drinking and merry-making that accompanied elections in this, the only really corrupt burgh seat in Scotland, can only be guessed at. Bell's is also a rather disillusioned view and it is open to question how widely held his negative ideas were. What is certain is that people did at this time think in terms of 'party'. To many it was something that they felt they were born with:

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<sup>1</sup> J. Vincent and M. Stenton (eds.), *McCalmont's Parliamentary Poll Book, British Election Results 1832-1918*, Brighton 1971

<sup>2</sup> *Falkirk Herald*, 6th February 1851

'... all of us feel the burden of party - and probably long to be free - but the old man of the mountain is too much for us - ...'<sup>3</sup>

What they meant by 'party' is what requires clarification.

J.B. Conacher identifies three criteria by which he defines a political party. Firstly a political party should have as its purpose the intention to become the basis of the next government. Secondly it is characterised by a membership that share common principles and traditions, and finally it normally has some definite organisation inside and outside Parliament<sup>4</sup>. In discussing what constituted a party in Scotland this provides a good point of departure.

Forming the basis of the next government was something which obviously involved more than just Scottish, or for that matter English considerations, but it was in the mind of every candidate for a parliamentary seat at this time. Each was asked, or expected to define his position in relation to the recognised leadership of the main parties. 'Was the candidate going up to St. Stephen's to give his 'independent' support to Lord Palmerston or not?'

Another important consideration, which Conacher's definition does not mention, was winning and holding power locally. The question here was sometimes how winning power locally related to winning it for 'the Liberals' nationally. Duncan McLaren, for instance, running for a seat in Edinburgh in 1865 certainly did not see himself as a Palmerstonian. In Scotland there was also the added dimension of Scottish national considerations. To take McLaren again, he wanted the opportunity to stand in 1859 so that he could make sure that Scotland got the best possible arrangement out of the Reform Bill he expected to be passed by the next Liberal government<sup>5</sup>. What was acceptable to the rest of the UK party might not be acceptable to the Scottish Liberals. The theme of so many Scottish M.P.s, both Liberal and Conservative, in the late 1850s and 1860s was the under-representation of Scotland.

The balance between centrifugal forces pulling the Liberals apart into factionalism and centripetal forces holding them together is central to the discussion of the way in which they constituted a 'party'.

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<sup>3</sup> J.B. Hamilton to William Stirling, 19.3.1857, Stirling of Keir MSS., MS. T-SK 29-79/36. Hamilton is explaining why he cannot cross the party divide to vote for Stirling.

<sup>4</sup> J.B. Conacher, 'Party Politics in the Age of Palmerston', in P. Appleman, W.A. Madden and M. Wolff, *1859 : Entering an Age of Crisis*, Bloomington 1959, p. 164

<sup>5</sup> D. McLaren to J. McLaren, 6.4.1859, F.S. Oliver MSS., MS. 24791, ff. 21-26



The requirement to have common principles and traditions depended in Scotland, as elsewhere, on which were chosen as the defining criteria. A belief in 'Reform' could be subscribed to by a wide variety of diverse groups. Other principles were more divisive. The need for religious instruction in schools is a good example. What kind of religious instruction? At whose expense? Such questions could not be answered by all and at the end bring everyone together round a belief in the necessity for religious instruction in schools. George Tierney had said that Reform could never be a bond of party because those who supported it were "a thousand different shades of opinion", but this was precisely its secret as a common principle<sup>6</sup>. The mid-nineteenth century concept of party laid value on a person's independence as well as on his party loyalty. Adhering to a common principle and tradition such as Reform allowed for both. But that was as flexible as it got. It was not possible to be a Liberal in Scotland, if one did not believe in Reform. Beyond that any individual Liberal was left to reach his/her own definition of what Reform meant. Was it a £10, £6, £5 or £4 burgh qualification, was it a household franchise or was it universal suffrage? Unlike religious instruction in schools, however, it was possible to take up any one of these positions, even the status quo, and say that one was a 'Reformer'. Free Trade was another such common principle. Again, having said he was a Free Trader, a Liberal then further defined himself by saying what Free Trade meant. Was it abolition of the Corn Laws or was it a fixed duty? Was it assistance to the shipping trade or abolition of the Navigation Laws? To these might also be added the concept of 'civil and religious liberty'. But did this mean the freedom to call the leader of one's church a bishop or did it not? The Russell government's Ecclesiastical Titles Act of 1851 said not and there were many Scottish Liberals on both sides of the argument who said they believed in 'civil and religious liberty'.

These common principles were part of the 'warp and woof' of Scottish Liberal life. Here is Walter Buchanan, Liberal candidate for Glasgow at a by-election in 1857, giving his definition of Liberalism in his address to the constituency:

'I include under that name the principles of civil and religious liberty, the extension of the basis of popular rights, freedom of trade, and progressive reform suited to the requirements of the time, in all the institutions of the country, social as well as political.'<sup>7</sup>

No Scottish Liberal could take exception to this. Buchanan's contest with James Merry, another Liberal, was all about how to interpret such a creed, how to shape or meet the demands of the Liberal constituency for putting this Liberalism into action.

<sup>6</sup> Sir L. Woodward, *The Age of Reform, 1815-1870*, Oxford 1962, pp. 57-58. Tierney was speaking in 1824.

<sup>7</sup> *The Glasgow Herald*, 27.2.1857

Broad common principles and traditions such as Reform raise the question of 'party' cohesion. It was a contemporary discussion point in this period. In an article in the *Quarterly Review* in 1856, W.E. Gladstone saw the notion of 'party' in the period immediately after the Reform Act of 1832 in the following terms:

'It was confidently said, that the Reform Bill was to extinguish the system of government by party. But when once the momentary feeling had passed by, which gave to one section of politicians a factious, and for the time overwhelming strength, it became clear that the tendency of the Reform Bill for the time was not to destroy, not even to mitigate, but to continue, nay, to sharpen and enhance the struggles of party. Town and Country, upon the whole represent the respective preponderances in Great Britain of Church and Dissent, of Authority and Will, of Antiquity and Novelty, of Conservation and Reform; and Town and Country had received from the Reform Act each its separate organisation, acutely distinct and angular, while all the intermediate, nondescript, miscellaneous influences, that under the old system had darkened the dividing lines and softened the shock of the adverse powers, had been but too ruthlessly swept away.'<sup>8</sup>

He went on to compare this period with the state of party politics in the 1850's:

'We now hear grey, or semi-grey politicians, ... descanting, before the admiring babies of the last ten years growth, on the comfort and satisfaction of the good old days of party government, before the great break up of 1846. Ah! those times indeed. What close running! what cheering! what whipping in! No loose fish; no absentees: if a man broke his leg before a great division, it was a kind of petty treason.'<sup>9</sup>

'Twenty years ago the Liberal and Conservative parties had taken opposite ground on a multitude of great public questions. Most of those causes of difference have disappeared by the settlement of the questions to which they referred. ... the interval between the two parties has, by the practical solution of so many contested questions, been very greatly narrowed. He who turns from Pall Mall towards the Park between the Reform and Carlton Clubs will perceive that each of those stately fabrics is mirrored in the windows of the other; and it may occur to him, with horror or amusement, according to his temper, that these mutual reflections of images set up

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<sup>8</sup> 'Hansard's Parliamentary Debates - The Declining Efficiency of Parliament', *Quarterly Review*, vol. XCIX, Sept. 1856, pp. 521-570, pp. 526-527. Attributed to W. E. Gladstone in W.E. Houghton (ed.), *The Wellesley Index to Victorian Periodicals, 1824-1900*, Toronto 1966

<sup>9</sup> *Ibid*, p. 527

in rank antagonism to one another, constitute a kind of parable, that offers to us its meaning as we read with conscience and intelligence the history of the time.'<sup>10</sup>

Was this true in Scotland? Gladstone himself had found out that 'party' was far from dead in the 1850s when he was almost thrown out of the window of the Carlton in December 1852<sup>11</sup>. Had the differences which Gladstone identified as being sharpened after 1832, between Town and Country, and Church and Dissent, really gone into abeyance north of the Border<sup>12</sup>? It seems doubtful. The Education debate of the 1850s created as deep a divide as many pre-1846 issues had. It involved a struggle between dissenting urban and Established Church county Scotland. Charges of 'petty treason' were made and answered, as Sir James Fergusson found out in Ayrshire when he supported a Liberal Education Bill and encountered the wrath of some of his Conservative, Church of Scotland constituents.

Even in the late 1850s, during the debate on the Derby government's Reform Bill, this was not the case in Scotland. On such an issue Gladstone's view and Hazlitt's comment that:

'... the two parties were like rival stage-coaches which splashed each other with mud, but went by the same road to the same place.'<sup>13</sup>

might have held some weight. After all both parties were trying to reform the electoral system, the disagreement surely lay in the details. The reality was that the Derbyites were seen as trying to usurp the Liberal heritage. *The North British Daily Mail* had the following to say about David Mure, the Derbyite candidate in Buteshire in 1859, and J.S. Wortley, the county's sitting M.P. who had gone to fight the West Riding of Yorkshire, also as a Derbyite:

'Both of them, when placing themselves under the Derbyite banners, did not scruple to affirm that they were still, with perfect consistency, in favour of representative Reform, and of other measures which, were part and parcel of their opponents policy. Nay, both of them have had the boldness to claim for the Premier, Lord Derby, a

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<sup>10</sup> *Ibid*, p. 562

<sup>11</sup> J. Morley, *The Life of William Ewart Gladstone*, London 1903, vol. I, pp. 440-441

<sup>12</sup> It is noticeable that Gladstone's list would have been more logical if he had started with 'Country' and 'Town'. The other comparisons would then follow on respectively.

<sup>13</sup> Sir L. Woodward, *The Age of Reform, op. cit.*, p. 58. Robert Stewart makes use of the same reference in his *Party and Politics, 1830-1852*, London 1989, p. 36

prominent share in the carrying out of every Liberal Bill that has been passed during the last twenty years. ...

They are only Liberals because, when making any other pretence, they could never gain or keep office, and because they will far rather be hypocrites and political swindlers than continue always on the barren Opposition side.<sup>14</sup>

The point was that there were *two* stage coaches and for the Scottish Liberals the livery and coach work of the one was not to be copied by the other just so that it could get more passenger traffic without pointing out that this involved abandoning political principle and tradition. Even the destination in each case was not admitted as being the same. The Liberals in Scotland made a great play on the fact that it was not possible to steer the Conservative stage-coach in a Liberal direction. It was then necessary to use the label *Liberal Conservative*. *The Border Advertiser* had this to say in 1859:

The great pretence shown now for the title Liberal Conservative, though in many cases a mere blind, indicates the direction in which public opinion and hence public men are moving. It is significant of the great onward march of progress that even the Tories have, by mutual consent, abandoned their very name, together with many of their most fondly cherished old principles.<sup>15</sup>

In other words, by taking such a course, one was no longer a Conservative. Liberal cohesion could be stretched, but not stretched so far as to include those whose traditions were not Liberal. One could not become a Reformer over-night, or even in the course of a few years. Principle was not enough. Tradition, meaning a history of belief and loyalty stretching also into one's family background and social circle, was necessary. The Peelites in Ayrshire, for instance, were not accepted as Liberals. Eight years after the split in the Conservative party the radicals in that county objected strongly to supporting one of these Peelites, Alexander Oswald, and did so in the following terms:

'... we do not expect liberal neophytes to adopt all our political views, but on the other hand, we have a right to require from them that they will not attempt to obtrude upon us a candidate so offensive as Mr. Oswald, and if they insist upon doing so, we tell them plainly, that they had better return to the Tory camp until they have learned the primary elements of liberal principles.'<sup>16</sup>

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<sup>14</sup> *The North British Daily Mail*, 11.5.1859

<sup>15</sup> *The Border Advertiser*, 15.4.1859

<sup>16</sup> Open letter from Rigby Wason to Mr. Goudie, *The Ayr Advertiser*, 21.12.1854

The litmus test for Liberalism then in Scottish politics in this period was Reform. Did a person belong to the tradition that had brought about the changes of 1832 or did that person form part of the tradition which had resisted these changes? "Reform was an issue on which neutrality was impossible."<sup>17</sup> The 1832 Act has, in fact, been seen as the legal basis of the 'somewhat unwieldy political alliance known as Scottish Liberalism'<sup>18</sup>.

To this could be added the deep dye of confession. Being Free Church or a Dissenter, Voluntary in Scotland, made one almost certain to be Liberal. The Established Church of Scotland, though, was not the Scottish Conservative party at prayer. There were many Liberals who remained with the 'Auld Kirk' after 1843. Confession helped to define a person's Liberalism, it did not, by itself, define the Liberal party as a whole. What, it can be argued, did was a reforming attitude to religion. As Michael Fry has pointed out:

'... the ecclesiastical constitution was of more practical relevance to most Scots than the political constitution.'<sup>19</sup>

and a lot of political debate was inextricably bound up with religion. Whereas most Scottish Conservatives wanted to preserve the traditional role of the Church in society, most Liberals were prepared to move forward, the Established Church Liberals seeing reform as a way of strengthening the Church of Scotland. Education is a good example of this.

Scottish Liberals also defined themselves in terms of what made them different from their opponents. The Conservative<sup>20</sup> tradition was traced back by the Liberals to the oligarchy that had controlled most seats in Scotland prior to 1832 on the basis of patronage and management<sup>21</sup>. They were portrayed as the opponents of Reform in 1832, a view which was propagated right through the succeeding era and even beyond the passing of the 1868 Reform Act under a Conservative Government:

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<sup>17</sup> D.E.D. Beales, *The Political Parties of Nineteenth Century Britain*, London 1971, H.A. pamphlet, p. 11

<sup>18</sup> D.W. Urwin, 'The Development of the Conservative Party Organisation in Scotland until 1912', *S.H.R.*, vol. 44, 1965, pp. 90

<sup>19</sup> Michael Fry, *Patronage and Principle*, Aberdeen 1987, p. 44

<sup>20</sup> 'Tory' is used here with much the same meaning as 'Conservative'. At the time it was used as a term of abuse. In the period 1846 to 1859 the term Derbyite is often used synonymously with Conservative to differentiate them from the Peelites and Free Trade Conservatives.

<sup>21</sup> See Bruce Lenman, *Integration, Enlightenment, and Industrialisation, Scotland 1746-1832*, London 1981, pp. 156-159

'Unless a tyrant is believed to be falling at every blow - unless his every political act or attachment is felt to be in opposition to some fancied usurpation of power - the typical Scotsman is not at rest. Now the Conservative party has unhappily become identified with certain historical contentions at variance with that spirit of independence. The first Householder Bill it is true, was carried by Mr. Disraeli, but that does not remove the popular belief that the blessings of the extended suffrage were conferred by the Liberals.'<sup>22</sup>

The Conservatives had, in other words, delivered, but because of the popular perception of what they stood for, it was the Liberals that benefited.

Their power base in the years after 1832 was in the counties, in which they quickly re-established their position, in the Established and Episcopal Churches, and amongst certain sections of the Scottish aristocracy. Derek Urwin considers it surprising that they managed to retain their footholds with the lairds for so long and puts this down to ingrained deference, the influence of local landlords, and the Old Tory tradition<sup>23</sup>. This was, in other words, a continuous tradition that was quite separate from Liberalism. Like the Liberals, the Scottish Tories could be identified as forming a group round certain issues. Retention of the Corn Laws until about 1850, retention of the Game Laws throughout and defence of the traditional social functions of the Established Church are good examples. Scottish Liberals held clearly different views on these issues from their Conservative opponents. How different was another way of defining one's Liberalism.

Eric Evans in his consideration of 'party' at this time quotes one contemporary defining Conservatism in words which are found again and again in election addresses of the period.

"... the Conservative party may be said to consist of all that part of the community who are attached to the constitution in *Church and State* and who believe that it is threatened with subversion by the encroachments of democracy ..."<sup>24</sup>

Whereas the Conservative talked of 'Church and State', the Liberal talked of 'civil and religious liberty'. When the Conservative used the phrase 'encroachment of democracy', the Liberal was to be found talking of 'progressive Reform'.

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<sup>22</sup> W. Earl Hodgson, 'Why Conservatism fails in Scotland', *National Review*, vol. II, 1883-84, p. 237

<sup>23</sup> Urwin, 'The Development of the Conservative Party Organisation in Scotland until 1912', *op. cit.*, pp. 91-93

<sup>24</sup> Eric J. Evans, *Political Parties in Britain, 1783-1867*, London 1985, p. 36 quoting Sir John Walsh, M.P., in 1836

The third of Conacher's criteria was the existence of a definite political organisation inside and outside Parliament. The way in which the Scottish Liberals 'worked' the electoral system through their organisation was another defining feature of the party. Organisation did exist in both burghs and counties. Membership of an election committee, the lists often running to hundreds of names were printed in the newspaper, was a way of defining one's political allegiance. Less formal and obvious were the ward, parish and central committees which ran campaigns, collected money, arranged transportation to the poll and disrupted an opponents efforts. Though these were often formed for a specific election they formed part of a continuous tradition of effort for the party at election time:

'We are busy forming district committees as well as a general Committee which will meet every day in the Town Hall - I have not the slightest doubt that if you had been present with us to day that we would have had by to morrow night more than half the electors enrolled on your committee - our side is out and out the popular one. I believe every working man in Dundee is for you.'<sup>25</sup>

A discussion of the part played by the electoral system in itself in underpinning the Liberals' position follows in Chapter 1. The point here is that working this system helped to keep the Liberals together as a party. In 1846, for instance, the Liberals in Falkirk Burghs were faced with the option of supporting the Free Trade Conservative Lord Lincoln or of running their own candidate John Wilson. This came at a moment when the former's defeat would have been seen as a blow to the Peel ministry just as it was trying to repeal the Corn Laws, a measure Scottish Liberals very much believed in. Despite the circumstances, and because Lincoln refused to agree to hold the seat on their conditions, the Liberals went ahead with Wilson. To have done anything else would have been to hand over the Liberal party's identity in the Burghs<sup>26</sup>.

It has been argued that the electoral system established after 1885, with what amounted to equal electoral districts, led to a more 'horizontal' split in the electorate.

With the redistribution of seats in 1885 there were established many urban constituencies dominated either by the middle class, like Edgbaston, Headingly and Clifton or by the working class, like Bermondsey. The former were likely to be Conservative, the latter Liberal. Before 1885, when the electoral unit was the borough, these divisions within towns were concealed.<sup>27</sup>

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<sup>25</sup> Alexander Law to J.B. Smith, 25.6.1841, J.B. Smith MSS., MS. 923.2 S.336, f. 27

<sup>26</sup> *The Scotsman*, 29.4.1846

<sup>27</sup> Beales, *The Political Parties of Nineteenth Century Britain*, p. 21

The corollary to this was that before 1885, with the whole burgh as the electoral unit, a 'vertical' split may have existed. This idea of a 'vertical' division in constituencies opens up another explanation of the strength of the Liberal party in Scotland in this period. In explaining the failure of Conservatism in Scotland, the *National Review* author cited above pictured the first meeting of a Conservative association at which the chairman gloomily surveyed the political situation:

'Radicalism, he says is in the air. The working men are Radical. Believing that on that account their businesses would suffer were they to ally themselves with the Tories? Ah ha!, so are the merchant middle-classes. The dissenting denominations are Radical, and the Church of Scotland is more democratic than its Voluntary rivals are.'<sup>28</sup>

This sort of inter-class and inter-denominational identification with Liberalism was encouraged by the fact that electors were being asked to choose a representative for a constituency in which they all lived, not a suburban or an inner-city one. Chapter 8, which looks at Edinburgh, reveals that building vertical coalitions was the only way to win the seat. Belonging to the same Liberal party helped to facilitate making these alliances as people could appeal to the common tradition and principles of the party, the heritage and direction of which they were trying to control.

Accepting this picture of 'party' in the mid-nineteenth century, it follows on from this that the Liberal party was a very all-embracing institution in Scottish life. One interpretation sees it as almost a replacement for the Church in the years after 1843 in its ability to allow expression of national values<sup>29</sup>. It was a far more heterogeneous group than its Conservative counterpart. Within the Liberal party were to be found landowning Whig magnates, like the Mintos and the Leveson-Gowers. In the towns Whig estate owners, like Sir William Gibson-Craig, in the 1840s were replaced in the 1850s by Whig entrepreneurs, like Walter Buchanan. There were also Whig intellectuals and representatives of established Whig families like T.B. Macaulay. James Moncreiff is a good example of the Whig lawyer, professional class that was so important in Edinburgh. Divided from these Whig-Liberals by religion and/or political belief, on questions such as education and grants for religious purposes, were Free Churchmen and Voluntaries, such as Charles Cowan in Edinburgh and Sir James Anderson at Stirling. Some of these men could be described as 'advanced' Liberals, or Radicals. Sir James would have counted as 'advanced' as would Duncan McLaren in

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<sup>28</sup> Hodgson, 'Why Conservatism fails in Scotland', *op. cit.*, p. 238

<sup>29</sup> Michael Fry, *Patronage and Principle*, Aberdeen 1987, p. 2



Edinburgh. The term 'Liberal' on its own, therefore, could also refer specifically to those who were neither Whig nor 'advanced', those, in other words, who made up the foot soldier element of the Scottish Liberal party. Cowan would have fitted into this category.

These were not hard and fast political divisions, but rather the shadings which are natural within any political grouping. Moncreiff, for instance, in addition to being a Whig lawyer was a Free Churchman and a landowner. Without trying to pre-empt later discussion it may help to have a brief description of how the contemporary terms, 'Whig-Liberal', 'moderate-Liberal' and 'advanced-' or 'Radical-Liberal' were used, bearing in mind that this usage changed as time went on.

**Whig:-** This group included Liberals who supported the 1832 settlement and continued to do so. Adam Black, for example, saw too many dangers in diluting the property-holding franchise, fearing that this would lead to full democracy. Such Whigs were sometimes dubbed 'Finality' Liberals because of their refusal to consider changes to the 1832 settlement. Henry Craik summed up their position in the following way:-

'Having gone thus far, they were more than timid at the thought of going any further. They had struggled for Reform; but Reform when it came, was not so pleasant as it had appeared at a distance. Liberalised town councils had little regard for that hallowed past, which lived in the picturesque exterior of the fair capital. The old landmarks of society were broken through. The finest site on the Calton Hill - the pride of Edinburgh - was to be hired out by the town council to some entrepreneur of a quack scientific show. Manufacturers were to be introduced into Edinburgh: that plaguy populace would not be contented with a logical finality of Reform!'<sup>30</sup>

Thus there was often no love lost between them and their fellow Liberals. Often the term 'Whig' in this sense was used as one of abuse by more progressive Liberals for their more moderate brethren. J.B. Smith, probably writing to Duncan McLaren, caught the flavour of this Radical frustration when writing about the Stirling Burghs election of 1847:

'I never saw so much supineness on the eve of an election as now - perhaps one ought not to be surprised seeing the small line of demarcation between Whigs and Tories ...'<sup>31</sup>

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<sup>30</sup> Henry Craik, 'Why is Scotland radical?', from *The Quarterly Review*, vol. 148, July 1879, pp. 255-288, p. 280

<sup>31</sup> J.B. Smith to ? (D. McLaren), 4.6.1847, J.B. Smith MSS., MS. 923.2 S 335, f. 16

The term 'Whig' was also used, however, for people like James Moncreiff and Walter Buchanan, who believed in moderate extensions to the franchise and occasionally the ballot. Finally, there was an erastian, secular tradition in Whiggery, represented in Scotland, for example by Lord Melgund. It is, in other words very difficult to put one definition to. Nor does it help to try some sort of social definition. The Whigs of the mid-1840s were not the same as those of 10 years later. In Edinburgh, for example, the landed Gibson-Craigs had been replaced by the bookseller Blacks. The rather lame conclusion must be that a 'Whig' was always a member of the local Liberal establishment, a party 'in', but that what that precisely amounted to depended on time and circumstances.

**Moderate-Liberal:-** Often synonymous with 'Whig' but without the same sense of belonging to the establishment in any given constituency. Charles Cowan in his 1852 and 1857 manifestations was a good example. His background in beating Macaulay in 1847 always made him an outsider to the Whigs, even when they backed him in 1857. Very often this term was used to describe Free Church Liberals who did not see eye to eye with the Voluntary radicals they sometimes had to work with.

**Radical:-** Conacher in discussing this group in the late 50's admits to the difficulty of putting a figure on how many Radicals there were in the Liberal party. He refers to the many different types of Radical, philosophical, humanitarian, Manchester School, independent, and so on<sup>32</sup>.

In Scotland the matter was connected closely with religion. Radicals were usually Voluntaries or secularists. In addition, attitudes to the franchise were a frequently used yardstick. Support for the Ballot, for triennial parliaments, and for separation of Church and State were hallmarks of Radical or 'advanced' Liberals. The social difference between these Liberals and their Whig colleagues can be seen, for instance, in the case of George Anderson, M.P. for Glasgow between 1868 and 1885, who was the son of a Fife man who had been an employee of the Dennistouns of Golffhill, Whig members of the Glasgow burgher aristocracy<sup>33</sup>. Where we 'fall off the edge', as it were, into an area which can no longer be called Liberal is with, for example, the working-class "'people's candidate'" for Kilmarnock Burghs in 1868, Alexander McDonald. He attacked John Bright, made no friends in the Scottish Reform League and ended up being accused of Toryism<sup>34</sup>.

<sup>32</sup> Conacher, 'Party Politics in the Age of Palmerston', *op. cit.*, pp. 167-168

<sup>33</sup> David Teviotdale, 'Glasgow Parliamentary Constituency, 1832-1846', unpublished B. Litt. thesis, University of Glasgow 1963, p. 120

<sup>34</sup> W. Hamish Fraser, 'Trade Unions, Reform and the Election of 1868 in Scotland', *SHR*, vol. 50, 1971, pp. 154-155

Radicals were usually in opposition to what they perceived as the Liberal establishment, and therefore were also described as 'Independent' Liberals at times. Duncan McLaren, for example, spent more than 20 years trying to create a stable 'Independent' Liberalism in Edinburgh.

There is another significant group which requires discussion. The fate of the Peelites and Free Trade Conservatives is discussed in Chapter 3. While a separate group it is interesting to look at what contemporaries thought of them because, in trying to tie them down, these writers often made clear their belief in the traditional parties. This applied as much to the Radicals as the Conservatives, as the following extract reveals:

There was much of hearty, sound feeling in the old Tory. There was the ring of the true metal in his loyalty, and even in his prejudices there lurked a generous instinct. The old Liberal too, was a generous hater, and a sincere enthusiast in the cause of freedom. At all events, you knew *what* these politicians were. But your Liberal-Conservative, or Conservative-Liberal whose creed is made up of the shreds and patches of all parties, who "accepts all sound Reforms" provided they are never embodied in Bills, what is he but the type and representative of the shallow cynicism, the puny dilettantism, and the nerveless indifference of our day? ...

In one respect, indeed, the Liberal-Conservative resembles the lurcher, for his business is to poach upon the programme of both parties, to neither of which he belongs. ...

You will generally find the Liberal-Conservative to be a Tory who has his price, and the Conservative-Liberal a Whig for sale. But there is one effectual test for such nondescripts on the hustings. Let the constituency insist on knowing how the candidate will vote on the extension of the suffrage or the Ballot. Yes or No is sufficient.<sup>35</sup>

There were various kinds of Liberal-Conservatives in Scotland. Genuine Peelites, such as the Duke of Buccleuch, the Duke of Argyll, Lord Aberdeen and Lord Lincoln, formed a small and largely aristocratic group with an allegiance to Peel and to Lord Aberdeen. Some, such as the Duke of Argyll, went over to the Liberals. Others, the Duke of Buccleuch is the most prominent example, rejoined the Derbyite-Conservatives when the bond of allegiance was no longer politically relevant.

There were Free Trade Conservatives, such as Henry J. Baillie, who rejoined the Derbyites as soon as the Protection issue was overtaken by other concerns.

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<sup>35</sup> *Falkirk Herald*, 2.4.1857

Others, as Conacher suggests, may have been Conservatives who were 'content to see Palmerston as Prime Minister'<sup>36</sup>. This, and the impact of the Crimean War in general on the Liberal party, is discussed in Chapter 3. Lord Elcho in Haddingtonshire is a good example of a former Peelite who developed in this direction and continued to call himself a Liberal-Conservative.

There were, lastly, those who used this label as a matter of political convenience or necessity. As Beales puts it

'In the case of many private members who called themselves 'independent' or used labels like 'Liberal-Conservative', their party allegiance was in fact well-known and firm.'<sup>37</sup>

James Baird of Gartsherrie was a Scottish example. Such a party description may have helped him survive in the hostile environment, for a Conservative, of a Scottish central belt burgh seat.

Any discussion of the Liberal party in Scotland in this period will benefit from being set in its historiographical context.

Shortly after this period, in 1883, it was said that:

'So deeply seated, indeed, are their Liberal convictions, the Scottish people, it may be said, have almost no interest in politics.'<sup>38</sup>

Scots were assumed by the 1880s, in other words, to have so identified themselves with Liberalism that party politics was no longer interesting. Another, famous remark gives much the same impression:

'How is it, then, that, as we have seen, the Scottish Conservative candidates adopted by the constituencies can go together to St. Stephen's in a single first-class railway carriage?'<sup>39</sup>

Made with an eye to developments in the nineteenth century up until that time, these comments show that near contemporaries believed that Liberalism was Scottish politics, that the Liberal party had become so dominant as to be the only relevant feature of Scottish political life. The period between the Disruption and the Second Reform Act

<sup>36</sup> Conacher, 'Party Politics in the Age of Palmerston', *op. cit.*, p. 168 (fn. '\*')

<sup>37</sup> Beales, *The Political Parties of Nineteenth Century Britain*, p. 14

<sup>38</sup> Hodgson, 'Why Conservatism fails in Scotland', *op. cit.*, p. 235

<sup>39</sup> *Ibid*, p. 236. Attributed to Lord Rosebery.

formed a large part of the heyday of Scottish Liberalism that laid the basis for such views and the deeply entrenched political allegiances they reflected.

Contemporary and more recent commentators, Gladstone has already been cited, have also seen this particular period as a hiatus in British politics, or at least in the development of 'party':

'Legislative momentum slackened, the political temperature fell. Until 1868 the election of 1841 remained the solitary clear instance of the electorate's choosing a government by reducing the representation of the party in power at the time of the dissolution. The number of constituencies contested at general elections fell to 158 out of 399 in 1859. Ministries were made and unmade in the House of Commons. Independence seemed to have revived among M.P.s. This period is a warning against the view that historical development proceeds uninterruptedly. It was plainly a time of retrogression for parties.'<sup>40</sup>

In Scotland there is a basis also for such an opinion. In 1859, for instance, out of 53 seats only 8 were contested. 1841 had been near the high water-mark of Conservatism in the Scottish counties, a year in which the Conservatives also did better in the burghs, taking 2 seats, than they were to do at any other election between 1832 and 1868. This interpretation should not be pressed too far, however, for as Beales goes on to say:

'Still, the contrast with 1830-45 can be overdone. No Whig Front-Benchers became Protectionist Tories, or *vice versa*, between 1845 and 1868. It was only the Peelites who changed party, ...'<sup>41</sup>

Examples of the contemporary belief and hold of party in Scotland quoted above fully support this view. In Scotland, it could be argued that even the Peelites did not by and large change party. Indeed, by draining the Conservatives for a while in their natural county heartlands and reinforcing the principle of Free Trade they did, if anything, only help to strengthen the Liberal party. This contention is supported by the fact that some of them were replaced by Liberals while in other seats, Ayrshire is a good example, they helped the Liberals to push out the Derbyite Conservatives.

It only remains to stress there was a lot of continuity in Scotland, both with the pre-1843 situation and with what came after 1868. Reform was still the touchstone of politics after the 1843. The Disruption itself did not usher in a hiatus for anybody in Scotland!

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<sup>40</sup> Beales, *The Political Parties of Nineteenth Century Britain*, p. 14

<sup>41</sup> *Ibid.*

John Vincent in his analysis of 'Liberal Nationalism' seems to shut the door on inquiry into the internal dynamics of Liberalism in Scotland at this time. Acknowledging H.J. Hanham's work on this subject he says:

Dr. Hanham's diagnosis of the position in the three smaller countries in the 1860's, as cases where genuine social and confessional radicalism and national feeling were muted and nullified by traditional influences, and by the Lilliputian scale of constituency politics, appears to be fundamentally just. To his account of the quality, the issues, and the organisation of politics in Scotland, Wales, and Ireland, there is nothing to add.<sup>42</sup>

It is doubtful how far these contentions can be applied to Scotland. The existence of a 'National Association for the Vindication of Scottish Rights' in the 1850's suggests the presence of more than just muted national feeling, and whether traditional influences played a greater part in Scottish politics than in English is something that would be rather difficult to quantify. To claim that confessional radicalism was muted runs in the face of some of the most virulent imaginable mixtures of politics and religion. One is tempted to ask what Duncan McLaren would have had to say about his politics being low-key! Vincent goes on himself to question his assertions about matters confessional when he says:

'The shifting relations between types of churchmanship and political behaviour in Scotland, Wales, and Ireland, form a subject that cannot simply be treated *en passant*, and must not be pursued here.'<sup>43</sup>

He further puts his finger on the matter when he adds:

'Their [the M.P.s] *raison d'être* came chiefly from local matters, particularly religious matters which had no parallel in England. Hence the relations between the various national sections of the Liberal Party were of minimum intensity, sufficient only to enable English Liberals to win everything at a canter.'<sup>44</sup>

Small scale some of the politics may have been, but the fact that the matter cannot be treated *en passant* suggests that there is something to be discussed and the fact that English Liberals derived such benefit means that these local matters had more than just local significance. In any case, didn't English M.P.s also derive their *raison d'être* from

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<sup>42</sup> J.R. Vincent, *The Formation of the British Liberal Party 1857-1868*, second edition, Hassocks 1976, p. 48

<sup>43</sup> *Ibid*, p. 49

<sup>44</sup> *Ibid*, pp. 49-50

local matters, as Vincent himself shows? And what does 'minimum intensity mean'? Minimum for whom? Certainly not for the Scottish Liberals. Their frustration at their inability to get an Education measure passed in the 1850s was palpable, as was their growing disillusionment in the 1850s and 1860s at the way the Scots paid into the Exchequer and yet were under-represented at Westminster. If it is being argued that the religious matters were essentially local and had no parallel in England, then why were English Established Church and Non-Conformist M.P.s so willing to vote down successive Scottish Education Bills in the 1850s? Within Scotland also these matters were certainly not local phenomena. In 1852 *The North British Daily Mail* was able, for example, to state that:

'... men march to the polling booth now-o'-days not in parties or battalions, but in churches ...'<sup>45</sup>

Church matters are the most important determining factor in explaining political allegiance in nineteenth century Scotland as a whole. Asked in 1867 to report on why Scotland was so hostile to a Conservative government, Sir Graham Montgomery replied to Disraeli that:

'Then I think the Presbyterian form of church government is democratic in its tendencies, ...

In Scotland the Presbyterian dissenters are a very numerous and powerful body. Their enmity to the Established Church is bitter and undying. They look upon conservatives as greater friends to and stronger supporters of the Established Church than the liberals and hence their support of the latter at the elections.'<sup>46</sup>

Montgomery was in fact saying that Liberalism had an advantage in Scotland because Scottish society was more influenced by democratic ideals. This democracy, it might be argued, had given rise to so much dissent as Presbyterianism involved everyone having a say in church government<sup>47</sup>. The Disruption of the Church of Scotland, the central event in nineteenth century Scottish ecclesiastical history, was basically about church government. It, as a manifestation of that democratic spirit, was important in its turn in shaping both the Liberal and Conservative parties in Scotland. The Conservative disadvantage was then compounded by the fact that they were seen as the Established

<sup>45</sup> *The North British Daily Mail*, 14.7.1852

<sup>46</sup> Sir G. G. Montgomery to B. Disraeli, 21.1.1867, Hughenden MSS., MS. B/XXI/H/485, ff. 81-88

<sup>47</sup> This argument was taken up later in the century by a contributor to *The Westminster Review*. See Urwin, 'The Development of the Conservative Party Organisation in Scotland until 1912', *op. cit.*, pp. 91-92

Church's special protector, driving the forces of dissent, Voluntary and Free Church, into the arms of the Liberal party. The Education debate of the 1850s and 1860s, for example, had done a lot to reinforce this perception of Conservatism. What Montgomery did not allow for is that these Voluntary dissenters chose to support the Liberals because Liberalism best represented their political views and, if it did not, they chose it as the best vehicle to be modified so that it did. Such an attitude explains many of the developments within the Liberal party in this period.

A. Taylor Innes, writing in reply to a *Quarterly Review* article of 1879 which had asked 'Why is Scotland Radical?', had much the same starting point as Montgomery:

'The answer of 'The Quarterly' to its own question is admitted to be of a makeshift and unsatisfactory character. It acknowledges that the predominant Radicalism of Scotland is peculiar. It alleges that it is chiefly owing to its ecclesiastical and religious relations. That is nothing new or strange - tantum religio potuit. But how these or any other causes have come to produce such an unfortunate effect upon the people is not divulged. Sometimes it puts it that Scotland is Radical because it is separatist or sectarian. Separatist from what? From itself, or from England? Sectarian from what? From the old historical or episcopal churches, or from its own Presbyterian ideal?'<sup>48</sup>

His analysis goes slightly further than Montgomery's in that it raises the question of why the features Montgomery identified had the effect he described. Innes saw Scotland's radicalism coming from it being different, in other words as a sociological phenomenon. This chimes in with Montgomery's point about the special nature of Scottish religion. Scottish Liberalism by extension was not derived, but grew up out of Scottish history, out of the way Scottish society adjusted to the changes of the nineteenth century. The questions he raises at the end here echo this process and are important Liberal themes. Was the separatism from England reflected in anti-Toryism? Certainly Conservatism was seen at this time as being an alien tradition in much of Scotland. Within the Liberal party there was a separatism from the Tory pre-Reform past and from the insufficiently responsive Whig present. Scottish sectarianism was from both episcopacy *and* the manifestations of the Presbyterian ideal and both kinds played their part in Liberal politics. Sometimes the degree of anti-Puseyism/Catholicism was crucial, sometimes the degree of Protestantism.

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<sup>48</sup> A. Taylor Innes, 'Why is Scotland Radical?', *The British Quarterly Review*, Jan+April 1880, vol. L, pp. 107-127, p. 108



There is one more aspect of party which it is important to raise. In his survey of nineteenth century popular radicalism, D.G. Wright focuses on some major themes when he comes to deal with what he describes as 'The Mid-Victorian Consensus'. Two of these have an important bearing on the development of Liberalism in Scotland at this time.

Another major issue of the mid-Victorian years dealt with in this chapter is the failure of a working-class political party to emerge, within a context of a distinct absence of working-class political movements on a national scale at a time when working-class voters, admittedly very few in many constituencies, remained open to the forces of influence and deference exerted by the Liberals and Conservatives. Such relative political apathy is best illustrated by the difficulty experienced in launching a mass campaign for further extension of the suffrage in the 1850's and 1860's, despite an alliance in many places between working-class political activists and those middle-class Radicals on the 'advanced' wing of the Liberal Party.<sup>49</sup>

This comment raises an important issue, that of the relations between the Liberals and the working-class, especially with organisations, such as trades councils and trades unions, which saw themselves as representing the working-class. Whether working-class voters were apathetic or were motivated by other considerations to find political expression through the existing parties, including the Liberal party, is important here not so much for the question of 'why a working-class party failed to emerge?' (there was, after all, no inevitable reason why it should have), but rather again for the effect these voters had on the political process within the Liberal party.

A possible line of inquiry here is raised by one of the other themes Wright discusses.

'Much historical debate in recent years has centred on the concept of the 'labour aristocracy': the existence of a privileged elite of skilled, regularly employed and highly paid craftsmen aiming at respectability and status and therefore willing to adopt bourgeois values ... The existence of such a labour aristocracy, the argument runs, sowed a deep and fundamental division within the ranks of the working class and explains not only the absence of widespread revolutionary feeling, but also the lack of any serious challenge to the legitimacy of property ownership and capitalist productive relations.'<sup>50</sup>

Accepting that such a group of better paid, more socially articulate workers existed it follows on that, with its stress on concepts like respectability and participation in the

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<sup>49</sup> D.G. Wright, *Popular Radicalism, The Working-Class Experience 1780-1880*, London 1988, p. 151

<sup>50</sup> *Ibid*

existing social and political structures, it also saw the Liberal party, as the religiously motivated groups had done before it, as a vehicle for change and to be changed. Rather than religion, in the 1860s the issue of Reform, access to the political system, was the greatest motor of change in the Scottish Liberal party. R.Q. Gray, writing of the labour aristocracy in Edinburgh in this period, defines the central idea from a working-class point of view as follows:

'The radical tradition became overlaid with the dominant ideology of mid-Victorian Britain. The essentially élitist argument of the 'growing virtue and ideology of the working classes' received more emphasis than the rights of man.'<sup>51</sup>

Ian Hutchison in his pioneering book on Scottish politics in the nineteenth and early twentieth centuries makes the same point discussed earlier that while, in the 1850s, politics in England is seen as having entered a period of relative stability, in Scotland, especially with the Education controversy, there was a great deal more turbulence<sup>52</sup>. He quotes Lord Aberdeen and it is worthwhile taking these references again and quoting from them a little more fully:

'The violence of party rancour in Scotland has been frequently apparent, and has been to me a cause of much regret'

'Much as I lament the violence of political differences in Scotland, I fear that it is almost inevitable; ...'<sup>53</sup>

Ten years earlier Graham Spiers had written just after the Disruption of the probability of a contest at Kilmarnock in view of the poor health of the sitting member:

'I may mention that the liberal party before carried a liberal and might do so again, but it is thought that the Election would be quite certain ... if a Gentleman of liberal (not extreme) political principles - liberal in church policy and if of the Free church so much the better, would come forward.'<sup>54</sup>

<sup>51</sup> R. Q. Gray, *The Labour Aristocracy in Victorian Edinburgh*, Oxford 1976, pp. 156-157

<sup>52</sup> I.G.C. Hutchison, *A Political History of Scotland, 1832-1924*, Edinburgh 1986, p. 59

<sup>53</sup> Lord Aberdeen to James Moncreiff, 25.8.1853 and 20.8.1853, Aberdeen MSS., Add. MS. 43201, ff. 227 and 254-255

<sup>54</sup> Graham Spiers to Fox Maule, 13.11.1843, Dalhousie MSS., MS. GD45/4/641/8

In 1868 the Duke of Argyll reported to Gladstone on the Glasgow election giving his impressions of how the Glasgow Liberals had successfully carried three candidates:

'... the strict party organisation which was effected at Glasgow, voting on a "Ticket" as in America, is not in itself a good thing - at least I don't quite like it. But it is creditable to the intelligence and order and discipline of the Glasgow Liberals that it could be done so successfully.'<sup>55</sup>

Throughout this period there was a distinct Scottish Liberal party. It was, as these three extracts respectively show, driven by emotion, principle and organisation. Its electoral aim was to carry the day. The process of deciding who should control its heritage and direction, what its principles should be and how its emotion and organisation should be invested was in fact the process of defining what was meant by the Scottish Liberal party in this period.

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<sup>55</sup> The Duke of Argyll to W.E. Gladstone, 19.11.1868, Gladstone MSS., Add. MS. 44100, ff. 269-272

**PART ONE**

**THE NATURE OF THE  
CONSTITUENCY**

# CHAPTER 1

## THE ELECTORAL LANDSCAPE IN SCOTLAND, 1832-1868

The political landscape in which the Scottish people moved in the mid-nineteenth century was largely determined by the passage of the Reform Act (Scotland) 1832. This piece of legislation determined the distribution of seats, the nature of the franchise, and laid down the machinery by which politics in the constituencies was to be carried on. The latter included provisions for making up the register of voters, for arranging nominations when a writ was issued, and for holding a poll should this be necessary. The intentions of those responsible for the Act were not borne out in practice and it was obvious in the succeeding decades that the new system gave rise to abuses as much as the reviled pre-1832 system. This has been well documented, in particular by William Ferguson and Michael Dyer in their respective articles on the subject<sup>1</sup>. The intention in this chapter is to use this work as a basis to summarise what is known about the electoral system, the electorate itself and the kind of people elected. Some new ground will be broken with respect to the later part of the period, in particular with regard to the Second Reform Act in Scotland. All this will be useful in succeeding chapters not least because the opportunities and restrictions offered by the electoral system itself provide some explanations for the political events of the period.

### The Reform Act of 1832

The government's intention as stated by the then Lord Advocate, Francis Jeffrey, was "that no shred or rag, no jot or tittle of the old system was to be left"<sup>2</sup>. In the sense that proportionately the number of electors in Scotland was increased dramatically, this was true. Prior to 1832 the number of 'electors', in what can only be described as a feudal constituency, has been estimated at a total of just under 4,500<sup>3</sup>. Around 2,500 (just under 3,000, if plural qualifications are taken into consideration) of these were in the counties. Half of these electors held fictitious qualifications in that it was possible under

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<sup>1</sup> Michael Dyer, "'Mere Detail and Machinery', The Great Reform Act and the Effects of Redistribution on Scottish Representation, 1832-1868', *SHR*, vol. 62, April 1983, pp. 17-34 and William Ferguson, 'The Reform Act (Scotland) of 1832 : intention and effect', *SHR*, 45, 1966, pp. 105-114

<sup>2</sup> *Hansard*, 3rd Series, vol. 7, col. 536

<sup>3</sup> Norman Gash, *Politics in the Age of Peel*, London 1953, p. 36. This does not agree with the figures quoted in *Hansard*, new series, vol. 9, col. 615, 2 June 1823, where the size of the pre-Reform county electorate is given as 2,889 and the burgh electorate as 4,239, a total therefore of 7,128. Gash's figures are the generally accepted ones.

Scottish law to hold a vote by means of a 'superiority', which had no connection with actual property ownership<sup>4</sup>. The burgh 'electorate' numbered approximately 1,300.

County franchises were held by those in possession of a freehold, or principal, and the burgh 'electorate' was made up of delegates in burgh groups, usually four or five in number, who were chosen by self-electing burgh councils, the so-called 'close corporations'<sup>5</sup>. This had led to management of constituencies by those with sufficient money, or influence. Votes were a potential source of wealth and were bought and sold as the occasion demanded, which led to the connection between actual land ownership and voting rights being slowly broken down. Hence the probable number of fictitious qualifications amongst the county electorate and, to take a more specific example, the estimate that in Inverness-shire at one point before Reform only 33 out of 88 electors were in fact landowners.

Immediately after the passage of the Reform Act the number of voters in Scotland rose to a total of 64,446, a seventeen-fold increase over Gash's pre-1832 estimate<sup>6</sup>. 31,332 electors were registered in the burghs and 33,114 in the counties. It is no exaggeration to say that the 1832 Act in Scotland was more a question of enfranchisement than of reform<sup>7</sup>.

By any standard this was an impressive increase in the number of voters compared with what had gone before and justifies, in this respect, the claim of Henry Cockburn that the Bill was "giving us a political constitution for the first time."<sup>8</sup> The watershed for those of Cockburn's stamp, Whigs in other words, was this move from a feudal, 'close' system to one in which genuine representation of interests became possible. In terms of absolute numbers the result was far from impressive by a democratic yardstick. 31,332 electors spread over 23 burghs seats was an average of 1,362 per seat, which clearly left most electorates small enough to be managed just as much as the pre-1832 ones had been. This indeed was the case with many of the old traditions being carried on into the 'new' era. Even if the increase in the number of electors is accepted as being dramatic, the Scottish Reform Act was progressive in practically this respect only, as a look at the detailed provisions for the franchises and the distribution of seats reveals.

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<sup>4</sup> *Ibid.*, p. 37. Superiorities were derived from feudal law. They amounted to no more than a piece of parchment conferring the right to vote and therefore increased the venality of the system as they could be bought and sold.

<sup>5</sup> For details of the organisation of local government and its reform in this period see George Pryde, *Central and Local Government in Scotland since 1707*, London 1960, pp. 14-18

<sup>6</sup> H.J. Hanham (ed.), Charles R. Dod, *Electoral Facts. From 1832 to 1853. Impartially Stated.*, Brighton 1972

<sup>7</sup> Gash, *op. cit.*, p. 35

<sup>8</sup> T. Cleghorn (ed.), *Journal of Henry Cockburn*, Edinburgh 1874, vol. I, p. 13.

## The Constituency Map<sup>9</sup>

In the course of the debates on the three Scottish Reform bills brought forward in 1831 and 1832 the shape of the constituency map that was to last for the next half century until the changes of the 1880's, was settled.

As Michael Dyer has described in his article, and much of what follows is a summary of his work in this area, prior to 1832 there had been a total of 30 county seats, with 26 counties having a permanent member each, Orkney and Shetland having joint representation, and six others<sup>10</sup> being in the unusual position of returning a member in alternate succession to every other parliament. In addition there were 15 burgh members returned by Edinburgh and 14 groups, or burgh districts. Historically, such an untidy solution had been made necessary by the necessity to squeeze the Estates of 1707 into 45 constituencies. By 1832 this arrangement had been rendered even more remote from reality as the old royal burghs which made up the districts were not necessarily the ones to have grown substantially as a result of the industrial revolution. In its first Bill<sup>11</sup>, in 1831, faced with the need to reform the constituency structure and yet to get its proposals through parliament, the government proposed to give Scotland five additional seats so that the new urban areas could be given separate representation without having to severely reduce the number of county seats at the same time. The proposals did, however, still envisage the amalgamation of Peebles and Selkirk, Ross and Cromarty, Bute and Dumbarton, Nairn and Elgin and Clackmannan and Kinross. An additional seat was to be provided by the abolition of the tiny Anstruther Burghs in Fife. The benefits of these changes were to be seen in the proposals to give Edinburgh an additional member, to create a Leith district of burghs, to extract Glasgow from its group and give it two members, to do likewise with Aberdeen and Dundee, giving them one member each, and to give representation to Paisley and Greenock as single burghs. In addition, Kilmarnock was to be added to the remainder of the old Glasgow group, Peterhead was to be included in the Montrose district, Falkirk was to be included in the old Linlithgow district, and Cromarty was to be included in Wick District.

In answer to these proposals the government faced, for instance, pressure from those who wished to preserve the independence of Peebles and Selkirk and from the town of Perth for separate representation. The former was made more significant by the voices of those moderate reformers who wanted to avoid a reduction in county representation<sup>12</sup>.

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<sup>9</sup> Maps can be found in Appendix 1

<sup>10</sup> Bute and Caithness, Clackmannan and Kinross and Nairn and Cromarty

<sup>11</sup> *Parliamentary Papers [P.P.]*, 1830-31, II, 261-73

<sup>12</sup> Michael Dyer, *op. cit.*, p. 21

In its second bill, therefore, of September 1831<sup>13</sup>, the government proposed giving Scotland three more seats. This enabled them to offer separate representation for Peebles and Selkirk. In addition Bute was to be given representation together with the Cowal district of Argyll. This last arrangement provides an example of the clearly political forces at work in the creation of the new constituency settlement, as it was intended to weaken the influence of the Tory marquis of Bute<sup>14</sup>. This was not the only example of such gerrymandering, as can be seen, for example, in the case of Clackmannan and Kinross, where parts of Stirlingshire and Perthshire were added to the constituency to the advantage of the Whig interest. The third seat was to be given to Perth, saving in the process the Anstruther burghs by joining them to the remainder of the old Perth group. As can be seen, these proposals were very much guided by two principles. Firstly, that there should be no reduction in the level of county representation and that this should be, if possible, on the basis of individual county seats. Secondly, that burgh influence should be, wherever possible, confined within burgh, or burgh-district, seats. This can be seen in the case of Port Glasgow, which was to be added to Greenock, presumably to keep it out of Renfrewshire. The Conservative element in Scotland's counties scored a victory in carrying this principle and in ensuring that the industrial interest gained very little.

Few changes were made in the third bill which was eventually passed to become the 'Act to Amend the Representation of the People in Scotland' on 17th July 1832<sup>15</sup>. A trade-off between Reformers and anti-Reformers was reached in the decision to return Cowal to Argyll while leaving unaltered the proposed composition of the Clackmannan and Kinross constituency. Port Glasgow was taken out of Greenock<sup>16</sup> and added to the Kilmarnock District, Oban replaced Rothesay in the Ayr District, and Hamilton was added to the Falkirk District, all very much in the spirit of keeping burgh and county separate.

Dyer has further pointed out that the anti-Reformers were particularly successful in continuing the over-representation of the Highlands and Borders into the post-1832 era. No attempt was made to disfranchise the tiny Wick District, for instance, which had only 681 electors in 1832 and 913 in 1868<sup>17</sup>. Sutherlandshire, which was in effect a pocket constituency of the Stafford family, retained its separate member and continued its remarkable run of uncontested elections, not seeing a contest until 1885. It had 104 electors in 1832 and 358 in 1868 which represented approximately 0.4% and 1.4% of

<sup>13</sup> *P.P.*, 1831, III, pp. 217-36

<sup>14</sup> Michael Dyer, *op. cit.*, p 22, n 4

<sup>15</sup> *Public General Statutes*(1832), 2&3 William IV, c. 65

<sup>16</sup> It was felt that this would give too much influence to Glasgow merchants in the Greenock constituency.

<sup>17</sup> J. Vincent and M. Stenton (eds.), *McCalmont's Parliamentary Poll Book*, 8th Edition, Brighton 1971



the population respectively<sup>18</sup>. This cannot be said to represent the creation of a more representative political system which was one of the aims of the Act's framers. As has been mentioned, the counties of Peebles and Selkirk continued to have separate representation in the Borders, with 360 and 280 electors respectively in 1832<sup>19</sup>. The Haddington District provides more evidence of the continued existence of tiny constituencies, including as it did North Berwick which saw no more than 40 voters go to the poll until the contest of 1878<sup>20</sup>. With 20.8% of the seats and only 12.7% of the electors nationally<sup>21</sup>, the Borders came out of the 1832 settlement very well. Together with the Highlands, they held roughly 20 of Scotland's 53 seats<sup>22</sup>. As will be seen when the questions of influence and political tradition are discussed, this ensured a substantial block of seats for areas where the influence of landed magnates was strongly felt.

The larger urban areas by contrast, although they received the bulk of the new seats given to Scotland in 1832, were still heavily under-represented if distribution of population or number of electors are taken as yardsticks. With 11.8% of the electors nationally, Edinburgh and Leith together had only 5.7% of the seats in 1832. Given a 28.9% increase in population and a 321.1% increase, helped by later electoral reform legislation, in the number of voters over the next 42 years<sup>23</sup>, to have 12.2% of the voters nationally<sup>24</sup>, this was a situation which was to get steadily more unfair until the redistribution changes introduced in 1884. Glasgow, with 10.8% of the electors in 1832 and 3.7% of the seats, was an even clearer case. By the early 1880's the city had gained one more seat to have 5% of seats nationally, but had experienced a rise in population of 135.7% and a rise in the number of electors of 20.2% by about the same time.

The other burgh districts ranged in size from Wigtown with 536 voters in 1864, to Haddington district with 657, to Kirkcaldy District with 812, up to Leith District with 2,392 voters in 1864<sup>25</sup>. The latter, together with one or two others, for example

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<sup>18</sup> *Ibid.*

<sup>19</sup> *Ibid.*

<sup>20</sup> J.I. Brash, 'The Conservatives in the Haddington District of Burghs, 1832-1852', *Transactions of the East Lothian Antiquarian and Field Naturalists Soc.*, vol. 11, 1968, pp. 37-70

<sup>21</sup> Michael Dyer, *op. cit.*, p. 26

<sup>22</sup> Highlands:- Orkney and Shetland, Caithness, Sutherland, Ross and Cromarty, Argyll, Inverness, Bute, Wick District, parts of Inverness District and Ayr District

Borders:- Haddington, Berwick, Roxburgh, Selkirk, Peebles, Dumfries, Kirkcudbright, Wigton, Haddington District, Dumfries District, Wigtown District

<sup>23</sup> *McCalmont, op. cit.*, figures for population in 1881 and number of electors in 1874.

<sup>24</sup> Charles R. Dod, *Parliamentary Companion*, London 1875 (figures for 1873)

<sup>25</sup> *Ibid.*

Falkirk District with 1,531 voters at this time, could be justified as representing a distinct interest, especially as there was a separate burgh and county franchise in operation. Many others were too small to have that great an independent influence on their surrounding country areas. Michael Dyer expresses this neatly in numerical terms by pointing out that in 1832 ten of the burgh districts put together had fewer voters than Glasgow. These burgh districts did, however, serve to insulate town influence in another more significant way, namely that locking up seats in these constituencies limited the number available for the larger industrialised towns of the Central Belt.

Imbalance was a feature of the county settlement also, however. The big counties, like the new urban areas, were under-represented when compared with their population and size of electorate. In the north east Aberdeenshire, according to the returns for 1864<sup>26</sup>, had 4,384 electors, while Elgin and Nairn had 863. In the south west Ayrshire had 4,642 compared with Kirkcudbrightshire's 1,353. Yet all these counties were equal in returning one member each.

The redistribution settlement was then a very conservative measure. The lack of significant alterations in this respect in the Second Reform Act in Scotland, helped to emphasise this, especially in the burghs where the 1868 Act significantly increased the number of electors. This said, it must be remembered that the aim was not to create equal electoral districts. Landed moderate whigs and anti-Reformers wanted to preserve the counties and this they did. Had they been asked, they would probably have expressed satisfaction at 14 of the burgh seats going to groupings of small towns which were likely to be swayed by the same landed interest. Examples of this took place in Haddington District where the attempts of the Conservative party, and especially the Lauderdale family, to win the seat in the twenty years after 1832 have been well documented by J.I. Brash<sup>27</sup>. In Wick District James Loch, the Duke of Sutherland's agent, held the seat from 1832 until 1852, facing only one contest which he won for the Liberals easily in the good Conservative year of 1841. It must be said however, and the experiences of the Conservatives in Haddington District bear this out, that the influence to be successful had to be Reformist. The anti-Conservative instincts of small town Scotland, reinforced by the folk memories of the struggle for Reform in the early 1830's, ran deep.

The 'bottom line' is that it is possible to argue that the only seats in which 1832 really had a revolutionary impact were the nine single burgh constituencies. Outside these any form of politics, Liberal or Conservative, was going to have a conservative tinge. The constituency map of Scotland in the mid century period was therefore one which favoured moderate, if not Conservative, politics and did not reflect the real distribution of population, or even of wealth. In the counties, together with the franchise and

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<sup>26</sup> Charles. R. Dod, *Parliamentary Companion*, London 1867, (figures for 1864)

<sup>27</sup> J.I. Brash, *Transactions of the East Lothian, etc., op. cit.*

registration arrangements which will be described below, it favoured the building up of a predominant interest in each constituency which by the end of the 1840's meant that contests were a matter of long-term deliberation and attention to the register. In 1852, for example, there were only five contests in the 30 Scottish county seats. As will be seen, large-scale redistribution was not attempted in 1868 and had to wait until 1884.

As a postscript it is worth noting that the small, easily managed nature of Scottish constituencies was paid tribute to by Gladstone himself in his choice of Midlothian as an alternative to the rough and tumble of a large constituency like Greenwich<sup>28</sup>. This may have had something to do with his nostalgia for pocket burghs. It may also merely have been a question of expense!

### The Franchise

The new arrangements made for the franchise are where the Act of 1832 appears at its most revolutionary. As Norman Gash has pointed out, looking at the measure from this point of view, it was "far more revolutionary" in effects of an immediate nature "than the moderate, conservative measure for England and Wales"<sup>29</sup>.

The general principles behind the franchises of the 1832 settlement seem to have been to attach them to actual property, which was by extension held to be a measure of intelligence and worth, to increase the number of electors by reducing the level of property required in order to hold the vote, and to extend the suffrage to those with interests as liferenters and tenants. In principle this was done, as the figures for the size of the post-1832 electorate given above show.

In the counties those who had held the franchise before 1832 were allowed to retain it for their lifetime. They amounted to a tiny number in the new electorate. The new franchise was based on 'ownership' of property worth £10 a year, a real revolution in concept. Ownership was not clearly defined which left room for the vote creation practised in some of the smaller Border counties in particular. This was further facilitated by the fact that no residence requirement was mentioned by the Act. Various types of tenancy, taking into account length of lease and level of rent, also gave a qualification. These were either a lease for life, or at least 57 years, worth, after payment of rent, £10 a year; for 19 years yielding £50 per year; where the rent was £50 per year or over; or where the tenant had paid a lump sum of £300<sup>30</sup>. Sub-tenants could

<sup>28</sup> For the reasons for Gladstone's move to Midlothian see David Brooks, 'Gladstone and Midlothian : The background to the first campaign', *SHR*, vol. 64, 1985, pp. 42-67

<sup>29</sup> Norman Gash, *op. cit.*, p. 35

<sup>30</sup> *Public General Statutes, op. cit.*, 2&3 William IV, c 65, s 7

also hold the vote in counties<sup>31</sup>. If the opportunities these franchises offered for the creation of votes on (joint-) liferents, tenancies, etc., were not immediately obvious to contemporaries, they soon became so. Pieces of property could be partitioned up into £10 p.a. liferent plots, for instance, or into co-tenancies (co-tenants had to satisfy the same requirements as sole tenants) to create more votes. An example of the enrolment of a large group of co-owners involved twelve Liberals, including such well known names as Duncan McLaren and Adam Black, on Marylands in Ratho parish in Midlothian in 1836<sup>32</sup>. The evidence that this was a widespread practice on the part of both Reformers and anti-Reformers in the decades after 1832 is overwhelming, mostly in counties where one interest did not clearly predominate and there was a chance that such activity could bring electoral victory<sup>33</sup>. To take Midlothian again, a good example of an 'open' county in the 1830's, James Hope, the Conservative agent in the county in the mid-1830's put the case for this kind of activity very clearly in his 'Memorandum for the Private Consideration of those principally interested in maintaining the Conservative Interest in the County of Midlothian' written to encourage the creation of votes in 1835 in the aftermath of a narrow Conservative win at that year's general election:

'In this county the Ten Pounders [*independent owners*] do not, as in some counties, constitute the majority of the Electors: but still their support is of the utmost consequence to either Party; and as in general they support the opposite side, it must be the object of the conservative Party to keep down the number of this Class of Voters. And they have much encouragement to do so at present, because, as they have a majority in the County, the extinction of a comparatively small number of the present Ten Pound qualifications would probably place the county out of the power of the opposite Party *at present* - and more so in future if Friends were to be enrolled upon the Properties so purchased.'

and:-

<sup>31</sup> This meant that if the principal tenant could assign the lease then the assignee became his substitute, liable for the rent and eligible for the franchise. Such arrangements provide an example of how arcane the system was. Manuals on how to work it were readily available. See C.F.F. Wordsworth, *The Law and Practice of Elections for Scotland*, London 1832; James B Nicolson, *A Practical Treatise on the Law of Parliamentary Elections in Scotland*, Edinburgh 1865; John Cay, *An Analysis of the Scottish Reform Act*, Edinburgh 1850; Samuel Warren, *A Manual of the Parliamentary Election Law of the United Kingdom ...*, London 1857.

<sup>32</sup> J.I. Brash, 'Papers on Scottish Electoral Politics', *op. cit.*, p. xli, quoting Register of Sasines, Edinburgh, abridgement 5890, 30 January 1836

<sup>33</sup> See, for example, 'Report of select committee appointed to inquire how far the Intentions of the reform Bill are defeated by the creating and registering of Fictitious Votes in the counties of Scotland', *P.P.*, 1837 (215)

'If properties were in this manner bought (and of course they ought always as far as possible [to] be bought from the Ten Pounders on the opposite interest) there would at all times be the means of giving or selling qualifications to Friends;...'34

The electoral battle became, given these practices, increasingly one fought at the annual registration court and not at the election itself. In Midlothian Hope's advice was acted upon to the extent that the Conservatives were able to turn defeat at the hands of the Liberal William Gibson-Craig in 1837, by a majority of 42, into a walk-over in 1841. The state of the register made clear what the result of any contest would be and Gibson-Craig withdrew before the election.

This sort of activity could reach scandalous proportions, so much so that in some instances a Scottish faggot became almost as much of a by-word as a Scotch job had been in the days before 1832. Vote creation was the method of choice in counties where there was any point in trying to win. In small Border counties and in large open ones like Ayrshire strenuous and expensive efforts were made to maximise the number of a party's supporters that could be got on the roll. Defeat was often blamed on 'inattention to the registers'. An 1879 *Punch* cartoon showing a corn field full of newly grown Midlothian voters whom the Earl of Dalkeith could supposedly rely on to defeat Gladstone pictorially indicated the real method by which the latter won nineteenth century Scotland's supposedly first 'modern' electoral contest. One estimate for the county of Peebles in the 1840's puts the number of votes on nominal liferents of £10 at somewhere in the region of 300 out of 700 voters<sup>35</sup>.

The system of open nominations and polling, the ballot was not introduced until 1872, gave a control mechanism by which those who had invested their money in votes could make sure that they got what they had paid for. Tenants were placed in a very exposed position, especially as some of the safeguards built into the pre-1832 system, such as the Act<sup>36</sup> to check fictitious votes by an oath of trust and 'possession', no longer held good. Poll books were public documents, the local paper sometimes publishing them in full, and the tenant who voted his own conscience against the wishes of his landlord/landlady could find himself without a property when the lease came up for renewal. After almost a lifetime at Fenton Barns this was to befall George Hope, perhaps Scotland's best known tenant of the time.

<sup>34</sup> In Buccleuch Papers, Box 582: Election Memoranda, quoted in W. Ferguson, *op. cit.* and in J.I. Brash, 'Papers on Scottish Electoral Politics, 1832-1854', *SHS*, Edinburgh 1974, pp. 22-25

<sup>35</sup> *The Scotsman*, 15th December 1847, cited by W. Ferguson, *op. cit.* and L.C. Wright, *Scottish Chartism*, Edinburgh 1953, p. 168

<sup>36</sup> 7 Geo II, c 16

J.I. Brash's argument that by the mid-1840's most county constituencies had been 'won' for one or other party<sup>37</sup>, is borne out by the fall in the number of contested county seats as compared with the earlier period, as shown in the following table:

Table 1: Uncontested Seats at General Elections, 1832-1865

	1832	1835	1837	1841	1847	1852	1857	1859	1865
Counties	12	13	12	22	25	25	26	26	21
Burghs	5	10	12	6	12	8	12	19	16

By the 1850's and 60's therefore, there seems to have been less open electoral activity than during the earlier period and less effort was put into keeping the register up to date. As will be discussed in later chapters, the Conservative split over the Corn Laws and the Palmerston factor did make some difference and there was a slow weakening of the Conservative position in the counties, but nevertheless by 1859 it was stated in a report on the Renfrewshire register that "it has not been purged for many years and at this moment more than one-half are disqualified under the present law."<sup>38</sup> Clearing a register and preparing for a contest could by the 1850's be prohibitively expensive. Lord Aberdeen, then Prime Minister, when faced with the choice of putting up his younger son, whom he preferred, in Aberdeenshire, or his eldest, who was preferred by the voters, gave his reasons for choosing the latter as follows:

'Under these circumstances, I have no choice but to acquiesce, as I neither wish to incur the expense, or ill will of a contest.'<sup>39</sup>

A solution was found in the County Voters Act of 1861 by which the preparation of the register was given over to the county assessors appointed under the Valuation Act of 1854. In 1862, 21,294 names out of 57,788 on the county electoral roles were struck off and 13,735 were added. The expense of clearing the register was removed with this

<sup>37</sup> J.I. Brash, (ed.), 'Papers on Scottish Electoral Politics', *op. cit.*, esp. pp. lx-lxiii

<sup>38</sup> 'Number of registered electors ...', *P.P.* 1859 (140 session I) xxiii, 139, p.4, quoted in *ibid.*, p xxxix

<sup>39</sup> Lord Aberdeen to Mr. Chalmers, 4.6.1854, Haddo House MSS., Box 1/33

introduction of automatic annual revision and this, together with the clearly altered situation in some county registers, may help in part to explain the increase in the number of contests in 1865, shown in the table above.

The 1832 Act may have had a great impact in respect of some counties in giving increased leverage to the voters in towns and villages without burgh representation, especially the independent 'Ten Pounders' referred to by James Hope above. Whether for good or ill, however, and especially because voting was open, it also restored influence to landed proprietors. Here is an example of one, Lord Eglinton referring to his exercise of influence in the 1840s and 1850s in Ayrshire:

'A great many years ago, I believe I did remove some tenants who voted for the late Mr. Oswald after having promised to abstain from voting at all, and I am not quite sure that I should be anxious even now to keep men on my estate who are guilty of a deliberate falsehood, but I have long since determined on no occasion to coerce my tenants in the exercise of their franchise, and the intimation of my wish that they should vote for Fergusson has been, I believe, given in the same manner and as clearly as that respecting Blair which was eminently successful in its results.'<sup>40</sup>

This influence, then, could take the form of direct coercion, but it could equally well take more subtle forms that were just as plain for all to understand:

'No matter whether the leading proprietors of a parish are Whigs or Tories, the bulk of the electors there are the same. The wings of moths have the colour of the material they have been developed on, and tenants politics are like those of their lairds. ... Here and there a solitary victim may be locked up in a cellar, or captured in a wood, but in general the influence exerted over the voters is too subtle and refined to come under the cognisance of Acts of Parliament.'<sup>41</sup>

In Henry Cockburn's view this was too much power. His fellow Whig, Lord John Russell, had taken a different view and stressed the positive aspects of a restoration of legitimate influence after the uncoupling of land ownership from 'superiorities' under the unreformed system<sup>42</sup>. What it definitely failed to do, as has already been

<sup>40</sup> Lord Eglinton to Patrick Boyle, 28.12.1853, Glasgow MSS., MS. SWB/4/206. The Oswald referred to was Richard Oswald, Liberal M.P. for Ayrshire 1832-1835. Sir James Fergusson was the Conservative candidate for Ayrshire at the time of writing. Blair, J. Hunter Blair, his Conservative predecessor as M.P., had been killed in the Crimean War, hence the election during which this letter was written.

<sup>41</sup> *The Dumbarton Herald*, 12.5.1859, arguing for the introduction of the ballot.

<sup>42</sup> Norman Gash, *op. cit.*, p. 42, draws this comparison. Cockburn being closer to the reality of such a franchise in Scotland would have been more aware of the smaller numbers involved and the opportunities for vote creation it offered.

demonstrated, was to create large county electorates, certainly judged by the standard of their English counterparts. To carry the point of this comparison further, the largest Scottish county electorate in 1851 was Perthshire, with 4,938 electors out of a population of 138,660, which compares well with counties such as Buckinghamshire, which had a similar population, but three representatives to Perthshire's one. At the other end of the scale, however, the smallest electorates, for instance those of counties like Peeblesshire, 542 in 1851, or Buteshire, 491 in 1851, were much below the level of the smallest English county electorates. Rutland was the smallest in 1851, with 1,876 voters returning two members<sup>43</sup>. When population is taken into account, however, it can be seen why these Scottish electorates were so small. According to the census of 1851 Rutland had a population of 22,983, Peeblesshire of 10,738 and Buteshire of 16,608. In other words 22,983 English people produced 1,876 voters, or one elector for every 12 inhabitants, whereas in Peeblesshire there was one elector for every 20 inhabitants and in Buteshire one for every 34. A £10 Scottish qualification was worth more in social terms than its English counterpart or, to look at it in another way was harder to come by. This would support the conclusion reached above that Liberalism in many smaller Scottish burgh constituencies was going to be given a conservative tinge by the 1832 Act. In the counties, with the £10 qualification being 'high' compared to its English equivalent and there being no 40 shilling freehold franchise, this was also going to be the case. James Begg's campaign for a 40 shilling franchise in the 1850's was all about opening up and radicalising the Scottish counties. The increase in the number of burgh voters was certainly dramatic compared with the pre-Reform situation. The basis of the burgh franchise, as in England, was the £10 proprietor, tenant, or life-renter<sup>44</sup>. To take two prominent examples, this raised the constituency of Edinburgh from 33 before Reform, to 6,042 immediately afterwards, and to 10,343 by 1865. The figures for Glasgow were 32 before 1832, 6,994 immediately after the Act was passed, and 16,819 by 1865<sup>45</sup>. The figures mentioned above for the size of the burgh district electorates should, however, be borne in mind, as should the details of the redistribution settlement. There was, unlike under the county franchise, no provision for sub-tenants, and tenants had also to be occupiers. This latter provision did not strictly apply to proprietors, who did not have to occupy the premises on which they qualified, but who had to be resident somewhere within seven miles of the burgh. There was, therefore, a limited opportunity for vote creation and evidence exists that an attempt was made to register those living in the country

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<sup>43</sup> Figures for 1851 electorate from H.J. Hanham (ed.), *Dod's Electoral Facts, 1832 to 1853*, Brighton 1972. Figures for population *P.P.*, 1883, vol. LIV, pp. 316-317 (Scotland) and *P.P.* 1852-53, vol. LXXXV, p. xxxiii (Rutland).

<sup>44</sup> *Public General Statutes, op. cit.*, 2&3 William IV, c 65, ss 11 & 12

<sup>45</sup> Electoral Returns (Scotland), *P.P.*, 1866, Accounts and Papers, Vol. LVII, Return No. 3, Male Occupants Under £10



round burgh district towns on the electoral roll in the interests of one party or another<sup>46</sup>. A very good example of the complicated mix of temptation and vulnerability inherent in the system, from the point of view of the landlord and tenant respectively, is provided by the following example from Ayr where one Dean Wilson, an Episcopal clergyman, had been asked to exert his influence in favour of Archibald Boyle, the Tory candidate:

'The only person whose name is in the list of voters over whom I may be supposed to have any influence is my schoolmaster, but the fact is that I do not wish him to exercise his vote as I do not think his qualification a good one - The school room which we occupy was at first rented by him as an adventure school and in his own name - After a time it became more connected with the Church and is now an 'Episcopal Church School' receiving Privy Council grants as such. - I pay the rent of the school through him, though he is still in a certain sense the tenant and occupant. - As Mr Oswald [a leading Liberal Conservative and therefore opposed to Boyle] supplies me with fully over one half of the money required for the support of the school he has surely a right to expect that it will not be made use of as a political engine and that in opposition to his views.'<sup>47</sup>

The views of the schoolmaster are not recorded! The question of the power that funding Education could give, a central theme in the Educational debate of the 1850's and 60's, is seen here coming together with all the considerations which had to be taken into account before an Ayr schoolmaster could decide, or be told, which way to vote. Whether Dean Wilson derived a burgh vote off the same property is also not clear, but is a possibility. The final twist in this example is the possibility that the Privy Council was partly funding an Ayrshire voting qualification!

The £10 franchise did fail to create, as has been demonstrated, electorates which were large enough to make such activity useless. Eight out of the 21 burgh constituencies had electorates of under 1,000 voters in 1850, five of these having fewer than 800<sup>48</sup>. Electorates such as that of North Berwick, mentioned above, would have provided fertile ground for such activity had a strong local interest been active in this case, and to this list can be added, for instance, such places as Dornoch in Wick district, with 25 voters by 1867, and Anstruther Wester in St. Andrews District, with 27 electors in the same year<sup>49</sup>. It is however doubtful if this was practised in more than a few cases as

<sup>46</sup> See J.I. Brash, 'The Conservatives in the Haddington District of Burghs 1832-1852', in *Transactions of the East Lothian, etc., op. cit.*, for evidence of attempts to create this type of voter on the part of both Tories and Liberals

<sup>47</sup> Dean Wilson to Patrick Boyle, 20 March 1857, Glasgow MSS, MS SWB/1/69

<sup>48</sup> A Return of the names of all Cities and Burghs in Scotland, showing the number of electors on the Register ..., Appendix, *P.P.*, 1852, Vol. XLII

<sup>49</sup> *P P.*, Accounts and Papers, 1867, Vol. LVI, 557

the Liberals had such a lock on the burgh seats in the period and only in such non-industrial districts as Haddington and Inverness was there any hope of a Conservative win.

As can be seen from Table 2 below, the Liberals controlled between 21 and 23 of the 23 burgh seats throughout the period up to the passage of the 1868 Reform Act. The use of the label Liberal does, of course, cover a variety of interests which were also prepared to stand against each other. Five contests out of the 20 held in 1852 were exclusively between Liberals, for instance.

These were the franchise arrangements which held until 1868, a system characterised by a property-based suffrage, which in the counties, where the inter-party contest was by far more significant, offered opportunities for influence over voters and the creation of new votes. Only with the changes introduced in the system of registration by the Burgh Registration Act of 1856<sup>50</sup> and by the County Voters Act of 1861<sup>51</sup>, both of which depended on the information provided by the Valuation Act of 1854<sup>52</sup>, was the revision of electoral rolls put on a footing which ensured that the register was kept up to date on an annual basis. These changes, however, did not affect the opportunities for vote creation and may even in the counties have encouraged further activity in that the expense of purging the register was no longer a deterrent to those considering a contest. Such practices were only really brought to a halt by the much larger electorates created by the Third Reform Act, which made vote creation a marginal concern, and by the Ballot Act of 1872.

### Liberal Dominance

This franchise and constituency framework was dominated by the Liberal Party (in its broadest sense), not only in the burghs, but also increasingly, after the setbacks of the later 1830's and 1840's, in the counties as well<sup>53</sup>.

As is shown in Table 2, they never controlled less than 31 out of the 53 Scottish seats between 1832 and 1868, and in 1865, having won 42 seats, they reached again the level of representation they had achieved in the first post-Reform election when the opponents of reform had been so unpopular and so scattered by its effects<sup>54</sup>.

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<sup>50</sup> 19 & 20 Vict., c. 58

<sup>51</sup> 24 & 25 Vict., c. 83

<sup>52</sup> 17 & 18 Vict., c. 91

<sup>53</sup> Maps showing the increasing dominance of the Liberal party in the Scottish counties can be found in Appendix 2.

<sup>54</sup> For this and the information in Table 2, see *McCalmont, op. cit.*

It can be seen that the "private army" of the Liberal party referred to by John Vincent<sup>55</sup> could confine the Conservatives, if not to one first class railway compartment, then, at least after 1846, to two!.

Table 2: Returns according to broad party label, 1832-1865<sup>56</sup>

	1832	1835	1837	1841	1847	1852	1857	1859	1865
<b>Counties:</b>									
<b>LIBERAL</b>	21	16	11	10	11	11	14	16	19
<b>Counties:</b>									
<b>CONS</b>	9	14	19	18	9	12	10	7	8
<b>Burghs:</b>									
<b>LIBERAL</b>	22	22	22	21	22	22	23	22	23
<b>Burghs:</b>									
<b>CONS</b>	1	1	1	2	0	0	0	0	0
<b>Counties:</b>									
<b>LIB-CON</b>	-	-	-	2	10	7	6	7	3
<b>Burghs:</b>									
<b>LIB-CON</b>	-	-	-	-	1	1	0	1	0
<b>Total:</b>									
<b>LIBERAL</b>	43	38	33	31	33	33	37	38	42
<b>Total:</b>									
<b>CONS</b>	10	15	20	20	9	12	10	7	8
<b>Total:</b>									
<b>LIB-CON</b>	-	-	-	2	11	8	6	8	3

These totals provide a very rough guide. Liberal Conservatives, as will be seen, were sometimes Conservatives of a more independent stamp, and the Liberal label described a very 'broad church'. One of the interesting discussion points to emerge from the figures for 1847 in particular is the strength of the Free Trade Conservatives, or Peelites, in Scotland. How deep this Conservative split went in Scotland and in what way these Free Trade Conservatives and Peelites contributed to the development of the Liberal party and to the extension of its dominance is an important element in the discussion in later chapters.

<sup>55</sup> John Vincent, *The Formation of the British Liberal Party, 1857-1868*, 2nd ed., Hassocks 1976, p. 47

<sup>56</sup> Results taken from *McCalmont*, *op. cit.*

### Scottish Liberal M.P.s

in the counties Scottish Liberal M.P.s were, as far as it is possible to tell, usually members of the Church of Scotland or were Episcopalian. To a lesser extent than their Conservative counterparts were they involved in the rural economy as active landowners, though they often owned, bought, or inherited estates. In 1847, for instance, out of 11 county Liberals, there were 3 lawyers, 3 with a military background, 2 merchants/manufacturers, 1 shipowner, 1 East India Company civil servant and only 1 straight landowner. Few had a university education, only 2 out of 11, for example, in this sample year.

In the burghs the picture changed more with the passage of time. It was religiously more varied. 1852 is a good year to choose to show how varied because of the success in that year of many non-Established Church candidates. Out of 22 burgh Liberal M.P.s 11 were members of the Church of Scotland or Episcopal churches, 6 were members of the Free Church, 3 were Voluntaries and 2 it has not been possible to categorise.

Most burgh Liberal M.P.s were, not surprisingly, merchants, manufacturers or bankers - 9 out of 22 in 1852. Lawyers were the next best represented - in 1852 6 M.P.s were lawyers, usually advocates or barristers. Others might have a military or a landowning background - 3 of each in this sample year of 1852 - or come from some other profession - there was one surgeon among the 1852 Liberal M.P.s.

A university education was more common amongst burgh Liberals. Of those elected in 1852, 10 had attended university, 5 of these in Scotland<sup>57</sup>.

### The 1868 Reform Act

The Conservative government's first attempt to get a measure of reform for Scotland through Parliament foundered on the familiar rocks of how to find extra seats and of how best to distribute these<sup>58</sup>. The delay which resulted meant that the proposed extension of the franchise was already taken as all but settled along the lines of the Act for England and Wales passed the previous year. It is worthwhile to look at the details

<sup>57</sup> These figures are taken from an ongoing study I have undertaken of trying to create a data-base of Liberal and Conservative M.P.s between 1832 and 1880. The obituaries for all these members in *The Scotsman*, *The Glasgow Herald* and *The Times* and their entries in *Dod's Parliamentary Companion* have been looked at to try to ascertain religion, profession and educational background. This is made difficult in the case of religion by the fact that in many cases there is no record of religious affiliation.

<sup>58</sup> A Bill for the Amendment of the Representation of the People in Scotland, *P.P.*, Vol. V 1867, 146

of the Second Reform Act in Scotland because it helps to throw some light on the problems which had built up in the 1832 structure and in itself was a political issue of great importance, both within the Liberal party and between Liberals and Conservatives.

The Act, where there was room for changes related to Scotland in particular, was a conservative measure which, in reality brought about, most notably in its avoidance of a significant remodelling of the distribution of seats, a mere patching over of the 1832 system.

Disraeli, when the measure was introduced into the Commons in February 1868, expressed surprise that any Scottish member could oppose a measure, the great principle of which was the extension of the franchise, and the only principle of which, as regarded redistribution, was that the representation of Scotland should be increased<sup>59</sup>.

On the one hand this sums up what the Act achieved. The main features of the franchise provisions, as has been mentioned, were foreshadowed by the English Act. These were the introduction of a household franchise in the burghs, with certain additional requirements, and the reduction of the lower limit for the county ownership and occupancy franchises. This involved for owners a reduction from £10 to £5 and for occupants a reduction from £50 to £14, £2 higher than in England. An attempt was made to restrict the creation of fictitious votes by limiting the number who could claim as joint-owners, in most cases to two<sup>60</sup>.

Despite the attempts to hedge in the burgh franchise with a disqualification for non-payment of rates and for receipt of parochial relief, this amounted in some places to household suffrage pure and simple and brought on to the register, therefore, especially in the big cities, large numbers of the urban working class. There had been an attempt to introduce a requirement for universal separate rating which had been dropped as some areas were not in fact assessed<sup>61</sup>. The dropping of this requirement meant that many, in particular those on low rents or in areas where there was no rating for the poor, came on to the register immediately where they would not otherwise have done so<sup>62</sup>. The Glasgow parliamentary constituency stood at 47,854 in 1868, compared with 12,502 in 1850. By 1884 it had risen to 68,025<sup>63</sup>. Another example is Leith District

<sup>59</sup> *Hansard*, Third Series, 17.2.1868, vol. 140, col. 842

<sup>60</sup> *Public General Statutes*, 31 & 32 Vict., c. 48, s. 58

<sup>61</sup> Greenock was the example most frequently referred to. See the arguments put forward by E.P. Bouverie (Kilmarnock District) in *Hansard*, *op. cit.*, 18.3.1868, vol. 190, col. 473

<sup>62</sup> See the terms of the agreement reached between the Scottish members and Lord Advocate Gordon given in the Commons by James Moncreiff on 25th May 1868. *Hansard*, *op. cit.*, vol. 192, cols. 843-847

<sup>63</sup> The population of Glasgow in 1851 was 329,097 and in 1881 was 487,985. *P.P.*, 1883, vol. LIV, pp. 354-355. Figures for 1850 electorate from *P.P.* 1852, vol. XLII, pp. 321-327. For 1868 and 1884 from *McCalmont*, *op. cit.*

which had 1,373 electors in 1850, 5,037 in 1868, and 11,000 in 1884. A large industrial county such as Lanarkshire, however, by no means saw the same size of increase in its electorate. In 1851, as an undivided county, it had 3,471 electors, and by 1868, by then having been divided into two divisions, it had a total of 7,329, rising to 14,993 by 1884<sup>64</sup>. This was also a reflection of its slower population growth compared to Glasgow, but also of the much more conservative alterations to the county franchise. To take a more rural county where declining population and the limited changes to the county franchise can be seen reflected in the size of the electoral role, Haddingtonshire had 716 electors in 1851, 895 in 1868 and still only 1,079 in 1884<sup>65</sup>. Disraeli's aim of making the counties 'purely agricultural reserves'<sup>66</sup> was realised here, especially when taken with the proposals to 'weed out' burghs from their respective counties when it came to redistribution.

There had been no provision for redistribution for Scotland in the Liberal government's proposals of 1866, though the bill for England and Wales had made allowance for seven extra seats. This number was adhered to in the bills of 1867 and 1868 for Scotland, though claims were made that on the basis of population and/or contribution to revenue the increase ought to have been in the region of 25 seats, which comes close to the final figure of 72 seats arrived at in the 1884 Act<sup>67</sup>.

The redistribution scheme itself, as finally agreed on, reflected alterations in the Government's proposals and the removal of much that had been partisan in them. P. B. Smollett, Conservative member for Dumbartonshire, writing to Disraeli at this time, both stated the Conservatives' aim for redistribution in their original Scottish proposals and admitted that it was unlikely to be realised:

'The principle endeavoured to be enforced in this Bill is to eliminate from counties towns of 6000 inhabitants and more. - This would be a very valuable principle for Conservatives in counties but it won't be allowed by the Liberals - they never would consent to this especially in the counties of Lanark and Renfrew - '68

An additional seat was given to Glasgow and Dundee and a new district of burghs was created in the Borders out of Hawick, Galashiels and Selkirk. The counties of Lanarkshire, Ayrshire, and Aberdeenshire were divided and given an extra member

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<sup>64</sup> The population of Lanarkshire in 1851 was 530,169 and in 1881 was 904,412. *P.P.*, 1883, vol. LIV, pp. 316-317. 1851 figures for electorate from H.J. Hanham (ed.), *Dod's Electoral Facts*, *op. cit.*

<sup>65</sup> The population here had risen from 36,386 in 1851 to 38,502 in 1881. See *ibid.*

<sup>66</sup> *Hansard*, *op. cit.*, vol. 187, cols. 424+440, quoted in F.B. Smith, *The Making of the Second Reform Bill*, Cambridge 1966, p. 227

<sup>67</sup> W.E. Baxter, for instance, in *Hansard*, *op. cit.*, vol. 192, cols. 436-437

<sup>68</sup> Memorandum by P. B. Smollett, 1868?, Hughenden MSS., MS. B/XI/M/6

each. Finally two members were given to the Scottish universities, one to Glasgow and Aberdeen and the other to Edinburgh and St. Andrews. The counties of Peebles and Selkirk were joined, the extra member being used for the new Border group of burghs<sup>69</sup>.

The effects of these changes then were mostly favourable to the Liberal interest in Scotland. The removal of Hawick from Roxburghshire, and therefore of its town voters, did not turn the county over to the Tories, and the Hawick District was solidly Liberal, the first contested election there only taking place in 1880. Aberdeenshire, which had turned Conservative between 1861 and 1866, returned, with the exception of a Conservative win in East Aberdeenshire at a by-election in 1875, Liberals in both divisions at all elections held under the 1868 arrangements. In Lanarkshire Liberals again won at all the elections held in the same period, except that of 1874 in Lanarkshire South. The seat given to Dundee fitted into this pattern also, consistently returning a Liberal.

In Glasgow, however, the changes were not so clearly to the Liberals' advantage. The arguments over this constituency provide a good example of how the electoral system itself could become a political issue. Objections were raised by them against the minority clause, under which voters had only two votes in a three member constituency and which was therefore thought certain to see the return of a Conservative<sup>70</sup>. In 1868 through good organisation this was avoided, but the foreboding of the Liberals was fully realised in 1874 with the return of the Conservative Alexander Whitelaw. This was largely due to Liberals finding difficulty, in that year at least, in the concentration of their voting strength under such a system. Too many Liberal candidates simply gave the Conservative a clear run.

The Liberals' dilemma in pushing for more than 3 members for the City, 4 in 2 two-member constituencies had been suggested, is shown by the following letter from one of Glasgow's M.P.s, Robert Dalglish, reporting progress on the 1868 Bill to the Lord Provost, James Lumsden:

'It appears to me that the real interests of Glasgow and its suburbs is a matter of far greater importance than the question of what effect the abstraction of Hillhead and Pollokshields would have on a party contest for the representation of Lanarkshire.'<sup>71</sup>

In other words, faced with the need to make a case for more than 3 members for Glasgow, the Liberals were put in a weak position on the question of increasing the

<sup>69</sup> For details of these changes see *Public General Statutes*, 31 & 32 Vict., c.48, ss. 9-12 and schedules A & B

<sup>70</sup> *Ibid.*, s. 7

<sup>71</sup> Robert Dalglish to James Lumsden, 17.3.1868, Lumsden of Arden MSS., Bundle 35

size of the constituency by bringing in the surrounding suburbs. This trade-off was clearly in the minds of some Liberals as the following comment, also from Dalglish, makes clear:

'I have given notices as enclosed - the last about the suburbs is to keep the question open in the hope that we may still be able to squeeze a fourth member out of the Government ...'<sup>72</sup>

This would have meant losing Liberal voters in the neighbouring county, Lanarkshire, as mentioned here and, as Partick and Govan were also included in the Government's proposed Schedule A, in Renfrewshire as well<sup>73</sup>.

The boundaries were, in the end, left unchanged, but not before this occasioned a split in the Glasgow Liberal party. Robert Dalglish and the City's Radicals agreed with the Conservatives in wanting extension, but for the very different reason that they wanted the working men of the suburbs enfranchised<sup>74</sup>. William Graham and the moderate Liberals wanted the boundaries left as they were, out of respect for Liberal prospects in the surrounding counties and probably to keep these working-class radical voters out of the City:

'They [the working classes of the Glasgow suburbs] will be among their fellow workers yet not of them, but belonging to a sort of separate caste of the unenfranchised. and this political disqualification they will suffer, if the upper classes among them get their way, to serve men whose only object is to perpetuate their own importance.'<sup>75</sup>

Moderate Liberal satisfaction at having seen off the Conservatives was recorded by *The Scotsman*:

'The Liberals were fortunate in defeating the Glasgow boundaries job, on which the Government did not expect to be beaten.'<sup>76</sup>

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<sup>72</sup> Robert Dalglish to James Lumsden, 26.5.1868

<sup>73</sup> *The North British Daily Mail*, 30.5.1868

<sup>74</sup> Dalglish was reported as having persuaded the Lord Advocate to put forward his scheme, including a further large district in Renfrewshire, but that the latter had withdrawn this in the face of majority Liberal opposition. *The Scotsman*, 13.6.1868

<sup>75</sup> *The Glasgow Herald*, 2.7.1868. Interestingly this Conservative newspaper was supporting the claims of the working classes of suburban Glasgow, no doubt also motivated by the prospect of political gain in the counties.

<sup>76</sup> *The Scotsman*, 10.6.1868



'The Liberals' here meant the Whigs and moderates, not the Glasgow radicals who supported Robert Dalglish. The discussion about Glasgow in 1868 shows, therefore, that the electoral system itself could be a highly political issue, leading also to unusual combinations across normal political lines, because of local considerations. It was in Glasgow a matter between the parties and within the Liberal party as Whigs and radicals tried to outmanoeuvre one another in the cause of the future social and therefore political complexion of the constituency.

Overall, as can be seen from Table 3, the altered electoral system in operation after 1868 may have helped to open Scottish politics up just a little. With only three general elections to work with, however, it is not possible to come to any definite conclusion.

Table 3: Returns according to broad party label, 1868-1880<sup>77</sup>

	1868	1874	1880
Counties: LIBERAL	24	17	26
Counties: CONSERVATIVE	8	15	6
Burghs: LIBERAL	26	23	26
Burghs: CONSERVATIVE	0	3	0
Univs: LIBERAL	2	1	1
Univs: CONSERVATIVE	0	1	1
Total: LIBERAL	52	41	53
Total: CONSERVATIVE	8	19	7

When a comparison is made between these provisions and some of the original proposals in the Bill, it becomes clear that the Liberal interest had exerted itself to water down the intentions of the Government<sup>78</sup>. As envisaged in the Bill a new Clyde district was to be set up, made up of the burghs of Coatbridge, Wishaw, Kirkintilloch, Helensburgh, Johnstone, Barrhead, and Pollokshaws<sup>79</sup>. Hence the accusations of "weeding" of urban areas (Liberal strong points) out of counties, in this case from Lanarkshire, Dumbartonshire, and Renfrewshire<sup>80</sup>. The weeding was to be carried

<sup>77</sup> Results taken from *McCalmont, op. cit.*. Included in the Conservative totals are two Liberal-Conservatives returned in 1868 and one in 1874.

<sup>78</sup> It is argued that this was a result of their new found unity over Irish Church disestablishment. See Maurice Cowling, *1867, Disraeli, Gladstone and Revolution*, Cambridge 1967, p. 75

<sup>79</sup> 'A Bill for the Amendment of the Representation of the People in Scotland', *P.P.*, 1867-68, vol. IV, Bill 29, ss. 8-13 and schedules A-D

<sup>80</sup> See references in the speeches of, for instance, James Moncreiff (827-830), Duncan McLaren (832-836), and Sir Edward Colebrook (836-837) objecting to this proposed grouping of burghs. *Hansard, op. cit.*, 17.2.1868, vol. 190

further in the proposals to add burghs to already existing groups. Ardrossan was to be added to Ayr District, Alloa to Stirling District, and Hawick and Galashiels to Haddington District. Given the worry that the proposed £12 rating and £5 ownership franchise would add to the urban element in the counties, expressed by Patrick Smollett<sup>81</sup>, it is clear that these provisions were an attempt to make the counties more rural in character along the lines of Disraeli's 'purely agricultural reserves'.

Despite the improvement of the redistribution proposals from the Liberal point of view, the scheme of redistribution can be said to have been conservative in terms of scale, and it did little to remedy the imbalances left by the Act of 1832. Untouched were county seats like Sutherlandshire, with only 339 electors in 1873, although this is an extreme example. Aberdeen, despite the plea of its member, Colonel Sykes, in 1868<sup>82</sup>, continued to return one member for its 14,258 electors, while, for instance, Wigtown District, with 1,177 electors, carried the same weight<sup>83</sup>. In England, as Duncan McLaren pointed out, the principle of giving 2 members to burghs with over 20,000 inhabitants had been adopted<sup>84</sup>, whereas in Scotland places like Kilmarnock, with over 25,000 inhabitants were still locked up in burgh groups and large burghs, such as Greenock, still had one member for 42,098 inhabitants in 1871<sup>85</sup>. It is arguable also that a new imbalance was created by the setting up of the two University seats, for, as McLaren pointed out when the Bill was introduced, this meant that Scotland had one university seat in every thirty, whereas the ratio in England and Wales was one in every hundred<sup>86</sup>.

Beyond saying that the 1868 Act strengthened the Liberals' position in Scotland and that it did not remedy the faults in the 1832 system in terms of the distribution of seats, its significance lies in the larger urban electorates it created and the need it therefore generated for more sophisticated forms of party organisation. This was met by both political groupings from the 1870's onwards, with the development of more sophisticated forms of local organisation, Glasgow provides perhaps the best example, and later on the Liberal side, for instance, with the regional organisations, the West and South of Scotland Liberal Association, founded in 1876, and the East and North of Scotland Liberal Association, founded in 1877. Chapter Five below will look at the question of how operating in the post-1868 system altered the balance of interests within the Liberal Party. Finally, there is also the argument that, in terms of the administration of Scotland, having created a situation where parties had to think about

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<sup>81</sup> Member for Dumbartonshire. *Hansard, op. cit.*, 9.3.1868, vol. 190, 1241

<sup>82</sup> *Hansard, op. cit.*, 9.3.1868, vol. 190, 1255

<sup>83</sup> Based on 1873 returns in Charles R. Dod, *Parliamentary Companion*, London 1875

<sup>84</sup> *Hansard, op. cit.*, 9.3.1868, vol. 190, cols. 1251-1252

<sup>85</sup> Based on 1871 returns in Charles R. Dod, *Parliamentary Companion*, London 1873

<sup>86</sup> *Hansard, op. cit.*, 17.2.1868, vol. 190, col. 833

giving substance to their campaigns to win votes, they then had to turn their pledges into acts. This then proved too great a burden for the already strained system centred on the Lord Advocate, and therefore helped eventually to lead to the appointment of a Scottish secretary<sup>87</sup>. The Whigs, as Michael Fry has argued, preferred to tinker with the system rather than to undertake institutional reform. The 1868 changes added to the pressure to bring about that reform and brought into sharper focus the fact that Anglican, English-centred Whiggery was not fitted to deal with the changes required in peculiarly Scottish institutions.

This, of course, is to go a little ahead of the period which is the centre of concern here, but it is worth noting the elements of continuity that marked the electoral system both before 1832 and after 1868. One only needs to take a look at a constituency like Sutherlandshire, still, with 3,055 electors, returning a Liberal in 1910, to sense this<sup>88</sup>. The old Scotland of counties and districts of burghs was strengthened more than reformed by the changes of 1832 and 1868. The mechanics of the electoral system encouraged a conservative sort of politics and made for slow responses to social change. The explanation of the dominance of Liberalism in this period does not lie in the 'reformed' electoral system, but elsewhere in the developments in mid-nineteenth century Scottish society and in the issues that moved people at that time. The electoral system could, in a sense, be said to have frustrated radicalism in Scotland. Very often in the burghs it was a case of trying to make 'ten-pounder' M.P.s respond to the new issues, Free Trade, religious equality, working-class aspirations, which were concerning expanding, but not yet by any means fully empowered, sections of their electorates.

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<sup>87</sup> William Ferguson, *Scotland: 1689 to the Present*, Edinburgh 1968, p. 324

<sup>88</sup> *McCalmont, op. cit.*

**PART TWO**

**THE DEVELOPMENT OF THE  
LIBERAL PARTY IN SCOTLAND**

## CHAPTER 2

### DISRUPTION AND REPEAL. THE LIBERAL PARTY IN SCOTLAND, 1843-1849

The Disruption of the Church of Scotland in 1843 and the Repeal of the Corn Laws in 1846 were the two salient events which had a profound influence on the development of Scottish Liberalism in the 1840's. The more important event in Scottish terms, the Disruption, unleashed a new force, the Non-intrusionists or Free Church after 1843, as an independent influence into the Scottish political scene, which, with the dynamo of resistance to an increase in the Maynooth grant, reshaped the constellation of Scottish Liberalism. Repeal split the Tories in Scotland, just as it did their counterparts in England, but they were weakened more significantly north of the Border as the party was that much smaller and the loss of leaders, like Buccleuch and Argyll with their great territorial influence, who mostly went with Peel in Scotland, was therefore more serious. Conservative representation, which had stood at 22 seats in 1841 in Scotland fell to 20 at the 1847 election. Of these 20, 12, more seriously, were supporters of Peel on Free Trade and only eight true Protectionists<sup>1</sup>. Liberal dominance in mid-century Scotland was not only the product of the reforming tradition and the desire to throw off the feudal yoke, therefore. It was also the product of Conservative disarray. The effect on Liberalism, though less cataclysmic, was significant in that the removal of this issue, together with the Disruption, cleared the decks and allowed new Reforming issues, the Game Laws, educational reform, and so on, to come forward. The emergence of the Peelites, or Free Trade Conservatives, or Liberal-Conservatives, the label varied, is important in terms of the development of the Scottish Liberals in terms of the effect on the complexion of Liberalism which they had, especially in the county seats.

It would be difficult to overestimate the importance of the Disruption in Scottish politics in the nineteenth century. By 1847 750 churches had been or were being built for the Free Church<sup>2</sup>. With a membership of 700,000 to 800,000 such a body was bound to exert political influence, especially if it had a sense of mission or grievance. The Free

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<sup>1</sup> See the categorisation of Scottish M.P.s in *The Scotsman*, 28.8.1847. The Peelites according to this were Gordon (Aberdeenshire); McNeill (Argyllshire); Oswald (Ayrshire); Wortley (Bute); Smollett (Dumbartonshire); Drumlanrig (Dumfriesshire); Lincoln (Falkirk Burghs); Charteris (Haddingtonshire); Baillie (Inverness-shire); Drummond (Perthshire); Mure (Renfrewshire) and Lockhart (Selkirkshire). See also below for a preliminary discussion of the differences within this group.

<sup>2</sup> 'Third Report of the Select Committee on Sites for Churches (Scotland)', *Parliamentary Papers [P.P.]*, vol. XIII, p. 269, 5.7.1847

Church had both. Its present grievance concerned the granting of sites for new church buildings. Its mission was to maintain and realise its claim to be *the* national church of Scotland. As Chalmers himself put it:

'But we purpose to remain free and separate from the State, until Parliament gives us the rights we claim, adopts us as the Establishment, and leaves us to deal with the clergy of the present Establishment as so many ecclesiastical delinquents who have forsaken their original principles.'<sup>3</sup>

In other words far from seeing themselves as rebels and dissenters, according to this point of view the Free Church saw itself as the true Church of Scotland with the expectation that the Auld Kirk would wither and die on the vine. The association of the Conservative party with the Church of Scotland would have made any attempt to woo the Free Church vote difficult, therefore. The Conservatives, and especially Lord Aberdeen, their leading spokesman on Scottish church affairs, had done themselves no favours with the Non-intrusionists in the period leading up to and immediately after the Disruption in any case, which made such a wooing even more hypothetical. Machin explains the attitude of the Conservatives *and* the Whigs in the following terms:

'The policy of the whigs and liberal conservatives [i.e. those inclined to try for a settlement] was one of reviving the establishment and at the same time making concessions to other denominations.'<sup>4</sup>

There was, in other words, to be no concession from the political establishment to the central claim of the Non-intrusionists, namely that in spiritual and church government matters the Church should recognise no higher secular authority. The main Conservative attempt to find a compromise, Aberdeen's bill of 1840 was too little too late. It offered a presbyterial veto on a presentee rather than a congregational veto, but came in an atmosphere of hardened Non-intrusionist attitudes produced, for example, by the Court of Session's adverse ruling in the Marnoch or Strathbogie case<sup>5</sup>. The bill also failed to exclude the possibility of the civil courts interfering if, for instance, the presbytery rejected a presentee merely because the congregation objected to him<sup>6</sup>. More

<sup>3</sup> Evidence of Dr. Thomas Chalmers, Second Report of the Select Committee on Sites for Churches (Scotland), *Ibid.*, p. 311

<sup>4</sup> G.I.T. Machin, 'The Disruption and British Politics, 1834-1843', *SHR*, 1972, p. 21

<sup>5</sup> This went against the General Assembly of 1840's decision to continue the suspension of the seven Strathbogie ministers who had refused to apply the procedure of the Veto Act. See again Machin, *Ibid.*, p. 26

<sup>6</sup> G.W.T. Omond, *The Lord Advocates of Scotland, Second Series, 1834-1880*, London 1914, p. 74

important for the sake of people's perceptions, however, was perhaps the language used by Aberdeen in dealing with the claims of the Non-intrusionists at the time and thereafter. In introducing his bill Aberdeen had described the popular veto as "the exercise of an arbitrary, capricious, and groundless will of a congregation without any assigned reason ..." <sup>7</sup>. Described as an enemy of the Non-intrusionists after the failure of his Bill to pass <sup>8</sup>, he responded to the attempt of the Duke of Argyll to solve the problem and to the support of the General Assembly of 1841 for his bill by claiming that "the presumption manifested by the General Assembly ... was never equalled by the Church of Rome." <sup>9</sup> This was not the sort of analogy designed to appeal to evangelical presbyterians claiming to be the true inheritors of the traditions of the Church of Scotland! As Argyll's son <sup>10</sup> summed up the matter with reference in particular to Aberdeen's attitude:

'Then again, mere political Toryism added its share of power over the minds of many and the affinity of the right of patronage in Scotland to the same rights in England - all tended to swell the resisting forces against concession to the Church Assemblies.' <sup>11</sup>

The 8th Duke does not fail either to put the blame for what happened explicitly where he thought it lay:

'The responsibility of refusing the compromise offered by my father's Bill lay certainly with Sir Robert Peel's Government, and in the Government mainly, as I have always believed, with Lord Aberdeen. ... I deplored at the time the course taken by that distinguished man in 1840-42 (despite coming to revere him later) ... Lord Aberdeen, as the most distinguished Scotsman in the Administration, was blindly followed, with fatal consequences (by the Cabinet).' <sup>12</sup>

If the Conservatives offered no political home for the post-1843 Free Church to achieve its goal, then what of the Liberal party? The logic of the above argument is that most Non-intrusionists would, by definition, be Liberal. As Machin concludes in discussing the impact of the Scottish Church question on the 1841 to 1847 parliament:

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<sup>7</sup> *Hansard*, Third Series, vol. 53, 5.5.1840, col. 1216

<sup>8</sup> Omond, *op. cit.*, p. 75

<sup>9</sup> *Hansard*, *op. cit.*, vol. 58, col. 1505

<sup>10</sup> Later 8th Duke of Argyll

<sup>11</sup> Dowager Duchess of Argyll (ed.), *George Douglas Eighth Duke of Argyll, Autobiography and Memoirs*, London 1906, p. 170

<sup>12</sup> *Ibid.*, p. 178

'... from the later behaviour of Scottish members it would seem that many of them had been impressed, through election experiences and otherwise, with the importance of the question and that they were ready to consider any means of settling it. The attitude of the conservative government, however, helped to ensure that henceforth most M.P.s who considered a non-intrusionist solution were liberals.'<sup>13</sup>

But what kind of Liberal? The Non-intrusionists had had little to thank the Melbourne administration for. Melbourne himself had seen the matter in the following light:

First, I do not know how I could reconcile it to my conscience to take the part of any church or of anything ecclesiastical anywhere, in opposition to the law ... Secondly, I do not know how I could ... agree to anything which was to place the election of ministers more in the hands of the congregation than it is at present. And thirdly, even if the Church were right in their desires, the manner in which they have been asserted and enforced cannot be justified or even excused.'<sup>14</sup>

The Non-intrusionists had come to despise the Whigs for their do-nothing attitude, their secular deism and their pandering to their Voluntary radical allies. A pamphlet produced by a committee formed in Edinburgh in 1846 to ensure that the right, i.e. Evangelical, candidates were returned to Parliament gives a sense of the Free Church frustration with the established parties:

'Mere secular politicians of all shades of opinion - Conservative, Liberal, Radical - may be regarded as nearly unanimous in maintaining that, if the State is to give any of its countenance or support to religion, it must be on terms implying civil supremacy in matters spiritual; and it must also be on the footing of all religious opinions and sects being treated with equal favour. In particular, it would seem to be part of a fixed plan, that the continuance of the present religious establishments of the country is to be purchased by concessions to the Church of Rome.'<sup>15</sup>

These Conservative, but also Liberal and Radical politicians were being accused of having a programme that comprised everything the Free Church stood against, including state supremacy in religious matters, equal treatment for all sects, whether Presbyterian or not, and worst of all a willingness to support Roman Catholicism.

<sup>13</sup> Machin, *op. cit.*, p. 39

<sup>14</sup> Melbourne to Lord Dunfermline, 20.4.1841, in L.C. Saunders (ed.), *Lord Melbourne's Papers*, London 1889, p. 416

<sup>15</sup> Address 'To the Electors of Scotland', enclosed with a letter from J. C. Brodie to Fox Maule, 11.8.1846, Dalhousie MSS., MS. GD45/14/665. Maule was one of the few leading Free Churchman who was also a Whig. Brodie was keeping him abreast of Scottish political developments.



Several specific issues ensured that the Free Church stayed alienated from the Whigs. The grievance of the refusal to grant sites for churches stirred up much antipathy amongst Free Churchmen towards landlords as a group in society:

'The fact of their refusal to several congregations and the consequent hardships suffered by them, keep alive a sense of injury and wrong among the whole of the large religious body of which those congregations form a part; and the peaceful subsidence of angry feelings, to which the events of 1843 necessarily gave rise, is thus both obstructed and endangered.'<sup>16</sup>

Even although the inquiry into this matter put a ceiling of 35 on the number of cases in which sites had been refused, the report makes clear that the sense of grievance had spread to the whole Free Church. The evidence brought before the Committee was copiously reported in the press and helped no doubt to strengthen the feeling that friendly political representation was the only way to ensure fair treatment. Lord Aberdeen for his part had been warned before the Disruption about the probable effects of such a feeling of grievance on the political scene by Thomson of Banchory, an Aberdeenshire Conservative. In the wake of the 1841 election he held that the Non-intrusionists were capable of deciding every contested election:

'I have now had a good deal of experience in county canvassing, and I have been led to the conclusion that the tenantry of Scotland are, on the whole, very indifferent to points of mere civil politics, - they feel no great interest in either party, and therefore they will not quarrel with their landlords on such subjects, but vote along with them, and this you will see is the case on both sides all over the country. But in the Church Question, I am firmly persuaded that the influence of the landlords will be absolutely nothing over those who are Non-Intrusionists. On points which involve religious and Presbyterian principles, the tenantry of Scotland will be found as inflexible as their forefathers.'<sup>17</sup>

Thomson may have over-done it a bit on the revolutionary spirit of the Scottish tenantry, but the point is well made that they had no great loyalty to *either* Whigs or Tories, in other words conviction could now challenge deference. Whig landowners had not been noticeably more helpful over the question of sites than their Tory counterparts. Thomson went on to make this point even more explicitly:

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<sup>16</sup> Third Report of the Select Committee on Sites for Churches (Scotland)', *P.P.*, vol. XIII, p. 269, 5.7.1847

<sup>17</sup> Lady Frances Balfour, *Life of the 4th Earl of Aberdeen*, 1922, vol. I, p. 92

'If you look all over Scotland you will find in almost every county and city laymen of respectable character and station, and some of them men of considerable influence, avowing their adherence to the majority of the General assembly. This party is steadily increasing. Here I must notice another and not unimportant feature in the case. The women of Scotland are almost all zealous Non-Intrusionists, and almost all ranged on the side of the popular ministers. They have not a little influence over their fathers, husbands and brothers, - but they have still more over the rising generation and are training up their sons to admire and support whatever party in the State will stand by and support their favourite preachers.'<sup>18</sup>

Again the stress is on *whatever* party.

If the sites question gave the Free Church the feeling that it had to fight for its own corner, the point was equally well made by the failure of Fox Maule to pass his bill of 1844 to abolish tests for secular university chairs<sup>19</sup>. An attempt was made by those friendly to the Establishment to enforce the Act by which office-bearers at Scottish universities had to sign the Westminster Confession of Faith not only in the case of theology chairs but also now in connection with secular offices. The attempt to push out professors in place failed as the law did not make any provision for those who had signed but had later changed their minds. It was clear, however, that Free Churchmen could be barred from holding such offices in the future.

The most important factor in driving home the point that the Whig/Liberal Establishment offered no home either was the different but concurrent controversy that blew up over the Maynooth Grant.

The Bill to increase and make permanent the grant to the Roman Catholic Seminary at Maynooth in Ireland<sup>20</sup> was anathema to evangelical protestants in Scotland and to Free Churchmen in particular. Coming soon after the Disruption it touched a raw nerve as Fox Maule, the most prominent Free Churchman in parliament, made clear. Reminding the House of Commons during the debate on the second reading of the Bill that two years previously he had brought forward a petition re Claim of Right from the Church of Scotland, he went on to say that:

'... when he claimed on behalf of the Scottish people, that they should have the management of their own spiritual concerns, independently of the State, and without its interference, he was then told by those now bringing forward and supporting the present measure in relation to Maynooth - it was uttered from that (the Ministerial) side of the house, and echoed from that of the Opposition, that the idea of an

<sup>18</sup> *Ibid.*, pp. 92-93

<sup>19</sup> See Omond, *op. cit.*, p. 96 on this point

<sup>20</sup> Previously an annual grant of £9,000 it was to be increased to £30,000 and made a permanent endowment.

establishment existing in connexion with the State, and over which the State had no control, was monstrous and unconstitutional.<sup>21</sup>

The Maynooth Grant did not, therefore, only represent "the endowment of error" to Free Churchmen, but also an example of double standards at play on the part of both the Conservative government *and* the Whig opposition. Maule went on to rub the point about double standards home by tying in the Sites issue with Maynooth and Peel's Irish policy generally:

'... and that whilst he recommended the landlords of Ireland to deal kindly with their Roman Catholic tenants - to give them sites for their chapels and to contribute to the maintenance of their priests - he would also recommend his own Cabinet to look at home in Scotland, and to cease from persecuting the members of the Free Church there, who lived on the estates of some of the Members of that Cabinet - ...'<sup>22</sup>

An analysis of the passage of this Bill shows that the forces of secular-leaning, mostly Established Church Whiggery in Scotland were behind the proposals of the Peel Government to the extent of endorsing the principle of permanent endowment. A list of names supporting the first or second reading of the bill, or both, is sufficient to make the point. William Gibson-Craig (Edinburgh), Lord Dalmeny (Stirling Burghs), T.B. Macaulay (Edinburgh), J. Dennistoun (Glasgow), J. Oswald (Glasgow), J. Loch (Wick District), D. Dundas (Sutherlandshire), J. Dalrymple (Wigtonshire), A. Rutherford (Leith) and Lord J. Stuart (Ayr District) all voted for the Maynooth Grant at some stage<sup>23</sup>. Gibson-Craig and Macaulay, M.P.s for Edinburgh, Dennistoun and Oswald, Glasgow's M.P.s, Loch and Dundas, intimately connected with the Leveson-Gower influence in the north of Scotland, Rutherford, who was Melbourne's ex- and Russell's soon to be Lord Advocate, Lord James Stuart, the long-serving and radical-leaning M.P. for Ayr Burghs, Captain John Dalrymple, later the Earl of Stair, these names were the typical representatives of Scottish Whiggery. The only difference they showed to Peel was typically, as Whigs, being willing to finance the endowment out of the funds already available for ecclesiastical purposes in Ireland, rather than out of the public purse. It is likely that even this did them even less good with a large number of Free Churchmen. The Free Church committed still to the Establishment idea probably felt more sympathy with the Scottish Conservatives like W. Gordon, C. Hope, and J.S. Wortley, who, though supporting the idea of a permanent endowment, voted against finding the funds from elsewhere in Ireland as an attack on the Irish Episcopal

<sup>21</sup> *Hansard, op. cit.*, vol. 79, 14.4.1845, col. 607

<sup>22</sup> *Ibid.*, col. 608

<sup>23</sup> *Ibid.*, 3.4.1845, cols. 109-111 and 18.4.1845, 1042-1047 in particular

Establishment. Fox Maule, for example, voted against the second reading of the bill and did not support the funding of the Grant from the Established Church in Ireland<sup>24</sup>. The Sites question, Maynooth, and the University tests issue all either emphasised the need for a greater Free Church voice in Parliament or stressed the alienation of the Free Church from the establishment in both of the existing main political groupings. This matched the frustration of its mostly rising middle-class congregation with the old party dogmas<sup>25</sup>. One further issue also made Free Church concern in the direction of Scottish politics inevitable, viz. educational provision in Scotland which was to be a central theme in Scottish politics throughout mid-century. To the Free Church it was not just a question of caring for its own but also, and especially to those around Robert Candlish, Convenor of its Education Committee from 1847, a question of staking its claim to be *the* national church.

The functions of any Church, and especially of a Church that aspires to the character of national, cannot be considered as completely fulfilled till provision is made for the religious training of the children and young persons connected with it, from the lowest elementary school to the first institutions of science and learning.<sup>26</sup>

The politics of the attempts to create a national system of education in Scotland will be discussed in the following chapter. It is important to point out here however that this question was also a political one. By the end of the 1840's there was a sharp division in the Free Church over education. The heady enthusiasm of the very early days had given way to argument over the best way forward in the light of the constraints caused by the need for money to finance the Free Church's Educational Scheme. Those round Candlish wanted to develop this scheme further using the resources made available under the new Privy Council grants-in-aid after 1846. A group round Thomas Guthrie and James Begg wanted to avoid creating a too vigorous and costly Free Church system as they thought that this would put obstacles in the path of the creation of a national education system and condemn Scotland to sectarian education which would fail to make provision in all the areas where it was needed, most especially in the rapidly expanding Lowland towns. These men wanted to 'open up' the parish schools as the basis of a new national system and so reduce the power of the Established

<sup>24</sup> *Ibid.*, cols. 1311-1314 (Division on Wood's amendment to find the funds from those already applicable to ecclesiastical purposes in Ireland, 24.4.1845.) and cols. 1432-1433 (Division on Tancred's amendment to make provision out of the surplus in the hands of the Irish Ecclesiastical Commissioners, etc., 28.4.1845)

<sup>25</sup> For an analysis of the social background of the Free Church in Aberdeen, for example, see A.A. MacLaren, *Religion and Social Class*, London 1974, pp. 79-86

<sup>26</sup> View of the majority on the Education Committee, *Proceedings of the General Assembly of the Free Church of Scotland*, May 1843, p. 124

Church. Candlish, for his part, was concerned that this would fail to provide security in terms of the religious character of the education given<sup>27</sup>.

Whether Free Churchmen supported Begg and Guthrie or Candlish it was obvious that the establishment of a national system along the right lines or the resistance to the creation of such a national system could only be effected by influencing parliament. Having the right men in parliament was the natural corollary of this. In terms of their views on educational provision the Whigs were also in this respect suspect. As a group they were unimpressed by sectarian considerations in education also. Lord Melgund, brother-in-law to Lord John Russell and son of the Second Earl of Minto provides a good illustration of Whig attitudes. Writing in 1849 he declared himself against making "dogmatical instruction part of the school business" and went on to say "We are at war with them [the priests] and they know it."<sup>28</sup> He set himself firmly against the Candlish view by stating his belief that if there was to be religious education it was better to state in any statute exactly what it was rather than to allow any "fanatical committee, which may be nominated under clerical influence in the localities, to run riot in the cause of religion." That the Free Church knew they were 'at war' in this respect is clear from the steps they took to resist Melgund's Education Bill of 1850 with a deputation sent to London and reported as having "poked their noses into about every corner in which a Minister, Peer or Commoner was to be found."<sup>29</sup>

The message to Free Churchmen up and down Scotland was therefore the imperative of developing political weight of their own. The urgency of this was emphasised in the fact that the Church of Scotland, although weak after 1843, did not simply wither away as some in the Free Church had expected. James Robertson, who became professor of Ecclesiastical History in the University of Edinburgh in 1844 was, for example, responsible for a great drive to secure endowments. Between 1846 and 1860 sixty parishes *quoad sacra* were added to the Church of Scotland<sup>30</sup>.

How did this imperative work itself out on the ground? What effect did it have on the Liberal party? The first indications were provided by a series of by-elections held between 1844 and 1846.

The first was at Kilmarnock in 1844. The lesson of this contest was that the Free Church could make things difficult for a Whig candidate. John Robertson, the initial

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<sup>27</sup> For a discussion of this division in Free Church opinion see D.J. Withrington, 'The Free Church Educational Scheme, 1843-1850', *Records of the Scottish Church History Society*, vol. XV, part II, 1964, pp. 103-115 and in particular here his reference to the *Free Church Educational Journal* (May 1849), i, pt. 11

<sup>28</sup> Letter to Hill-Burton, 3.12.1849, Hill-Burton MSS, MS. 9410, ff. 1-4

<sup>29</sup> *Ibid.*, n.d. 1849, ff. 17-20

<sup>30</sup> J.H.S. Burleigh, *A Church History of Scotland*, London 1960, p. 337

candidate of the local Whig clique, the Reform Club, was dropped. Why is not very clear but it was probably because of his wooing of the Free Church vote. His address mentions specifically his desire to secure civil and religious liberties:

'... on behalf of the New Seceders, who, by refusal of sites, may be prohibited the free worship of God; and of the Old Seceders, kept out by religious tests from academic situations, ...'<sup>31</sup>

He was replaced by E.P. Bouverie, a Whig and member of the Church of England. Bouverie seems at this point in his career to have shown "woeful ignorance"<sup>32</sup> of Church matters and to have aggravated a good number in the constituency by the very fact of his selection.

'... certain persons go to Glasgow, and snugly conduct the business along with a few others in that city who seem to have a most solicitous and unsolicited care for our interests political.'<sup>33</sup>

He admitted to knowing very little of the Scottish church question:

'He considered the recent division in the Church had put an end to that question, so that his ignorance on this matter was of less consequence.'<sup>34</sup>

Such an attitude was not calculated to win over Free Church hearts, especially when Bouverie's rival Robertson was able to claim the support of Fox Maule and to point to efforts he had made in getting the Duke of Sutherland to grant concessions on Church Sites. Allowing for the fact that Bouverie had a Chartist opponent, Henry Vincent, connected with the Complete Suffrage Union and that he suffered from the reputation of being foisted on the constituency the result still needs some explanation. Robertson entered into an agreement with Bouverie to canvass the burghs to see who was the preferred Liberal candidate and retired as a result, recommending his supporters to back the latter. Bouverie, the only Liberal with a chance of being elected, the Anti-Corn Law candidate, still only managed to beat the late entering Tory, H. Thoby Prinsep, by ten votes. One commentator found it extraordinary that in the town of Kilmarnock itself, where Prinsep actually won, there were to be found 189 voters willing to uphold the Corn Laws. But was this really what the result meant?

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<sup>31</sup> *Ayr Advertiser*, 23.5.1844

<sup>32</sup> *Kilmarnock Journal and Ayrshire Advertiser*, 23.5.1844

<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*

The Liberals had been split by the dropping of Robertson and he drew off Free Church voters especially. Some of these had probably either stayed away from the poll or had voted for one of the other two candidates in protest. It is noticeable that Bouverie and Vincent together polled eighteen votes less in Kilmarnock itself than Alexander Johnston, the Liberal candidate in 1841. Liberal disunion had, in other words almost handed the seat to the Conservatives. They in turn had also been affected by the emergence of the Free Church interest, however. Alexander Dunlop makes this clear in a letter to Fox Maule:

'The Kilmarnock affair has been exceedingly bungled. If Bouverie's friends had made an arrangement with Robertson in London beforehand as they ought to have done there probably would have been no contest at all - By acting otherwise they throw on us the painful task of discountenancing and inducing the withdrawal of our own friend [Robertson] on behalf of one who really has no title to be considered so ... And now I am told they find after all that having slighted and despised the Free Church party originally, their success will depend on the Free Church Conservatives supporting Bouverie against a Conservative. - If this really be so they will lose it for it is wild to expect that conservatives will support a liberal unless they have some sentiments in common. - I am surprised that they should incline to go so far as they do which is to remain neuter for that is far more than a person like Bouverie has a right to expect.'<sup>35</sup>

This abstention on the part of Free Church Conservatives helps to explain the drop in the Conservative vote also down by 100 to 379 at this election. Dunlop emphasises the importance of the Conservative Free Church vote and the possibility of winning it over to support Liberals by pointing out to Maule that his friends had to take this group more seriously:

'Your political friends must really learn to be a little more considerate to us before they can possibly look for the support of those Free Churchmen whose political views are opposed to theirs.'

Maule's "friends" were Whigs. Dunlop was in fact saying that they were going to have to make new political alliances if they wanted any support.

At this point it is clear that the emphasis is on recognition for Free Church interests and on the weak position of the Conservatives as regards Free Church voters, even former supporters.

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<sup>35</sup> A. (Murray) Dunlop to Fox Maule, 20.2.1844, Dalhousie MSS, GD 45/14/658/2

Dunlop also expresses the belief at one point that Campbell of Monzie was on the point of handing the Conservatives an even greater chance of taking the seat by standing and thus further dividing the Liberal interest. Dunlop's reaction to this prospect is interesting:

'It would also place the Free Churchmen in the position I should greatly deprecate of having a candidate of their own and appearing as a separate and distinct party.'<sup>36</sup>

Dunlop had no interest, therefore, in seeing separate Free Church representation. Influence was to be gained by influencing and altering the existing Liberal party.

Kilmarnock had shown that to be Anti-Corn Law was not sufficient any more to unite all Liberals in a Scottish burgh seat. This was emphasised again by the next significant by-election which came in the middle of the passage of the Maynooth bill through Parliament. The contest showed that it was not only a source of anger amongst Free Churchmen and Protestants generally in Scotland but could also be a moving force in political terms. On the resignation of the sitting member for Greenock, Robert Wallace, due to ill health, the Whigs put up the ex-Provost Walter Baine. Baine was found by part of the constituency to be suspect on the Maynooth issue. Later at the nomination he gave his opinion as being:

'... that so long as the Catholics were called upon to contribute so largely to the Protestant Church, he could see nothing unreasonable in their getting such a grant as this.'<sup>37</sup>

Such views led to the appearance of the Free Churchman Alexander Dunlop as a rival Liberal candidate. Dunlop justified his standing in the following terms:

'I became convinced that I was no longer warranted in withholding, on personal considerations, from those of the constituency who condemn the proposed Endowment of the Roman Catholic religion in Ireland, the occasion so anxiously sought by them of recording their votes against it.'<sup>38</sup>

Or as he put it in a letter to Maule:

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<sup>36</sup> Dunlop to Fox Maule, 10.2.1844, *Ibid.*

<sup>37</sup> *Greenock Advertiser and Clyde Commercial Journal*, 18.4.1845

<sup>38</sup> *Ibid.*, 15.4.1845, Election address of Alexander Dunlop



'Mr. Baine addressed the Electors for the first time publicly on Saturday and so much increased the dissatisfaction against him among the anti-Maynooth portion of the constituency that they sent me another more urgent application which my friends in Edinburgh thought I was bound in duty not to refuse so as to prevent it from being said that Scotland was so indifferent as not even to get up an opposition on the subject to an avowed friend of the grant which they thought greatly worse than the defeat of a candidate starting as I do tho' coming before the nomination.'<sup>39</sup>

The fact that Free Trade was already passé in such burgh constituencies, that particular battle having been won was made by 'A Brother Elector' in addressing the constituency:

'Free Traders, I also call upon you to come to the rescue, for, some of our number in Parliament have already committed a blunder, by viewing the endowment scheme as a subordinate question; but to convince them of their mistake here, it is sufficient to be told, their Constituents are of a different opinion, ...'<sup>40</sup>

Dunlop started late, but nevertheless came within six votes of beating Baine. In two of the town's wards he actually polled more votes<sup>41</sup>. Who then were this 'anti-Maynooth portion of the constituency' which had almost upset the political establishment in Greenock. Obviously Free Churchmen supporting one of their own. This, however, would have given Dunlop too narrow a base. The issue on which he was fighting enabled him to widen it by looking to other objectors to the Maynooth Grant and especially to the Voluntaries. At a public breakfast held for him in Greenock after the election he looked towards the future when he said that:

'He rejoiced at the union which had prevailed on the occasion, and regretted only that a few old animosities, which ought to have been buried long ago should have prevented some from taking that part in the contest which he thought they ought to have done; for, if it was a good thing to oppose the establishment of Popery amongst us, why should any one allow an old paltry feeling of animosity to stand in the way of perfect union for the attainment of the object.'<sup>42</sup>

The union was that between Free Churchmen and Voluntaries. The old animosities were the bad feelings left over from pre-Disruption days when the Non-intrusionists and the Voluntaries had often been the bitterest of opponents. An example is provided

<sup>39</sup> Dunlop to Fox Maule, 15.4.1845, Dalhousie MSS, GD45/14/658/3

<sup>40</sup> *Greenock Advertiser and Clyde Commercial Journal*, 15.4.1845

<sup>41</sup> *Ibid.*, 18.4.1845. The result was: Baine 350; Dunlop 344

<sup>42</sup> *Ibid.*, 22.4.1845

by the long running controversy brought about by the different reactions of the two groups to Catholic Emancipation in 1829. Thomas Chalmers, the leading light of the Evangelical and later Non-intrusionist wing in the Church of Scotland defended it. The Voluntaries, and Andrew Marshall, Secession minister at Kirkintilloch, in particular, opposed it as the first step on the road to the re-establishment of Roman Catholicism<sup>43</sup>. Then, as in the 1840's the point of disagreement between the two groups was to be the Establishment principle. Before the Disruption such disagreements as that over Catholic emancipation had been symptomatic of the Voluntaries' underlying fear that Chalmers and his party were trying to strengthen the Establishment at their expense. Hence the Voluntaries' opposition to the church extension scheme of the period after 1834 "as an endeavour on the part of the Establishment to counteract their influence"<sup>44</sup>. In the context of Greenock in particular, as will be seen below in discussion of the contest of 1847 there, Dunlop had also played a role in generating animosity between Non-intrusionists and Voluntaries. This may also be what he was referring to when talking of 'old animosities'. It certainly played a part two years later and mention of it is better made in connection with the contest of that year.

In the years after 1843, however, the Voluntaries and the Free Church, whatever the Free Church itself might claim, were both dissenting groups, both interested in exerting more leverage on the political system to bring about the destruction of the Establishment and especially, as has been mentioned, the educational part of it. Despite the fact that the Free Church still stood for an established church in principle, political necessity, since both churches now represented people on the 'outside', could bring them together.

Dunlop was still concentrating on the future and on the wider significance of this union when he reported on the result of the election to Maule. He started by expressing his disagreement with Andrew Rutherford, who had, for instance, shown his sympathy with the Free Church over the University tests issue.

"I am distressed at Rutherford - He is all wrong in supposing that time will effect a change on the constituency. The consciousness of the power acquired by the hearty union of Free Churchmen and dissenters effected on this occasion will, in addition to the deep feeling on the subject itself, effectually tend to the maintenance of that which constitutes the bond of Union. He will see the whole non-established ministers of Leith [Rutherford's constituency] attending the meeting and unless he hopes to keep his seat through the kindness which Tories and Establishment men

<sup>43</sup> Burleigh, *op. cit.*, p. 325. See Marshall's attack on Establishments in his sermon *Ecclesiastical Establishments Considered*

<sup>44</sup> *Ibid.*, p.322

must bear him his prospects are nearly on a par with Craig's and Macaulay's and I should say rather worse."<sup>45</sup>

Dunlop saw the union with the Voluntaries as something that could be carried on and spread to other parts of the country. Whigs like William Gibson-Craig and T.B. Macaulay, who had, as we have seen, proved themselves to be unsound on the Maynooth Grant were fair game and even sympathetic Whigs like Rutherford were vulnerable unless they got their act together. Dunlop had made the point even more clearly earlier in the contest, again to Maule. Referring to a meeting in Edinburgh at a point at which he was still refusing to run against Baine he expresses his satisfaction at the way in which it went:

'... and in nothing more than the cordial union of the Voluntaries and free Churchmen - the same took place in Greenock in regard to myself. There is little doubt that Gibson-Craig and Macaulay will at last be opposed next election and considering the little hold they have on the constituency I think probably with success. Scarcely any of the dissenters agree with Black.'<sup>46</sup>

To develop the last point a little further, the Voluntaries were not going to follow somewhat old-fashioned dissenters like Adam Black in supporting the Whig establishment in constituencies like Edinburgh.

Dunlop cannot be described, it must be said, as a rigid and legalistic Free Churchman. He was a politician too with an eye to the future and he was more willing than most to "redefine" the Establishment principle, for example. As he put it over Maynooth, for instance:

'Between himself and several of his friends present, there might exist some difference of opinion, for he had long held it to be the duty of nations, as such, to support and maintain the true religion, but if it be the case that Government cannot endow truth without at the same time endowing error, then he would say, by all means endow none.'<sup>47</sup>

By 'his friends' he means the Voluntaries. Dunlop here shows the way forward by squaring the circle of the Establishment conundrum. By agreeing to put it to one side it was possible for Voluntaries and Free Churchmen to meet on the common ground of opposition to Roman Catholicism and its perceived supporters, the Erastian Whigs in

<sup>45</sup> Dunlop to Fox Maule, 19.4.1845, Dalhousie MSS, GD45/14/658/3

<sup>46</sup> Ibid., 11.4.1845. 'Black' refers to Adam Black, well known Edinburgh Voluntary, Whig, Lord Provost and later M.P. for the city 1856-1865

<sup>47</sup> *Greenock Advertiser and Clyde Commercial Journal*, 18.4.1845

this case. Never mind, as some commentators were quick to point out, that one side, the Voluntaries, were opposing the Maynooth grant because it was an endowment and as such opposed to their principle of non-establishment, while the other, the Free Church, while being pro-establishment were opposing it because it was the endowment of error. Union on this issue could allow the political 'outsiders' to upset and push out the 'insiders'. The bogey of perhaps letting in a Conservative by splitting the Liberal interest could also be answered. Looking forward to the next contest, for which he had been immediately engaged by his supporters in Greenock, and to the possibility that the Whigs might put up a member of the Stewart family with Admiralty influence (important in a port town), Dunlop referred to this eventuality in the following terms:

'... but even with that I would not have been the least afraid of him had there been a Tory Candidate in the field to take up the votes of that party, for otherwise every man jack of them would support him against me - partly because he is an Establishment man.'<sup>48</sup>

In other words in such a contest between two Liberals a third Conservative candidate was positively to be wished for so as to split the pro-Establishment vote and draw off votes from the Whigs.

The lesson of the Greenock contest, therefore was that significant results could be achieved by using the Maynooth issue as common ground with other non-Establishment forces. It is also significant that in all this there is hardly a mention of Corn Law Repeal. Free Trade was admittedly an awkward issue in Greenock anyway because of the immediate effect of the repeal of the sugar duties on the refining industry<sup>49</sup>, but generally it was not the priority and, as at Kilmarnock, it is clear that merely to claim the title of Free Trader was almost not sufficient.

The third in this series of by-elections which was significant in pointing up the effect of the appearance of the Free Church and Maynooth on the political stage was that later in 1845 at Kirkcudbright. The contest in this constituency in south-west Scotland is significant in showing how nation-wide the trends discussed above were and in indicating how out of touch certain sections of the Whig establishment in the Liberal party were to what was happening around them. In the immediate aftermath of the passage of the Maynooth Bill the Whigs in this county put up Marmaduke Maxwell, opposed to the state endowment of the Roman Catholic Church (which left open the question of his position on Maynooth specifically), but himself a Roman Catholic. The

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<sup>48</sup> Dunlop to Fox Maule, 3.1.1846, Dalhousie MSS, GD45/14/658/3

<sup>49</sup> Sugar refiners regarded themselves as having been subjected to injustice as they were offered less than full compensation at repeal for the difference in duties on the stock they already held in store.

eventually successful candidate Thomas Maitland saw the position in the following terms:

'We have committed a great practical blunder in starting a Catholic for the Stewartry, and I know not how the thing can now be put right. When I came to the County I found that the Galloways and Selkirks had concurred on not opposing us, when it was generally thought I was to be the Liberal candidate - and I have no doubt I could, on this occasion, have come in without opposition. But Maxwell's address was scarcely out till the dissenters and free Church (who are Liberals to a man) sent forth the slogan of No Popery among all the hills and glens of the Stewartry. This roused the Conservatives from their slumber - Selkirk came from his [lair?] - and aided by Galloway has adduced your friend McDowell of Lagan to take the field against us. ... of course [he] will take all the aid he can from the lamentable schism in our camp. Oh the Free Kirk, the Free Kirk !! ...'<sup>50</sup>

The same union as at Greenock had, therefore, been sufficient to shake the grip of the Whigs on a previously safe constituency. In a county seat with a better chance for a Conservative candidate this played into the hands of the latter party rather than resulting in the appearance of a second Liberal. In support of the Conservative candidate Col. McDowell the Galloway and Selkirk influences were brought to bear, even on the estates of the late Liberal M.P. Murray which were now under the guardianship of the Earl of Galloway's uncle, Montgomerie Stewart<sup>51</sup>.

In individual terms Maitland gives a glimpse of the effect of the Maynooth controversy on the Whigs' political base. Referring to a visit he made with candidate Maxwell to Lady Helen Maxwell, described as a good Whig and a supporter of the late M.P., Alexander Murray, Maitland reported the conversation thus and reaches his own conclusion:

'... she said she had been a great advocate for Emancipation but she never suspected it was to have saddled the Protestant Stewartry with a Catholic M.P. - therefore we must seek support elsewhere than from her. 'Make what you fairly can of the tenants, but I cannot ask them to support you.' I fear this is a fair example of liberal opinion upon this matter within the county.'<sup>52</sup>

The anti-Catholic sentiment whipped up by Maynooth was therefore not only capable of setting the Free Church and the Voluntaries against the Whigs, but could also weaken

<sup>50</sup> Thomas Maitland to Andrew Rutherford, 8.8.1845, Rutherford MSS, MS. 9700, ff. 113-116

<sup>51</sup> *Dumfries and Galloway Courier*, 25.8.1845

<sup>52</sup> *Ibid.*

the loyalty of stock Whig supporters. In this case the Whigs took the hint. Given the results of their canvass they were left with very little choice. A J. Mackie reporting to Maitland the results of a canvass he had carried out stated that:

'Not one positively promised to vote for Mr. Maxwell - and the most I could make of any of them was that they would not vote at all - ...'<sup>53</sup>

Maxwell retired to be replaced by Maitland himself. "He [Maxwell] must have been beaten ... all by a disruption of the dissenters and Free Church from the Liberal party." is how Maitland poignantly sums the matter up<sup>54</sup>. Others drew a wider lesson about the position of the Whigs and Roman Catholics in Scotland generally:

'... and the fact has gone forth to the public, that a Whig-Catholic candidate has felt it his duty to retire from contesting the election in a county which, in 1841, returned a Liberal Member by the most overwhelming majority in Scotland.'<sup>55</sup>

In other words where Whiggery was too closely associated with Roman Catholicism, either by way of Maynooth or otherwise it was safe nowhere in Scotland. The question was how close was too close? No major upset had occurred as yet. Maitland was returned comfortably, despite pointing out explicitly at the nomination that he could not join in the 'No-Popery' cry and would have supported the Maynooth Grant if he had been in Parliament. As he put it afterwards:

'Here we are actually victorious by a majority of 142, after as good a stand up fight against bigotry and oppression as I ever witnessed.'<sup>56</sup>

His opponent, too, had been a Conservative who had defended the Corn Laws in a previously solidly Liberal constituency. The Free Church-supporting *Dumfries and Galloway Standard* pointed out also that McDowall's defeat was not a cause for regret because he was a supporter of the Government which had been "patronising Antichrist" and inflicting a blow on Protestantism by way of the Maynooth Grant<sup>57</sup>. Free Church antipathy to the Conservatives aroused during the Non-intrusionist controversy had obviously been intensified by the Maynooth issue. Maitland, could, therefore afford his 'stand up fight' more than Baine had been able to afford his at Greenock.

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<sup>53</sup> J. Mackie to Thomas Maitland, 6.8.1845, Rutherford MSS., MS. 9700, ff. 117-118

<sup>54</sup> Maitland to Rutherford, 12.8.1845, Rutherford MSS., MS. 9700, ff. 119-120

<sup>55</sup> *Dumfries and Galloway Courier*, 18.8.1845

<sup>56</sup> Maitland to Rutherford, 26.8.1845, Rutherford MSS., MS. 9700, ff. 121-122

<sup>57</sup> *Dumfries and Galloway Standard*, 20.8.1845

The last opportunity at which the political waters were tested before the general election of 1847 was at the Edinburgh by-election of July 1846. Edinburgh has been well covered in this period by Jeffrey Williams in his unpublished thesis<sup>58</sup> and will be dealt with in a separate chapter below. Williams' analysis of this by-election fits in well with the trends identified in the Kilmarnock, Greenock and Kirkcudbright contests. The target in this contest was T.B. Macaulay, who had to stand for re-election at this point because he had been appointed Paymaster General of the Forces in the incoming Russell administration. Macaulay was peculiarly vulnerable on a number of counts. He was disliked personally as being distant and suspected of thinking himself above the everyday concerns of his constituents. As Cockburn put it with reference to this contest:

'He cares more for his history than for the jobs of his constituents, and answers letters irregularly, and with a brevity deemed contemptuous; ...'

And picturing the reception a deputation going to London to see him was likely to get:

'... but instead of being listened to they no sooner enter the audience-chamber than they find themselves all superseded by the restless ability of their eloquent member, who, besides mistaking speaking for hearing, has the indelicate candour not even to profess being struck by the importance of the affair. It was this, and not Maynooth, that gave Macaulay trouble.'<sup>59</sup>

On Maynooth, unlike his colleague Gibson-Craig, who had been low-key on his support for the Grant and was allowed a walk-over on his appointment to a Treasury post in 1846, Macaulay had given a great deal of offence to ultra-Protestants by couching his support for the Grant and his rejection of the extra-Parliamentary clamour against it in the following terms:

'Can you wonder that all those fierce spirits whom you have taught to harass us [referring to past whig opposition to increasing the Grant], now turn round and begin to worry you? The Orangeman raises his howl, and Exeter-Hall sets up its bray, ... and your Protestant operatives of Dublin call for the impeachment of the minister in exceedingly bad English. But what did you expect.'<sup>60</sup>

<sup>58</sup> J.C. Williams, 'Edinburgh Politics, 1832-1852', unpublished Ph.D. thesis, University of Edinburgh 1972

<sup>59</sup> Henry Cockburn, *Journal, 1831-1854*, Edinburgh 1874, vol. II, p. 159

<sup>60</sup> *Hansard, op. cit.*, vol. 79, 14.4.1845, col. 657

Exeter Hall was the headquarters of the Protestant Association and of the Central Anti-Maynooth Committee. By conducting himself in this way Macaulay had come to be identified as a high-profile supporter of the Maynooth endowment. This was the ground, as we have seen, on which the Free Church and the Voluntaries were able to come together, and, as Williams makes clear they did so on this occasion, to a certain extent at least, in Edinburgh also. An important event of national significance in this connection was the formation of a Protestant electoral alliance in the March of 1846. This included Free Churchmen and Dissenters "interested in promoting the return to Parliament of members of sound Protestant and Evangelical character"<sup>61</sup>. This had the aim of publishing election material and of forming committees throughout Scotland. In Edinburgh the leading lights seem to have been Duncan McLaren on the Voluntary side and James Forrest, the ex-Lord Provost, for the Free Church. Rather than risk resurrecting old animosities by standing themselves, they came together behind the candidacy of Sir Culling Eardley Smith, a Church of England member and chairman of the Central Anti-Maynooth Committee. Smith built his campaign around anti-Catholicism, stating that if he was sent to Parliament:

'... I will go there with the distinct understanding, upon avowed grounds, that I believe the R.C. Church to be opposed to the constitution of my country and opposed to the truth.'<sup>62</sup>

In the particular circumstances of this election, however, this was again to be insufficient to cause a major upset for the Whigs.

The radical Dissenters were unhappy about Smith's soft-peddalling of the Establishment issue (not surprising for an Anglican).

Despite also being a late convert to full free trade in corn, as opposed to a fixed duty, Macaulay was seen to be the representative of a fragile Whig ministry that was now the trustee of the policy of Repeal of the Corn-Laws. Williams discovers evidence that some Free Churchmen were swayed away from voting for Smith on this issue. Fox Maule, for instance, Secretary at War in the new administration, urged Free Churchmen to support Macaulay<sup>63</sup> Macaulay himself stressed that this was "the single poll which will be taken on the occasion of the formation of the new administration."<sup>64</sup> Macaulay was re-elected on a small poll.

What was significant about this election, however, was the evidence again of co-operation between Free Churchmen and Voluntaries, this time on a more organised level than at Greenock. The alliance had got drawn in also with the ambitions of men

<sup>61</sup> See Williams, op. cit. and *The Caledonian Mercury*, 13.7.1846

<sup>62</sup> *The Scotsman*, 11.7.1846

<sup>63</sup> *Ibid.*, 15.7.1846

<sup>64</sup> Williams, op. cit., p. 248 and *The Scotsman*, 15.7.1846



like Duncan McLaren in Edinburgh, who were looking for a vehicle to free their representation from what they regarded as a Whig oligarchy. Deliberately:

'He [McLaren] set himself to establish an Independent Liberal Party in Edinburgh - a party comprehensive yet compactly knit together, combining the various cohorts of Dissenters, Free Traders, and Social Reformers, into one invincible legion, deriving its strength from conviction and mutual sympathy, as well as from discipline and loyalty ...'<sup>65</sup>

The experience of the election of 1846 was the first step on the road to creating a separate organisation and identity for 'Independent Liberalism' in Edinburgh, separate in particular from the Whiggery of the Parliament House lawyers.

These by-elections in the years after the Disruption were very significant in providing the framework for a shake-out of political forces now that the Establishment had been weakened. Writing to Fox Maule in August 1846 J.C. Brodie enclosed a pamphlet, an address "To the Electors of Scotland"<sup>66</sup>. This address, of which Brodie suspected Candlish of being the author, was issued with the approval of the committee formed in Edinburgh in March 1846 to further the purposes of the electoral alliance referred to above. It warned that:

'In particular, it would seem to be part of a fixed plan, that the continuance of the present religious establishments of the country is to be purchased by concessions to the Church of Rome.'

It went on to exhort readers to resist the encroachments of Popery and furthermore made the point that:

'Nor is this all. Existing acts of the legislature that favour the Church of Rome must be assailed. The Maynooth endowment question, for instance, must be revived and agitated.'

It made allowance for the different views of Free Church and Voluntary supporters of the alliance:

'We who now address you, hold all Establishments, as at present constituted, to be in principle indefensible, ... Many of us, it is true, do not object to a national

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<sup>65</sup> J.B. Mackie, *The Life and Work of Duncan McLaren*, vol. II, p. 27

<sup>66</sup> Brodie to Fox Maule, 11.8.1846, Dalhousie MSS. MS. GD45/14/665

establishment of religion; ... We can conceive of circumstances in which it might be our duty to aim at their reform, rather than their removal.'

It went on then to argue that the really great outstanding questions of the day were religious:

'Free Trade is carried; and what remains, so far as civil government or political economy is concerned, must be chiefly matter of detail. Evidently in all such affairs, all parties are bent upon a practical adjustment rather than a prolonged discussion of differences.'

The warning it held for those who did not agree with its analysis was clear:

'It is most certain, that the giving of public countenance and support to Popery will be an immediate subject of contention. And whatever a false and spurious Liberalism may think, no religious man can look on such a proposal without the utmost alarm.'

The 'false and spurious Liberalism' may be taken to mean the Whigs and others soft on the question of religious endowments. The committee under whose authority this address was issued included Free Churchmen like James Forrest and Francis Brown Douglas as well as Dissenters like William McCrie. It helps to sum up the situation on the eve of the first general election since the Disruption. The salient feature of the new political situation was the coming together of Free Church and Voluntary electors against a background of virulent anti-Catholicism. Their targets were, for a variety of reasons, sitting Whigs who were felt to be too latitudinarian on religious issues or too entrenched in power in a new form of oligarchy. Such an analysis would also earn the sympathy of those radicals who felt they were making too little progress too slowly on issues like further franchise reform, introduction of the ballot, educational reform, and so on. As Brodie warned Maule:

'The enclosed address "To the Electors of Scotland" will show you that mischief is still brewing by those who opposed us [the Whigs] in Edinburgh at the late Election. ... You will see they are not content with opposing any further concessions to the Catholics, they would assail the Grants already made in their favor. The Maynooth question is to be revived again, ...'

And looking at the history of the next ten years one might say "again and again"!

The fact that "Free Trade is carried" had also been emphasised in such a way as to suggest that the very fact of its passage had cleared the decks for concentration on these

religious issues. It had also, as was mentioned above, left the Tories in disarray. Williams points out that in the 1846 Edinburgh contest, for instance, some Tories voted for Macaulay and the rest were given no guidance as to how to vote<sup>67</sup>.

The Anti-Corn Law movement in Scotland had not earned the Whigs any credit either. It was one of the reasons why Liberals like Duncan McLaren, active in the League both nationally and in the Edinburgh Anti-Corn Law Association, became estranged from the Whig leadership of the party, even without the impetus of religious matters.

The policy of the Whig party was to temporise on the question, and Mr. McLaren's suspicion of Mr. Macaulay's reliability as a supporter of the League received unexpected confirmation from a speech delivered by the right honourable gentleman against Villiers' motion in the House of Commons in February 1842. In this speech Mr. Macaulay declared that in the then existing circumstances he was not in favour of the total and immediate repeal of the Corn-laws, though he would not carry his opposition to the extent of voting against the parliamentary champion of the cause.<sup>68</sup>

Macaulay's argument over the next three years was to be that he believed in repeal in principle but did not think it was a matter of practical politics, to which he thought a fixed duty was much more suited. This made very little sense to his League sympathising constituents who saw him as a man out of office who had no need to balance principle and practical politics so finely or indeed to put party before principle and constituents as some believed he was doing. As Bright put it: "Macaulay is a Total Repealer at heart and in principle, and only holds back because he is an attaché of the old Whig party."<sup>69</sup>

Russell, and with him Macaulay (intensifying the charges that he was a party hack), was converted to full repeal very late on with his Edinburgh Letter of November 1845<sup>70</sup>. Rutherford was right in saying that such a move would do more than anything to reunite the Liberal party, but the feelings with which his satisfaction was accompanied show the nature of the underlying divisions:

I should only hate the note of triumph we should hear from ... the League.<sup>71</sup>

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<sup>67</sup> Williams, *op. cit.*, p. 249

<sup>68</sup> Mackie, *op. cit.*, vol. I, p. 248

<sup>69</sup> *Ibid.*, p.261, letter from Bright to McLaren, February 1843

<sup>70</sup> For the significance of the Edinburgh Letter for the Whigs see John Prest, *Lord John Russell*, London 1972, pp. 201-202 and pp. 425-428.

<sup>71</sup> Rutherford to Maule, 21.11.1845, Dalhousie MSS., MS. GD45/14/642/2

The movement for Repeal had, however, served to bring middle-class radicals and Dissenters, often the same people, into closer contact. McLaren started an inquiry into the effect of the Corn Laws in 1841 with an opinion survey amongst Voluntary ministers. Over 400 replied condemning the laws. The results of the survey were published in time for a large conference of these ministers and church members held in Edinburgh in January 1842 at which McLaren estimated 500 congregations were represented. Mackie comments that "the most important service rendered by Mr. McLaren to the cause of the League was his masterly array on its side of the Nonconformist Churches."<sup>72</sup>

Despite the differences between the League and the Whigs mentioned above it should be said that the issue of the Corn Laws did provide a cement to bind different sections of the Liberal party together, however loosely, as in favour of some sort of reform of tariffs. In Glasgow the Anti-Corn Law Association had included men like Alexander Dennistoun and William and Colin Dunlop<sup>73</sup>, wealthy members of the Whig Burgher Aristocracy with a landed background<sup>74</sup>, from a very early stage. This would suggest that below the level of top-flight parliamentary Whigs there was less temporising on the issue. In addition, after 1843, even the previously hostile Chartists began to move towards support of repeal<sup>75</sup>. With the passage of Repeal in 1846 this cement was gone leaving the already vulnerable Whigs without the Free Trade issue to divert attention from others where they were coming under more pressure.

In the counties Corn Law repeal had its most immediate and obvious effect on the Tory party. If, in the long term, the Tory Party's adherence to the Church of Scotland was to lose it a potential constituency, in that the Free Church represented that dynamic, prosperous, middle class in Lowland urban areas which was the group Peel's new Conservatism was designed to appeal to<sup>76</sup>, repeal of the Corn Laws compounded this. It did so by losing the Tories part of their existing natural constituency, namely some of their richest, most influential county supporters. Important magnates such as the Duke of Buccleuch, with influence in the Border counties and south-west Scotland, the Earl of Aberdeen, the Duke of Argyll with influence in western Scotland, and the Earl of Wemyss and March, important in, for example, Haddingtonshire, stayed loyal to Peel. This was to have important results in terms of representation, as these men wielded

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<sup>72</sup> Mackie, *op. cit.*, vol. I, pp. 232-233

<sup>73</sup> Fiona A. Montgomery, 'Glasgow and the Movement for Corn Law Repeal', *History*, vol. 64, 1979, p. 365

<sup>74</sup> See D.A. Teviotdale, 'Glasgow Parliamentary Constituency, 1832-1846', unpublished B.Litt thesis, University of Glasgow 1963

<sup>75</sup> Montgomery, *op. cit.*, p. 378

<sup>76</sup> I.G.C. Hutchison, *A Political History of Scotland, 1832-1924*, Edinburgh 1986, p. 84

considerable patronage and influence in their respective parts of the country<sup>77</sup>. Often the weight of their influence was to be sufficient to silence any misgivings that might have been expressed by the tenantry. These, however, were to be few and far between. Partly this was a result of the restricted spread of large-scale arable farming in Scotland, i.e. not many were affected by the repeal of duties on corn. Only in East Lothian and Fife was it really significant. Partly it was a result of the impact of the views of men like George Hope of Fenton Barns, a tenant farmer himself in Haddingtonshire. Hope, admittedly far in advance of most of his contemporaries, saw Repeal as a stage on the road to politicising his fellow farmers, helping them to resist the 'bondage'<sup>78</sup> as he saw it of their landlords. His views, expressed for instance in a prize-winning essay written for the League, had a great impact. On the higher prices which were supposed to be guaranteed for men like himself by the Corn Laws he pointed out that:

'Enactments regulating the price of grain had from the first been said to be for the benefit of the 'poor farmer' ... It apparently did not occur to any one that the poor landlords had any interest in high prices; but, in truth, high rents were the only things incompatible with low prices. If this odious monopoly was kept up, let it be understood that it was for the sole benefit of the landlords.'<sup>79</sup>

In the wake of Repeal, as Cobden pointed out to Hope, the tenant farmers had other issues to concern them:

'The questions which ought to be stirred by the farmers are game and tenure. I hope to see a stand made in some counties, at the approaching election, upon these points by a few real farmers.'<sup>80</sup>

To return to the magnates and the Conservative M.P.s. The question which raises itself about the period after Repeal in Scotland, and which is important in terms of the development of the Liberal party, is what happened to the Peelites and Free Traders in this group? Conacher, in his study of the Peelites in the later 1840's, puts it as follows:

'... a distinction may be made between those who had held office under Peel in company with a number of members who still instinctively looked to Peel and his lieutenants for leadership on the one hand, and the rest of the Conservative Free

<sup>77</sup> *Ibid.*, p. 85 makes this point also.

<sup>78</sup> C. Hope, *George Hope of Fenton Barns. A Sketch of his Life*, Edinburgh 1881, p. 123. Used with reference to the pressure landlords exerted to get their tenants to vote in the way that they wished.

<sup>79</sup> *Ibid.*, p. 97

<sup>80</sup> *Ibid.*, p. 152, Cobden to George Hope, 9.7.1846

Traders on the other. The latter, who had given support to repeal mainly out of loyalty to Peel and the party, might gradually slip back into their old places on the assumption that Protection was dead ... Genuine Peelites, however, men imbued with his ideas of fiscal reform and administrative efficiency and personally devoted to Peel and his name, were less likely to retrace their steps. As long as they remained independent after 1846 the natural evolution of the parliamentary two-party system was thwarted.<sup>81</sup>

The fate of the Scottish Peelites and Free Traders is followed through in the next two chapters<sup>82</sup>. At this point, however, certain distinctions were obvious already. The most obvious example of Conacher's first category in Scotland was Lord Lincoln, member for Falkirk. At the other extreme, and almost falling outside Conacher's second category in that he had not even shown much loyalty to Peel, was Admiral Gordon in Aberdeenshire. He was wrongly categorised as a Peelite by *The Scotsman* in its August 1847 analysis of the party affiliations of Scottish M.P.s<sup>83</sup>. *The Aberdeen Herald*, on the other hand, had trouble categorising him because, although he had voted for the free admission of foreign cattle, he had also resigned his Admiralty Board post in Peel's ministry over what was to his Aberdeenshire constituents "the comparatively unimportant question of the Corn Laws"<sup>84</sup>. Admiral Gordon was clearly very likely to slip back into his old place, if he was not already in it! In between these extremes this group included shades running from the true Peelite to the Free Trader whose loyalties still lay with the Conservative party. Duncan McNeill (Argyllshire) and Lord Drumlanrig (Dumfriesshire) were clear examples of the former. McNeill, Peel's Lord Advocate, was to be sent to the bench under the Russell administration. Drumlanrig was to accept office under Lord Aberdeen. The Free Traders included Henry J. Baillie (Inverness-shire), who was to accept office under Derby in 1852, and Alexander Smollett (Dumbartonshire), who retained excellent Conservative party connections in the west of Scotland. Smollett made a point, for example, in his address to the electors of Dumbartonshire in 1847 of mentioning that he had voted against the Maynooth grant in every division<sup>85</sup>. No genuine Peelite would have been able to claim the same. The increase in the Maynooth grant had, after all, been one of Peel's measures.

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<sup>81</sup> J.B. Conacher, *The Peelites and the Party System 1846-1852*, Newton Abbot 1972, p. 15

<sup>82</sup> See also the related maps in Appendix 2.

<sup>83</sup> *The Scotsman*, 28.8.1847

<sup>84</sup> *The Aberdeen Herald*, 7.8.1847

<sup>85</sup> *The North British Mail*, 19.7.1847

In the large cities the pattern was pretty uniform. Sitting M.P.s like George Duncan and Archibald Hastie, Free Church members for Dundee and Paisley respectively, who had voted against the Maynooth Grant, were left undisturbed.

Glasgow provided a contrast. One of the sitting Whigs, James Oswald, retired. He believed that Government influence had been used to get him to move. Perhaps he had been offered another, easier seat, and when this fell through chose to interpret the situation in this way<sup>86</sup>. With one seat clearly vacant, four candidates eventually stood. John Dennistoun, the other sitting Whig and a supporter of the Maynooth grant, and William Dixon, a Voluntary who ran with the support of the commercial community against the changes in Scottish banking law that had been effected by the Peel Government, made up one side of the contest. On the other was the Lord Provost, Alexander Hastie, a Voluntary, and John Macgregor who described himself as being from "the more decided section of the Liberal party."<sup>87</sup> Both of the latter were against the Maynooth endowment and agreed with Dixon on the banking question.

Dennistoun was in trouble from the start with the bulk of the Liberal party. His vote on the Maynooth Grant and then against a recent Educational grant were held to be inconsistent. The former, however, was the deciding factor:

'Mr Dennistoun has lost his seat on account of the Maynooth vote. He will recollect the unfortunate evening when, in a fit of enthusiasm, he adopted the maxim of his friend in calamity, Mr. Macaulay, and agreed to defy his constituency.'<sup>88</sup>

Dennistoun not only lost his seat but came bottom of the poll. The Whigs had lost control of both Glasgow seats. The reason why in local terms is best illustrated by a description of the political prospects for the constituency sent to Macgregor in late 1845 (i.e. before Repeal) when he was trying to put himself in a good position with the Whigs to take up Oswald's seat on his retiral:

'I think the predominating opinions among the electors are what we call here Voluntary principles in church matters; ... Unfortunately there are various questions at present, likely enough to produce heat and divisions among the electors, and I entertain great doubt, whether the importance of unanimity for a great Free-Trade effort, would be effectual to prevent quarrels about the Free Church, the Maynooth Grant, etc. etc. Our Dissenters here, think that Lord John Russell intends to endow

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<sup>86</sup> Thomas Maitland to Fox Maule, 21.8.1847, Rutherford MSS., MS. 9700, ff. 129-130

<sup>87</sup> *North British Mail*, 23.6.1847, address of John Macgregor

<sup>88</sup> *Ibid.*, 31.7.1847

the Catholic clergy in Ireland, and they would make even the repeal of the Corn-Laws subordinate to that question.<sup>89</sup>

The Voluntaries and the Free Church had succeeded, in other words, in pushing out the ruling Whig, Burgher Aristocratic clique referred to above. Commentators drew comparisons and contrasts with what was happening in Edinburgh:

'At Glasgow, the former popular leaders are left even more unequivocally 'alone in their glory' than at Edinburgh. But, at Edinburgh, the malcontents of the liberal inclining who secede have no organisation, no leaders to take the place of the old. In Glasgow an efficient committee to conduct the election of Messrs Hastie and Macgregor was organised at once, and that committee is now about to extend its basis and form a liberal registration association. In Edinburgh, apart from the whig leaders there are no materials for such an association; the motley supporters of Mr. Cowan cannot act together.'<sup>90</sup>

Duncan McLaren would probably not have agreed about there being no leaders to take the place of the old in Edinburgh, but the point is well made that this new alliance saw itself as the new political establishment in Glasgow.

In Edinburgh the John Dennistoun of the piece was T.B. Macaulay, still vulnerable for the reasons identified above and no longer protected by his position as the incoming minister of a vulnerable ministry. In addition he was perceived as being unsound on the Excise Laws and therefore attracted the opposition of the drink trade in Edinburgh which was adversely affected by them. Adam Black, the organiser of Macaulay's campaign, made the point that:

'... in this instance the publicans made common cause with men whom they considered enemies and the 'unco guid', as Burns calls them, fraternised with the men whom they considered not only as evil themselves, but the source of all evil in others, for the purpose of aiding in procuring them greater facilities for carrying on a trade which they had always said ought to be prohibited.'<sup>91</sup>

The candidate who the 'unco guid' of the Voluntary-Free Church alliance, along with the publicans, fell in behind this time, in order to oust Macaulay, was the Free Church

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<sup>89</sup> *The Glasgow Constitutional*, 24.7.1847, letter from Walter Buchanan to John Macgregor. Buchanan must, in writing such a letter, have been aware already in 1845 that new forces were making it imperative for the Whigs to respond with different candidates like Macgregor.

<sup>90</sup> *The North British Mail*, 5.8.1847, quoted from *The Daily News*

<sup>91</sup> Alexander Nicholson (ed.), *Memoirs of Adam Black*, Edinburgh 1885, p. 148



paper manufacturer Charles Cowan. Macaulay was also certainly not helped by the appearance of a Tory/Peelite candidate, Peter Blackburn, a few days before the poll who came forward in answer to a call from the Excise Association. Tory voters also split their votes in large numbers between Blackburn and Cowan<sup>92</sup>, motivated apparently by the desire to see the defeat of a leading Whig or because they were Free Church Conservatives. The other Whig, Gibson-Craig kept his seat, according to Williams because he was flexible on the Excise issue, supporting the reduction of excise duties into one unrestricted code, and avoided getting into controversy over religious issues. Cowan's voters were organised by being told to cast their second vote for anyone other than Macaulay<sup>93</sup>. Macaulay's defeat, he was third in the poll<sup>94</sup>, was thus seen as a warning to other Whigs about their indifference to ecclesiastical issues:

'Our leading public men had displayed an indifference to the tendencies of religious opinion in Scotland, and a scandalous ignorance of her religious affairs, which had alienated from Whigs and Englishmen the confidence and attachment of the population north of the Tweed. Macaulay, the most eminent Whig, and far the most eminent Englishman, who then sat for a Scottish constituency, was made the scapegoat for the sins of all his colleagues.'<sup>95</sup>

Macaulay took his defeat in a way which indicates the difficulties his character must have aroused in Edinburgh. After the result of the poll was declared he pompously announced to his supporters:

"Gentlemen, my connection with Edinburgh is terminated - terminated for ever.' 'No, no, Mr. Macaulay,' said one enthusiastic supporter; 'we will send you back as our member yet.' Without a change of feature, he replied, 'My connection with Edinburgh is terminated for ever.' 'High time, too,' screamed a voice, evidently that of an enemy."<sup>96</sup>

Williams draws the conclusion that this election saw the beginning of Edinburgh's Liberal, as opposed to Whig, party:

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<sup>92</sup> *The Scotsman*, 28.7.1847

<sup>93</sup> See also I.G.C. Hutchison, *op. cit.*, p. 65 on this.

<sup>94</sup> The result of the poll held on 31.7.1847 was Cowan, 2063; Craig, 1854; Macaulay, 1477; Blackburn, 980

<sup>95</sup> G.O. Trevelyan, *The Life and Letters of Lord Macaulay*, Oxford 1978, p. 122

<sup>96</sup> Sir James D. Marwick, *A Retrospect*, Glasgow n.d., privately printed, pp. 29-30

'Out of the fusion of the Free Church and Dissenter political committees with the middle-class radicals of the Anti-Corn Law Association was born Edinburgh's Liberal party.'<sup>97</sup>

He however echoes the thoughts of the Glasgow commentator above that this party was at this point still a collection of committees, in other words further change was likely. There was every incentive, however, to improve this state of affairs, as J.B. Smith pointed out to Duncan McLaren:

'I would not have you be too confident at Edinbro'. The clique will labor hard to produce a reaction - work the register well. That is the best and easiest way to secure your footing.'<sup>98</sup>

In Aberdeen City Alexander Bannerman, member since 1832, retired. Capt. A.D. Fordyce stood and gathered round him a collection of most of the 'outs' in the constituency. A member of the Free Church himself, he won not only the support of the Voluntaries and opponents of the Maynooth Grant, but also apparently of the Roman Catholics<sup>99</sup>. His late entering opponent, Col. Sykes, was an Established Church member brought forward by the 'Moderates' in the constituency. Supporters of Sykes were quick to point out Fordyce's backsliding on the Voluntary principle. At a meeting of the dissenting Religious Freedom Society he was unable to say he would vote for the separation of Church and State. The reason, likely to have been a combination of both, may have been his own Free Church beliefs or more likely the very heterogeneous nature of his support<sup>100</sup>.

Following the pattern in other Scottish burgh seats, however, Fordyce won convincingly by 918 to 422 votes. He had the support of the Free Church. The Voluntaries seem not to have been put off by his equivocation on Establishments:

'Then came the Dissenters; who contrived to bore a hole in Captain Fordyce's endowment principle and then shrink their own Voluntaryism into such dimensions as would fit it.'<sup>101</sup>

The 'hole' refers probably to Fordyce's willingness to see the Irish Church Establishment reformed. Their support for Fordyce was pretty solid:

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<sup>97</sup> Williams, op. cit., p. 263

<sup>98</sup> J.B. Smith to D. McLaren, 6.9.1847, J.B. Smith MSS., MS. 923.2 S. 335, f. 38

<sup>99</sup> *Aberdeen Herald*, 17.7.1847

<sup>100</sup> *Ibid.*, 31.7.1847

<sup>101</sup> *Ibid.*, 7.8.1847

'They [the Dissenters] number nearly 300 votes, and their influence on this occasion, ... affords the best answer to the charge that Captain Fordyce is the mere organ of the Free Church.'<sup>102</sup>

In addition he had the support of the anti-Improvement faction, those in municipal politics who had resisted the expense of a large-scale system of Sanitary Reform, as well as of a few Chartists gathered round one John Macpherson.

'Right or wrong, however, the union of Free Churchmen, Dissenters, Do-nothings, and Macphersonites, was too much for the Moderate party, more especially as the Captain had occupied the field so early, and had been operating so long on the register.'

Similar to events in Edinburgh, those in Aberdeen represented a combination of 'outs', a newly energised grouping, rethinking their political allegiances and winning the organisational edge over their opponents.

If this was the pattern, sitting Whigs being thrown out by a political version of the anti-Catholic Evangelical Alliance, it did not always work so smoothly. The old sores identified above which had caused friction could surface to disturb the smooth working of co-operation between Free Church and Voluntaries. They did so at Greenock where the prominent Free Churchman Alexander Dunlop tried a second time to win the seat. This contest was significant also in that it showed up the difficult position the Whig Government was being placed in by the emergence of the Free Church as a political force in Scotland. Dunlop had been known to be a candidate since the previous contest of 1845, but this did not stop the Whigs trying to bring forward Lord John Hay, a member of the Government at the Admiralty, who was then followed by another "government" candidate, Lord Melgund. Melgund was Russell's brother-in-law and so was seen as being intimately connected with the Government. It was easy for some Free Churchmen to see this as an attempt by the Russell administration to block the election of a Free Church man. Dunlop, who did not believe this himself, put it this way:

'... I could not but feel that it was natural enough for the friends of my cause, particularly Free Churchmen, if they believed that Government sanctioned the opposition to me which was carried on in Greenock, in a great measure because I was a Free Churchman, it would disincline them to support the Government candidates

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<sup>102</sup> *The North British Mail*, 4.8.1847

elsewhere. So I stated these circumstances, feeling perfectly satisfied that it was not an act of Government, ...'<sup>103</sup>

In the end, however, it was probably Melgund who benefited more from the controversy about Government influence than Dunlop. In what seems a move to distance himself from the charges that he was a Government stooge put up to resist a Free Church candidate he published correspondence with his father, 2nd Earl of Minto, and with Henry Tufnell, a mover and fixer in election matters at the Treasury. The letter from Tufnell raised the spectre that the Free Church were, through him, trying to sew up Greenock:

'I think it right that your opponents should know that in consequence of representations that were made to myself and others respecting the state of parties in that Borough, and the feelings that were entertained on this subject in other quarters, I certainly authorised a strong remonstrance being made to you [Melgund], and endeavoured by every means in my power to dissuade you from coming forward as a Candidate.'<sup>104</sup>

The letter from his father was more explicit about Free Church efforts to influence the election. It reported a conversation between Minto and Fox Maule under the throne in the House of Lords:

'It was in consequence of the warmth with which I found Maule was prepared to resent your appearance as a candidate at Greenock, that I begged you not to prosecute your views farther in that quarter; and that without even waiting for your decision, I told your Greenock friends they must seek their candidate elsewhere, ...'

'Great pains had been taken to impress upon the Government and elsewhere, the belief that this was to be taken up and resented throughout Scotland as a Free Church question and Maule ... carried his apprehensions so far, as to tell me it might even have the effect of raising an opposition to my brother in Roxburghshire.'<sup>105</sup>

A Free Church member of the Government had, in other words, tried to stop a candidate, Melgund, coming freely forward in the constituency. The threat implied to the Mintos' hold on Roxburghshire, which came to nothing, was aired by Dunlop himself with an analogy based on Roxburghshire at an election meeting in late June.

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<sup>103</sup> *Greenock Advertiser*, 25.6.1847

<sup>104</sup> Henry Tufnell to Lord Melgund, 27.6.1847, Minto MSS., MS. 12340, ff. 110-111

<sup>105</sup> *Greenock Advertiser*, 2.7.1847

'Supposing that the Duke of Buccleuch and Lord Polwarth, the one a Protectionist [Polwarth] and the other a Peelite [Buccleuch], or probably as many degrees removed from each other as the red and blue clique of this town - supposing that from an enmity to the Minto family they had invited some other candidate to come forward, going for instance to Mr. Matheson of Lewis, who is unconnected with the county of Roxburgh, but not more unconnected with that county than Lord Melgund is with Greenock - supposing they ask him to leave Ross-shire, and let Mr. McKenzie of Applecross walk the course there - would Lord Melgund say Roxburgh is free to anybody?'<sup>106</sup>

If one replaces the Whigs and Tories of Greenock for Buccleuch and Polwarth, and Melgund for Matheson, the pieces fall into place. Melgund had left Haddington Burghs for Sir H.F. Davie to walk the course and had been put up by a combination of Whigs and Tories to keep out Dunlop in Greenock, for so was Dunlop's implication. Privately Dunlop was hoping for a contest in Roxburghshire. Referring to the rumour of a candidate from the Breadalbane interest coming forward, Dunlop went on:

'I think a good many Free Churchmen would incline to give a hearty support to a brother-in-law of Lord Breadalbane tho' a conservative against a brother of Lord Minto and uncle of my opponent in Greenock and I should like the family to get a fight at all events.'<sup>107</sup>

The charges of Free Church machinations against Melgund in London were not, however, probably the decisive factor in denying Dunlop victory. Rather it was because the alliance with the Voluntaries was not solid. Dunlop's involvement in what was known as the Campbeltown case twelve years previously was instrumental in preventing a section of the Voluntaries in the constituency from supporting him. One source put the number of these at about 130, including 80 from the old Relief Communion which had been particularly concerned with this case. Dunlop, at the time a prominent Non-intrusionist lawyer had acted against parties trying to evict a Dissenting minister from his church because he had changed his views since first being installed<sup>108</sup>. Some of them were also motivated by the stirrings of an issue that was to be so corrosive of the alliance in the 1850's, namely education. Writing to Maule on the difficulty of getting Voluntary support, Dunlop reported that:

<sup>106</sup> *Ibid.*, 25.6.1847. Meeting with electors of the Second Ward

<sup>107</sup> Dunlop to Maule, 1.7.1847, Dalhousie MSS., MS. GD45/14/658/3

<sup>108</sup> *Greenock Advertiser*, 3.8.1847. See also I.G.C. Hutchison, *op. cit.*, pp. 67-68 on this.

'It is in reference to Education that they propose to fetter themselves not to vote for any one who won't oppose all grants under minutes of council requiring religious teaching - '109

Added to that were the Roman Catholic voters. Melgund was not an opponent of the Maynooth Grant, as Dunlop was, and the R.C.s were therefore also amongst the latter's opponents. Lastly there was the shipping interest, which as will be seen with reference to the 1852 contest, was nervous about Free Trade in Greenock. They too were not enthusiastic for Dunlop. The failure of the Voluntaries to support him was the most serious lesson, however. He put this point into a personal and a broader context after the poll:

'I have no doubt that the universal condemnation which the conduct of the dissenters there [Greenock], will meet with from their brethren especially after the results of united action in Edinburgh, Glasgow and Aberdeen, will make them - if not ashamed of their past conduct - at least willing to act differently again provided their pride is not to be mortified by asking them to support me.'<sup>110</sup>

Commenting on the weakness of the alliance in Greenock, *The North British Mail* referred to Stirling Burghs, where it had also failed to function:

'We regret the want of union amongst this class of voters, exhibited both at Greenock, and, as we learn at Stirling; because, if it be continued, public opinion will not long prevent Lord John Russell from proceeding with his means of pacifying Ireland, and creating there a new Church Establishment.'<sup>111</sup>

The prospect of the wider possible endowment of Roman Catholicism is again mentioned as the incentive for both parties to the alliance to draw together.

In Stirling it failed to work again because of personal reasons. The sitting member Lord Dalmeny, a Whig, retired, making it very clear that he was doing so because he saw no chance of being re-elected because of his support for the Maynooth Grant. The resulting contest was three cornered. The Free Church initially put up Alexander Alison, connected with the iron industry and with Dunfermline in particular. Moderate on the franchise he apparently encountered opposition from the ubiquitous Fox Maule because of his opposition to the Law of Entail. It was not this, however, that saw him squeezed out of the contest, but rather that the Voluntaries came out in support of J.B.

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<sup>109</sup> Dunlop to Maule, 7.6.1847, Dalhousie MSS., MS. GD45/14/658/3

<sup>110</sup> Ibid., 4.8.1847

<sup>111</sup> *The North British Mail*, 3.8.1847

Smith, a Unitarian, and therefore open to the charge of being a believer in no Christian religion at all. A few days before the contest it was reported that a Mr. Beith, an influential Free Church minister, had called on Alison to retire in favour of the Whig, A.G. Maitland<sup>112</sup>. Maitland was moderate on religious issues, being against additional religious endowments, and on revision of the Game Laws. He could therefore be attractive to Whigs, moderate Liberals and Conservatives, especially in the latter case because of his own former Tory views<sup>113</sup>. Whether the report of late Free Church desertion of Alison was true or not, the man to beat was clearly Smith, as one Conservative recognised. Referring to Alison and Maitland and to his doubts about who was in the stronger position, he went on:

'... let us delay voting until the arrival of the returns between one and two o'clock, when the relative positions of these gentlemen will be known, and then enrol ourselves in favour of whichever of them may be at the head of the poll.'<sup>114</sup>

Smith, in spite of such considerations, won, but probably only because it was a three-way contest<sup>115</sup> and because his opponents were unsure until the last moment which of his opponents had the best chance of holding him off. The Voluntary had won, therefore, not because of an organised alliance, but by slipping between a Whig and a weakened Free Church candidate. Being a Unitarian he had probably not even taken all the Voluntaries with him. It was stated that "many repudiate, in the strongest terms, the monstrous doctrine that religious opinions should form no element in judging of the fitness of parliamentary representatives"<sup>116</sup>. In other words not all Voluntaries had been willing to vote for Smith just because he took the same position as they did on religious grants. Smith himself did not see his candidacy as being religiously based either:

'On the whole we achieved a glorious triumph over bigotry and humbug. The people began to see the dodge the 'Christian candidates' were attempting for when I was met on my way to Dunfermline by a crowd with music and banners, the first salute I heard was 'we have beaten them in spite of their bigotry'. Aye shouted a dozen voices

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<sup>112</sup> *Ibid.*, 4.8.1847

<sup>113</sup> *Stirling Journal and Advertiser*, 30.7.1847.

Maitland was described in an off print from the *London Daily News* of 24.7.1847 produced in Dunfermline as "a young Tory squire with a Whig address penned for him by some experienced hand, presented to the electors." In J.B. Smith MSS., MS. 923.2, S. 335, f. 34

<sup>114</sup> *Ibid.*

<sup>115</sup> The result was Smith, 345; Maitland, 312; Alison, 156

<sup>116</sup> *Stirling Journal and Advertiser*, 6.8.1847

'their religion was all a pretence.' Several of my voters were kept drunk all Sabbath by my opponents.<sup>117</sup>

He also saw himself as having been the beneficiary of a split vote:

'The prejudice against me on religious grounds was so strong that I had little confidence in the result of the election if the two parties coalesced - fortunately Alison was obstinate and the opposition was not strong enough to defeat me - '<sup>118</sup>

Smith's victory was probably secured by the support of such Voluntaries who saw him as one of themselves, those opposed to religious influence in elections, secular radicals (Smith had been the first chairman of the Anti-Corn Law League) and jealousies between Stirling and Dunfermline voters. Within a burgh district such feelings were to be expected and it is noticeable that Maitland won in Stirling handsomely, whereas Smith saw off both his challengers in Dunfermline where his candidacy had been started by a small group of businessmen<sup>119</sup>.

In the Montrose District, Free Church and hard-line Voluntary opponents had a more difficult task to take on the veteran Radical Joseph Hume, than they had in other constituencies where Whigs were the sitting members. Hume was vulnerable because he had voted for the Maynooth Grant and was also open to charges from the Sabbatarians that he had supported the opening of the British Museum and the National Gallery on a Sunday. He was able to point to his support of Fox Maule on the sites question, however, and had the local drink trade with him. He found a certain irony in drawing the questions of drink and the Sabbath together in his close of poll speech:

'It was, moreover, very annoying to find that, while he had been opposed by the licensed victuallers and public-houses of London on the ground that he was adverse to their interests, he should now be opposed in his own native town on the ground that he was really promoting the interests of that class by encouraging the desecration of the Sabbath.'<sup>120</sup>

<sup>117</sup> J.B. Smith to ? [McLaren], 11.8.1847, J.B. Smith MSS., MS. 923.2 S. 335, f. 37

<sup>118</sup> Ibid., J.B. Smith to D. McLaren, 6.9.1847

<sup>119</sup> *Stirling Journal and Advertiser*, 30.10.1846. The Whigs tried to draw attention to Smith's business backers by pointing out what they had been responsible for in the local economy. "They [the electors] have not forgot that the leaders of Mr. Smith's party were amongst the first to bring down wages and introduce the factory system into the town, ..."

<sup>120</sup> *The Scotsman*, 7.8.1847



The alliance against him was one of Free Churchmen and Tories in this case. Referring to his opinion that religion should not be enforced by the legislature it was remarked that:

'And, thereupon, a motley band of Tories, Free-Churchmen, and, we are ashamed to add, 'Voluntaries', raise a cry of 'irreligion', and form an unholy alliance to oust the offender.'<sup>121</sup>

It is obvious that, despite the mention of Voluntaries, this group were not to the fore in the opposition to Hume. He won the seat by the convincing margin of 301 votes over his more moderate Liberal opponent David Greenhill. Greenhill had attempted, for example, to use the possible repeal of the Navigation Laws to attract the support of the shipping interest, but the message was clear. Against a radical opponent, and lacking the support of the bulk of the Voluntaries in the constituency, the Free Church had been unable to influence the result decisively.

In the counties, as has been mentioned, the division in the Conservative party following on from Corn Law Repeal provides the main area of interest. Little love was lost between the Free Church and the Tories, especially in the Highland regions where the sites issue had been most immediate. It was to be expected, therefore, that the emergence of the Free Church would not adversely affect the Liberal position vis à vis the Conservatives. The split in the Conservative party would, in any case, be expected to strengthen the Liberals' hand:

'... there is not in Scotland any life or cohesion in either branch of the broken party; and though some members of both branches will retain the seats they have through territorial influence and the apathy of Liberals, no candidate not avowing himself a Liberal will gain a single seat in Scotland, and several seats at present held by Tories will be rescued.'<sup>122</sup>

Or as the Earl of Eglinton put it to Stanley:

'I do not think that our electioneering prospects generally throughout Scotland are very cheering. The high prices have completely blinded the farmers for the present and they may not open them in time for the general election.'<sup>123</sup>

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<sup>121</sup> *Ibid.*

<sup>122</sup> *Ibid.*, 14.7.1847

<sup>123</sup> Eglinton to Stanley, 2.12.1846, Derby MSS., MS. 920/DER/14, Box 148/2

The point about territorial influence might be expanded to include constituencies where the Conservatives had been active in creating a favourable register. Here Protectionists had little trouble being re-elected as supporters of Stanley. A case in point was Peeblesshire where W. Forbes Mackenzie, well known for his measure to tighten up the drink trade in Scotland, was returned against a Free Trade Liberal opponent comfortably. A letter to *The Scotsman* from a Peeblesshire elector made clear why:

'... in other words a third of those 'whom Mr. Mackenzie designates the independent electors' vote not upon property of their own, but upon houses and lands, divided and sub-divided on paper ...

Many of these 'independent electors' reside in Ireland, never saw the properties upon which they claim the right to vote, and have no idea of the geographical position of Peeblesshire.'<sup>124</sup>

People like Mackenzie may have been helped by the reluctance of magnates like Buccleuch, a Peelite at this time, to antagonise their erstwhile Conservative brethren. The feeling of belonging to one party remained and Conservatives on both sides of the divide were anxious to avoid the split becoming permanent. Buccleuch made his position clear to Stanley in late 1846 in the following terms:

'Although we did not agree in opinion as to the best course to be pursued on the Corn Law question and voted adversely, yet I do not apprehend that our opinions upon other matters of general policy can much differ, and I shall be most glad to find that our views upon public questions can again coincide.'<sup>125</sup>

It is possible to read between the lines of Duncan McNeill's report to Peel on the Scottish election results that he too was moved by the same desire to avoid permanent estrangement.

'Tho' the state of Parties in Scotland may not be very interesting to you, I may mention that we have nowhere as yet any contest between the two sections of the Conservative party, nor do I expect any such contest ... '<sup>126</sup>

Liberals could not, therefore, look for much in the way of opportunities from Conservatives on different sides of the Free Trade divide standing against each other.

<sup>124</sup> *The Scotsman*, 7.8.1847

<sup>125</sup> Buccleuch to Stanley, 15.12.1846, Derby MSS., MS. 920/DER/14, Box 164/17A

<sup>126</sup> D. McNeill to Sir Robert Peel, 20.7.1847, Peel MSS., Add. MS. 40599, ff. 71-72. McNeill had been Lord Advocate in the Peel Ministry.

Openings could occur in other ways, however, as was the case with Roxburghshire, where the Protectionist, the Hon. Francis Scott had won in 1841 and where Buccleuch had considerable influence. In 1847 the seat passed, without a contest, to the Whig John Elliot, a member of the Minto family. This was despite a Tory majority in the registrations. Dunlop in Greenock, who had used the example of Roxburghshire to point out what he felt to be the injustice being perpetrated on him by the Mintos, explained this transfer of allegiance as follows:

'... I suppose some understanding must have been come to with the Duke of Buccleuch and the Peel Conservatives not to oppose John Elliot.'<sup>127</sup>

Perhaps the threat of the Breadalbane candidate referred to by Dunlop had forced Buccleuch to look to the Mintos to back his position in Roxburghshire.

Such a shift in opinion was made more possible and more effective by the fact that gentry and tenantry opinion, i.e. below in the social hierarchy the level of the great magnates, was not, for the various reasons mentioned above, united on the subject of Protection.

In two counties where Protection might have been expected to feature as an issue, Fife and Haddingtonshire, it was rather the Game Law issue which predominated.

In Fife John Fergus, a Liberal, held the seat against John Balfour, who had undergone a conversion on the Corn Law question. He had spoken at the last meeting held in Fife in defence of the Corn Laws but now came forward saying that Repeal was irreversible and calling in his address for an extension of Free Trade<sup>128</sup>. Balfour was brought forward by the landed proprietors of the county unlike, it was claimed, his opponent who had been selected because of a movement amongst the 'independent' tenantry. Their main aim was to do something about the Game Laws "which they found practically maintained by both Whig and Tory proprietors to an annoying and intolerable extent."<sup>129</sup> Fergus won by 66 votes in a big poll and acknowledged that he had been opposed by the landed proprietors, including, no doubt, some Whig/Liberals as well. One report suggested that the outgoing Whig M.P., J. E. Wemyss, had put round a circular saying that he did not want his supporters to back Fergus<sup>130</sup>. Against these odds, and coming from a commercial rather than a landowning background,

<sup>127</sup> Dunlop to Fox Maule, 7.6.1847, Dalhousie MSS., MS. GD 45/14/658/3

<sup>128</sup> *The Scotsman*, 21.7.1847

<sup>129</sup> *Ibid.*, 24.7.1847

<sup>130</sup> *The Scotsman*, 14.8.1847. Report taken from *The Fife Herald*.

Fergus had done well, the Game Law issue providing his campaign with an effective focus<sup>131</sup>.

In Haddingtonshire neither candidate was for total repeal of the Game Laws. Sir David Baird, the Liberal, received the support of the local Anti-Game Law League, however, because of the practice on his estates. A Mr. Shepherd moved a motion of support for Sir David at an electors meeting at Haddington:

'... and in doing so, declared that the members of the Anti-Game Law League would generally vote for him, on account of his liberality in game to his own tenants - his practice being better than his theory; ...'<sup>132</sup>

Baird could, however, arouse little enthusiasm with such a seemingly contradictory position. George Hope commented that:

'I am to vote for Sir David Baird in the county, but rather doubt Charteris will beat him, ... There is not in reality much difference in their politics. Charteris is a Peelite, and Baird a moderate Whig, ... As to game, they are six and half a dozen regarding the alteration of the law. Charteris's grandfather (and without his grandfather he is nobody) preserves, which Baird does not, but allows all his tenants to shoot, without exception.'<sup>133</sup>

Frank Charteris, the later Lord Elcho, was therefore the beneficiary of any Liberal apathy that may have resulted. The attention of his grandfather's (the Earl of Wemyss and March) interest to the registers was probably decisive, however.

The interesting point in both these counties is that Free Trade played very little part in things.

The Liberals did benefit, however, where the Free Church could exert some influence and where the Sites issue was close to home. In Ross and Cromarty, for instance, the sitting Conservative, Thomas Mackenzie of Applecross was forced to retire because he was a known site refuser, leaving the Free-Trade Liberal, J. Matheson to walk the course. The disruption of party ties following on Repeal was also mentioned as a reason why Mackenzie, who had had a majority of 111 at the last contest in 1837, was forced to step down, but there seems no doubt that the Sites controversy was the main cause of his discomfiture:

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<sup>131</sup> Fergus was a linen manufacturer and merchant with works at Prinlaws near Leslie. See his obituary in *The Scotsman*, 25.1.1865

<sup>132</sup> *The Scotsman*, 17.7.1847

<sup>133</sup> C. Hope, *op. cit.*, p. 161

'It is true, that the ministers of the Established Church would vote, with scarcely an exception for Applecross, and that few of the ministers of the new denomination possess the franchise; but it is equally true, that the effect among the Free Church electors of the known partiality of their pastors for Mr. Matheson, would be more than a counterpoise to the weight of the reverend gentlemen of the Establishment.'<sup>134</sup>

In the counties, therefore, Conservative division did not as yet bring the Liberal party any immediate significant benefits unless the Free Church/Sites issue was locally important. Where the Liberals did benefit was in terms of the reduced number of contests. No Conservative offered a Liberal a contest in the eleven county seats they won in that year, compared with three contests in the ten seats they took in 1841.

Free Trade did not feature greatly as an issue on the surface, especially, as was mentioned above, as it did not affect that many counties directly. Even where it did the tenant farmers at least were not fired by it. It was, therefore, possible for Lord Lincoln, the Liberal Conservative winning candidate for Falkirk Burghs in 1846 and 1847, to be invited to join the West Lothian Agricultural Society, which, it was assured, shared his Free Trade views. This society was made up of influential tenant farmers from the neighbouring county of Linlithgowshire, where it was also suggested to run Lincoln in the 1847 general election.

The most important developments in the 1840's for the Liberal Party in Scotland, therefore, can be summed up as follows. Thanks mainly to the Disruption, and the consequent appearance of the Free Church, as well as to the Maynooth issue, the predominance of the Whigs had been challenged and in several significant cases broken. In the process Voluntaries, Free Churchmen, Anti-Corn Law Leaguers and radicals of various hues had had the experience of forging new alliances, new compromises to return candidates, or of seeing their divisions result in the return of their opponents. The question in the 1850s was whether this alliance would bear fruit in terms of the reforms that these various groups wanted, or whether the more moderate Whig forces in the Liberal party would be able to exploit the divisions the potential for which all too obviously existed.

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<sup>134</sup> *Inverness Courier*, 20.7.1847

## **CHAPTER 3**

### **THE LIBERAL PARTY IN SCOTLAND, 1850-1856**

#### **Part I : The 1852 Election and Strains in the Free Church/Voluntary Alliance**

Chapter 2 showed how in the late 1840's the alliance between the Voluntaries and Free Churchmen bore fruit, especially in burgh politics, by reducing the dominance of the Whigs and moderate reformers. The succeeding period, examined here, witnessed strains and then divisions in this alliance which paved the way for the return to favour of a more secularly-minded, moderate Liberalism. This, it will be argued, was partly due to the climate created by the reaction to a badly managed conflict in the Crimea, but equally to the problems encountered by Free Church and U.P. supporters when they came to deal with the intractable issue of Scottish education.

Outwith the Liberal party the consequences of Corn Law Repeal were still having a significant influence on the political balance in the Scottish counties. The Conservative split and the lameness of the Derbyites' position as they only slowly abandoned Protectionism meant that, despite the weakness of the Russell Government and the Whigs, the Liberals were able to hold their own. To this base of support was later added Palmerston's ability as Prime Minister to draw 'natural' conservative voters into supporting moderate Liberal candidates. As will be seen in Chapter 4, the Liberals won 14 seats in the counties in 1857, three more than in 1852 and, whereas in 1852 they had been allowed seven walkovers, by 1857 this had increased to 12. As Chapter 6 will show, the Liberals also took the only burgh seat not in their control, Falkirk, in 1857. In other words, by the later 1850s the Conservatives in Scotland had ceased to make any real challenge. An examination of the politics of the first half of the 1850s explains the reasons for that Liberal zenith in Scotland which lasted in Scotland from the 1857 Election until the 1868 Reform Act and beyond.

A chronological sequence provides, of course, an essential historical framework, but some movement backwards and forwards within this is necessary in this case to make it easier to understand how the events and issues intertwined to change the Liberal party. Analysis starts here with the 1852 general election which, as will be seen, followed on closely in electoral terms from the 1840's. The Education question, although coming to prominence in Parliament from 1850 onwards, did not feature largely in the contests of that year. Its point of greatest importance electorally was to come later and Lord Melgund's early 1850 and 1851 attempts at legislation are, therefore, considered out of chronological sequence later in this Chapter. Then loosely connected with Education there was the Scottish Rights Movement. While its impact on the Liberal party was

important it was less significant electorally than the Education issue. Therefore, it is also considered later in the chapter than its 1853 appearance would merit. Consideration of the effects of the Crimean War will bring this chapter to a close as this event is linked so closely with the effect of Palmerston's leadership in the later 1850's.

### **The 1852 Election**

The election of 1852 did not indicate any further shifts of political direction for the Liberal party in Scotland but was rather a case of Free Churchmen and Voluntaries holding on to the gains which had been made in 1847. Further progress was not made by these groups as was demonstrated, for instance, by the notable contest in Edinburgh where Duncan McLaren was unsuccessful, largely due to a lack of Free Church support, in his attempt to win against the Whigs who put up Macaulay. Generally, however, the combination of Free Church, Voluntary and radical votes kept the Whigs at bay in the larger towns. In the counties Protection, which had not been much of a rallying cry in Scotland at the previous election, certainly provided no mileage for the Tories at this one. The split in the Conservative party still exerted an influence, perhaps the more so as there was a perception that the minority Derby administration was to be of short duration and would likely be followed by some sort of Liberal-Peelite fusion or coalition.

Glasgow provides a good example, on the surface at least, of the 1847 upset for the Whigs being reaffirmed in 1852. What is significant, however, especially in the light of events later in the 1850's, is that under the surface hidden currents were at work pulling personalities and outlooks in new directions. The outcome of this four-cornered contest resulted not so much from the continuing active co-operation of the Free Church and Voluntary forces in the city, but rather from the negative influence of the Free Church on one of the candidates, namely Lord Melgund. The Hastie-Macgregor 'ticket' of 1847 had, by 1852, come unstuck in terms of union between the supporters of the two men. In 1847 the contest had been against the old Whiggery of John Dennistoun; this time the new money behind that reaction had had time to get wary of one of its creations at least:

"Life in London", commercial speculations, Archipelagos, and other wind-bags of unsavoury odour and portentous calamity, are not pleasant to prim, strait-laced, true-blue Presbyterian merchants on Glasgow 'Change. But every bane has its antidote;

and two or three courses round the suburban democracies render John Macgregor a divinity, to whom even the Nabobs of the West End bow their heads in reverence.<sup>1</sup>

John Macgregor had clearly proved unacceptable to the more moderate members of the coalition of forces which had upset the Whigs in 1847. The expectations held of him, on account of his experience as an official with the Board of Trade, that he would be an M.P. with weight in the Commons had not been fulfilled. In short he was to be dropped. At the time of issuing his address he was thought to stand no chance of reelection<sup>2</sup>. Hastie himself explained the predicament this put him in by telling an election meeting:

'Our old Committee [that of Hastie and Macgregor together], or at least the bulk of them, waited upon me, and said they could not again reform themselves into a Committee with Mr. Macgregor and I conjoined.'<sup>3</sup>

This made Hastie decide that he would:

'... form a conjunction with no other candidate, since Mr. Macgregor cannot be conjoined with me.'

In effect he also was deserting Macgregor, but not too openly in case he should lose the backing of their joint supporters. The situation was one where Hastie had become semi-detached from his supporters, some of whom came together with the old Whigs in deciding to run Lord Melgund. Knowing that working together with Melgund would probably lose him the support of the more radical wing of his party, Hastie wisely decided on a personal co-operation with Macgregor rather than an organisational one with Melgund. As one commentator put it:

'Hastie without Macgregor is like a sucked orange. Macgregor without Hastie is like a giant refreshed with wine. The one when separated from his fellow, is 'flat, stale and unprofitable', the other is wild, spicy and deliriously democratic.'<sup>4</sup>

Macgregor for his part, having lost the support of the moderates and Nabobs mentioned above, looked elsewhere:

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<sup>1</sup> *North British Daily Mail*, 10.7.1852

<sup>2</sup> *The Glasgow Herald*, 2.7.1852

<sup>3</sup> *Ibid.*, 5.7.1852

<sup>4</sup> *North British Daily Mail*, 10.7.1852



'He has made up for the flight of those of his old friends who have left him, however, by throwing himself into the arms of the extremist class of politicians in the city; for all that the Radicals and Chartists have to give, he will get.'<sup>5</sup>

Interestingly this was put in a slightly different way by another commentator after the declaration of the poll:

'A Macgregor reaction, originated by the misguided democrats of the suburbs, and communicated by them to the central districts, and which the shortness of time afforded no opportunity of combating efficiently, spread with such rapidity and force as to carry 'the statistical member' with all his dead weight buoyantly to the second place on the poll.'<sup>6</sup>

A reaction to what? The answer lies partly in the Melgund candidacy which was seen as an attempt to foist an outsider on Glasgow. This was especially so amongst radicals in the East End who objected to being dictated to by the Liberal swells of the commercial West End. The latter, for their part, intended to try to get a better class of member, a Whig of stature elected for Glasgow, but ended up providing, unexpectedly, the impetus for a renewal of the old combination over Maynooth. Unlike the situation in Edinburgh where the Free Church ran a candidate, Charles Cowan, and played a part in positively shaping events, this group in Glasgow reacted to the initiative of others:

'The Free Church in Glasgow has never played a brilliant part either politically or ecclesiastically. It certainly sinks far below the level of Edinburgh in talent, unity of purpose and power. ... In politics ... it is literally, and perhaps not unwisely in the circumstances, purely and simply negative. The Free Church party in Glasgow asserts no principle, unfurls no flag, adopts no side. It exists simply as a disturbing force in politics, lifting its hand, like Ishmael, against every man, and carrying its weight for the moment into any quarter where it is most likely to create most confusion and perplexity. The only sections, indeed, of the constituency in Glasgow, that neutralised themselves on Friday were the Free Church, on the one hand, which very generally voted black and white in order mostly to keep out Lord Melgund because he was too pro-Popish; and the Roman Catholics, on the other, who abstained from voting for his Lordship, because he was too anti-Popish!'<sup>7</sup>

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<sup>5</sup> *Glasgow Herald*, 5.7.1.1852

<sup>6</sup> *North British Daily Mail*, 10.7.1852

<sup>7</sup> *Ibid.*, 12.7.1852

Melgund, well known for his willingness to tolerate the Maynooth Grant on the one hand, and for his attempts to introduce a system of secular national education on the other, was a liability to the Whigs. The Roman Catholic electors had met and decided to vote for none of the candidates, a loss certainly to Melgund, whom they had consistently supported in Greenock<sup>8</sup>. The Free Church, in voting 'black and white', had no real choice but to vote for Hastie and Macgregor if they wanted to keep out Melgund. Those setting the Melgund candidacy in train had recognised early on that Hastie's support, despite his personal association with Macgregor, remained firm. Andrew Bannatyne, writing to Sheriff Handyside about the possibility of running two Whig candidates, admitted as much:

'It is more doubtful whether we could carry two: but some well-informed parties think we might, as Hastie has damaged himself much by foolishly identifying himself with Macgregor. I speak of Hastie himself. His party generally has kept itself aloof and their second votes are free.'<sup>9</sup>

What fixed this support firmly to Hastie 'himself' and determined where these second votes went to was the decision to run Melgund, something of a 'bête-noire' to the Free Church voter with his track record of opposition to the prominent Free Churchman, Alexander Dunlop, at Greenock. The entry of a Conservative candidate, Peter Blackburn, was an additional blow because it meant that the Whigs could not rely on Tory votes to carry them through. Blackburn won 1683 votes, including a majority of 96 in polling districts 8 and 12 nearest the Exchange, that is amongst the better-off merchants and professionals, the exact opposite of Macgregor's main source of support in the industrial suburbs<sup>10</sup>. Blackburn was able to maximise his support by wavering, as the campaign went on, in his belief in Free Trade.

'He declared himself opposed to the revival of the Corn Laws; but a resolution of support passed exclusively in his favour by the Shipowners' Association, threw over his cause, during the latter days of the struggle, even an anti-free-trade complexion.'<sup>11</sup>

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<sup>8</sup> *Glasgow Herald*, 12.7.1852, quoting the *Glasgow Free Press*, Glasgow's R.C. paper.

<sup>9</sup> Andrew Bannatyne to Handyside, 21.6.1852, Minto MSS, MS. 12342, ff. 71-72

<sup>10</sup> *Glasgow Herald*, 12.7.1852

<sup>11</sup> *North British Daily Mail*, 12.7.1852

The shipping trade were to play a marginal role in 1852 in some contests because of their adverse reaction to the repeal of the Navigation Laws<sup>12</sup>. The fillip thus given to the Blackburn camp hurt Melgund in the same way as he had suffered earlier in Greenock. This forerunner to the Glasgow contest will be discussed below in more detail.

It is possible, therefore, to talk about the alliance of 1847 between Free Church and Voluntary forces still holding together in 1852 in order to keep the Whigs out. It was, however, more a case of defending ground already won this time than of attacking the incumbents. To talk, as one writer in the *North British Daily Mail* did, of delivering the old Whig party its death blow sounds exaggerated<sup>13</sup>.

'A faction by force of circumstances has triumphed. The ultras have got their Macgregor, but at an enormous cost to the Liberal cause in Glasgow. Some will refer us to the majority in favour of the elected members. They are a rope of sand. They are held together by no common principle. One fourth of them either voted for Mr. Blackburn, or are prepared to vote for him at next election.'

'The Liberal camp, in short, is at this moment utterly fenceless; and the Conservatives are in the midst of it, picking up their booty and taking their prisoners, to be turned at the next fight into recruits. A majority having at one end the democratic free-thinking editor of the *Sentinel*, and at the other the Tory hyper-religious editor of the *Guardian*, is a combination that cannot hold together.'<sup>14</sup>

There is no doubt some over-reaction here to the size of the Conservative vote, especially as this was the first time that a Conservative had stood in Glasgow since 1837. The point about the flux inside the Liberal party is well made, however, as is the fact that Macgregor in particular had brought together 'a rope of sand'. This held together because no one wanted the Whig, Melgund, badly enough to make capital out of the potential and actual divisions amongst his opponents. The editor of the *Guardian*, the Free Church paper in Glasgow, and those like him had been brought in, as mentioned, by the Maynooth question. Melgund's seconder at the nomination, Bailie Gourlay, reinforced the point:

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<sup>12</sup> By the time of their repeal in 1849 these Laws seem to have been of more symbolic than real importance as they had been eroded by the changes in the period since the Napoleonic Wars. Their original intention had been to reserve all coastal, colonial and non-European trade for British shipping and thus to preserve the strength of the British merchant marine. The apparent abandonment of this policy was the reason for the discontent the shipping interest expressed over Free Trade in 1852. For a general overview see Norman Gash, *Aristocracy and People*, London 1979, pp. 115-116 and 247.

<sup>13</sup> *North British Daily Mail*, 12.7.1852

<sup>14</sup> *Ibid.*

'He thought it a lamentable state of things in Glasgow, that a city of so much intelligence and importance should be falling out about this question of Maynooth - for that really was the question at issue - ...'<sup>15</sup>

The editor of the radical *Sentinel* had been cemented in more firmly by Macgregor's search for alternative support after the loss of his moderate backers of 1847. At one of Hastie's election meetings its editor the Owenite, Robert Buchanan, explicitly said that he believed that the reason Macgregor had been thrown overboard was because certain members of Hastie's committee were also members of Melgund's. In threatening tone he declared:

The consequence would be that gentlemen [like Mr. Buchanan presumably], instead of voting for Mr. Hastie, would plump for Mr. Macgregor. He said he saw some of the very same men who supported Finality Melgund on the platform.'<sup>16</sup>

"Finality Melgund" was a reference to the supposed moderation of Melgund's views on the extension of the franchise, although in fact he had committed himself to a considerable extension and to the disfranchisement of small burghs.

These groups were motivated in drawing together by different considerations and prejudices and the common ground in 1852 was the common one of opposition to Melgund. The radicals objected to his Whiggery, the Free Church voters to his religious tolerance. The irony of the course being followed by some Free Church voters was not, however, lost on one commentator:

'... the organ of the Free Church in Glasgow came forth on the morning of the election, recommending its believers to vote strongly for Erastianism in Mr. Blackburn [an Established Church member], and for Voluntaryism in Mr. Hastie!'<sup>17</sup>

Thus, the return of Hastie and Macgregor, which seemed to be a re-run of 1847, was anything but. As a Mr. Ray put it at the Hastie election meeting referred to above, the same party that had run Hastie and Macgregor at the previous election had now introduced Melgund. However, Macgregor had still beaten the leaders of this party, thereby showing their continuing electoral weakness, by calling on more radical voters,

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<sup>15</sup> *Glasgow Herald*, 9.7.1852

<sup>16</sup> *Ibid.*, 5.7.1852

<sup>17</sup> *North British Daily Mail*, 14.7.1852

by rallying the drink trade<sup>18</sup>, and by taking advantage of the way the Maynooth issue had damaged Melgund. That, at least, was a common factor with the election of five years previously, and ensured that large numbers of Free Churchmen voted for Macgregor.

Melgund, therefore, suffered for his unclear position on Maynooth and for his particular brand of aristocratic secular Whiggery which, as has been shown, failed to rouse any enthusiasm. Ironically his Education Bills of 1850 and 1851 in showing that he was committed to separating religion from a national system of education should have helped him with the Maynooth problem and strengthened his credentials with the Voluntaries. Instead it only reinforced his secularist image and lost him support among Free Church voters. Consequently he came bottom of the poll, over a thousand votes behind Peter Blackburn<sup>19</sup>.

In terms of 'party' the situation in Glasgow shows what Liberals at this point in time understood by the concept. The most obvious feature of the Liberal party in the city in 1852 was the intensity of its internal argument about identity and views. Divisions abounded, especially along religious lines, but also along political and class lines, too.

'The Liberals of this city, divided at last election into two parties, one political and the other political-religious might, if united now, have formed a party of sufficient strength and consistency to break the waves of Tory reaction sweeping over the land; ... The re-union, so necessary and so useful, might have been easily purchased. The election simply of one new representative ... was all that was needed to heal up the breach, and render the liberal cause once more impregnable in Glasgow.'<sup>20</sup>

These divisions on this question of the choice of candidates are indicative of the broader arguments about which direction the party ought to go in, a radical or more moderate tending one. On the one hand, there were the Whigs and moderate Liberals who attracted more Roman Catholic support and the tactical aid at the poll of Tory voters. On the other was a loose collection of Free Churchmen, Voluntaries, radicals and spirit merchants, who on this particular occasion were as much motivated by what they didn't want as by what they did. As the above quotation again makes clear, however, these divisions took place within the context of Liberalism, at the doors of which "Tory reaction" was felt to be an ever-present threat. These contending religious and other pressure groups were all anti-Tory and saw themselves as pro-Reform. They all saw

<sup>18</sup> The *Glasgow Herald* asked after the result was known: "Are we to permit our representation to be virtually in the hands of democrats and *keepers of small spirit shops*.", 12.7.1852

<sup>19</sup> The final result was: Hastie, 3212; Macgregor, 3142; Blackburn, 1683; Lord Melgund, 355 (he was withdrawn at 11 o'clock when his total stood at 213). *Glasgow Herald*, 9.7.1852

<sup>20</sup> *North British Daily Mail*, 12.7.1852

themselves as fighting for the Liberal inheritance. Each had their idea of which direction the party should be going in and tried to ensure that this won out by controlling the representation in a 'Liberal' constituency like Glasgow. Opponents within the Liberal grouping were accused, for instance, of being stooges for the Tories (read here those who split their votes with Blackburn) or betrayers of the Reform tradition (read here "Finality Melgund"). One has the impression, however, that the Nabobs of the West End and the democrats of the suburbs felt themselves to be part of the same political 'family' simply because they were contending for the same inheritance and tradition and the right to control in which direction it was now to go.

A similar situation arose in Edinburgh, although here the consequences for the alliance of 1847 were more obvious. When the surviving Whig, Sir William Gibson-Craig decided to retire, the Voluntary forces in the City no doubt assumed that they would have a clear run at the seat since they had supported, and could claim in 1847 to have ensured the election of, the other sitting member, the Free Church Charles Cowan. This, however, did not happen. In drawing the following contrast between three contests, including that in Edinburgh, a *North British Daily Mail* analyst put his finger on the crucial impact of the Free Church element in each case:

If the Edinburgh and Greenock Liberals had revenged on Mr. Cowan and Mr. Dunlop the despicable opposition given by many of their party to Lord Melgund in Glasgow, these worthy candidates would have been placed at the bottom of the poll.<sup>21</sup>

The idea of these 'Liberals' (presumably the non-Free Church electors are meant) taking revenge on Cowan and Dunlop, both Free Churchmen, is a red herring. Both Cowan and Dunlop were elected, as will be seen, largely because of a solid block of Free Church votes. Melgund was *not* elected partly because of similar electoral behaviour by precisely the same group. All three results are testimony not to Liberal forbearance, but rather to the pivotal position that the Free Church held in many constituencies. In Edinburgh and Greenock they happened to be strong enough to return their candidate. In Glasgow they were strong enough to act as wreckers and to keep Melgund out. The losers in all three cases, to a greater or lesser extent, were the Voluntaries.

In Edinburgh, as in Glasgow, an attempt was made at the start of the campaign to bring together the different sections of the Liberal party:

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<sup>21</sup> *Ibid.*, 14.7.1852

'Mr Charles Cowan (Liberal) stood again, and was supported as before by the greater part of the various sections which combined in 1847 to put him in place of Macaulay.'<sup>22</sup>

The key phrase is 'the greater part'. Cowan, the Free Church standard bearer, was deserted, as his biographer makes clear by his most prominent Voluntary supporter of 1847, Duncan McLaren:

'... the committee which had secured the return of Mr. Cowan at the previous election met to consider whether they and the opposition Liberal Committee could not agree to the unopposed return of Mr. Bouverie as Mr. Cowan's colleague. At this meeting Mr. McLaren, who was the Lord Provost, moved and carried a resolution to the effect that the Independent Committee should prefer a candidate who favoured vote by ballot and triennial Parliaments. This resolution was interpreted by the Whigs as tantamount to the rejection of the candidature of Mr. Bouverie, and most of Mr. Cowan's 'Moderate Liberal' friends, taking alarm, withdrew from the committee.'<sup>23</sup>

The attempt to bring together the Whigs, the Free Church, and the Voluntaries behind E.P. Bouverie, M.P. for Kilmarnock District, failed because of McLaren's radicalism, his ambition, or both. As has already been pointed out, McLaren's aim was to establish "an Independent Liberal party in Edinburgh..."<sup>24</sup> which probably made such a refusal unattractive. His resolution was probably deliberately intended to get rid of 'moderate' Liberals from the Independent Committee, in other words Cowan's conservatively-minded Free Church supporters. It is likely that personal differences also intervened, as McLaren was well known for his dislike of lawyers. Bouverie was one. Under the 1832 franchise, however, there was probably not, as yet, enough support for the sort of radical demands which McLaren was making. Instead of drawing away support from those interested in the candidature of someone like Bouverie, therefore, he only succeeded in isolating himself:

'The great object of hatred to Gibson Craig, Lord Panmure and Rutherford, and all that faction, is the Provost, and I believe that there are very few lengths to which they would not go to thwart him. - Party feelings and personal jealousies run so high just now, that they have rendered all union impossible, and the consequence has been that the Provost, who I sincerely believe was desirous of not coming forward as a

<sup>22</sup> Alexander Nicholson (ed.), *Memoirs of Adam Black*, Edinburgh 1885, p. 163

<sup>23</sup> J. B. Mackie, *The Life and Work of Duncan McLaren*, London 1888, vol. II, p. 31

<sup>24</sup> *Ibid.*, p. 27

Candidate, has been at last driven to enter the field irrespectively of all other parties  
 .<sup>25</sup>

Moderate Free Churchmen were not prepared at all to cooperate with McLaren. He, for his part, was under no illusions:

'The intolerance of the Free Church leaders and their hostility to me is very great. They know that I have a will of my own and will not be an instrument in their hands for any purposes whatever.'<sup>26</sup>

They decided to run a second Free Church candidate, Campbell of Monzie, an ex-Tory, to take up the second votes of Cowan's supporters. The Whigs, seeing the disarray of the Free Church/Voluntary alliance, were then well placed to launch Macaulay, defeated by the same grouping in 1847, on to the field on a 'make amends for the shame of 1847' platform. In doing so they wanted to appeal to as many voters as possible outside the 'old Whig' camp as Alexander Russel, editor of *The Scotsman*, made clear to Lord Melgund, another possible candidate:

'Hence it becomes important to explain that, so far as my knowledge goes, the Committee ... were actuated throughout by a desire to get the man, not who would be the most acceptable to the majority of themselves, but who would unite the greatest number of suffrages among the Liberal constituency at large. Proceeding on this principle, the pulse of the constituency was felt by means chiefly of the convenors of the wards; and the result was, contrary to the expectations of the small Committee, that the prevailing feeling was in favour of Mr. Macaulay. Not that there was any disinclination towards your Lordship but there was found to be an exciting enthusiasm for Mr. Macaulay, a burning to revenge 1847; while if a new candidate like your Lordship had been put forward, some would have been for you, some for Sir D. Dundas, and an unexplored field would have had to be entered on.'<sup>27</sup>

Macaulay was the candidate who could best help the Whigs draw as many as possible within the Liberal party in Edinburgh to support them, thereby enabling them to retain some control of the Liberal tradition by winning a slice of the city's representation. The consultative process that is mentioned here shows that the political process *within* the

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<sup>25</sup> Ralph Abercromby to Lord Melgund, 11.6.1852, giving advice to Melgund about the landmarks of Edinburgh politics in view of Melgund's possible candidature, Minto MSS., MS. 12342, ff. 30-33

<sup>26</sup> Duncan McLaren to Lord Melgund, 18.6.1852, *ibid.*, ff. 63-67

<sup>27</sup> Alexander Russel to Lord Melgund, 17.6.1852, *ibid.*, ff. 36-41



Liberal party was all about maximising support for one's group within what was recognised as a distinct body, "the Liberal constituency at large".

McLaren with good political logic, though great inconsistency, tried to make overtures to the Whigs. He ruled out a union with Macaulay:

'It will be impossible for me to have any union with Mr. Macaulay, although something of the kind might have emerged if Lord Melgund had been started. If I were to unite with Mr. Macaulay, both of us holding precisely the same views as when I opposed him, my public character would be damaged by such a course.'<sup>28</sup>

It would appear from this that the public unacceptability of such a manoeuvre disturbed him more than its unprincipled nature! Co-operation with another Whig candidate, namely Melgund, offered him a way out of his isolation, however, as Alexander Russel explained to Melgund:

'Now mark that, before the Lord Provost proposed a union with your Lordship, that all but the Voluntary section of the "Independent" Committee had left him, in hot wrath upon both public and personal grounds - so that all he could even pretend to control was about 500 votes, or one-fourth of the force that returned Mr. Cowan.'<sup>29</sup>

A Melgund candidacy, with his track record in Greenock and very recently in Glasgow, could only have been intended by McLaren to isolate in turn his erstwhile Free Church allies and the more conservative (i.e. Church Establishment-leaning) among them in particular. Having worked with the Free Church in 1847 to oust the then Liberal 'establishment', the Macaulay Whigs, McLaren was now trying to use the best tools to hand, those same defeated Whigs, to try to 'dish' what had by 1852 become the biggest obstacle to his ambitions, namely his former Free Church partners. Such is the stuff of political ambition!

The interesting point in terms of the Liberal party as a whole, therefore, is that McLaren and the Voluntaries, the Free Churchmen, the Whigs plus others that did not fit into these groups were contending for its 'soul'. Any combination was conceivable as long as it brought results in terms of pulling the party in the desired direction. McLaren just happened to be the most discontented of them all.

These overtures failed because Macaulay offered the Whigs the candidacy round which the maximum number of supporters could be mustered. McLaren was on his own and his fate was sealed by the Tories:

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<sup>28</sup> McLaren to ?, 11.6.1852, *ibid.*, ff. 34-35

<sup>29</sup> Alexander Russel to Lord Melgund, 17.6.1852, *op. cit.*

'A large number of Tory electors kept themselves in reserve until the last hour; but about three o'clock they held a meeting, and finding from the state of the poll, which was, in those days of open voting, known from hour to hour, that Mr. McLaren stood second, and would be returned as Mr. Macaulay's colleague, they went in a body to give their votes for Mr. Cowan, and thus secured his return; ...<sup>30</sup>

Only 35 Tories appear to have split their votes with McLaren. Cowan received 398 Tory splits and Macaulay 186. McLaren was not helped either by Adam Black's advice to the Roman Catholic voters to plump for Macaulay. Naturally "when solicited to split their votes with McLaren ... he, as chairman of Macaulay's committee could not afford to risk the chance of his being second on the poll, perhaps even third."<sup>31</sup>

The damage done to the prospects of Free Church/Voluntary co-operation can be seen in the attacks made by the Voluntary organs on Cowan for having sold out to the Tories:

He has thrown himself into the hands of men who have ever been Conservatives at heart - whose Liberal tendencies were but an accident, and from these Tories and their Free Church allies he must from henceforth seek support.<sup>32</sup>

*The United Presbyterian Magazine* spread the blame more widely:

'... and if the question be asked, How this happened? we apprehend there is only one answer, The Free Church has done it all. Had it not been for the crooked policy of Free Churchmen, it admits not of a moment's dispute, that Cowan and McLaren would have been returned most triumphantly.<sup>33</sup>

Though Cowan himself condemned this route to election, it was a feature of elections in the rest of Scotland for moderate Free Churchmen to act in this way. In Edinburgh they had accepted the support of Tory voters to get their own man in. In the Perth by-election a few months earlier, in May 1852, they had co-operated with Tory voters to ensure that a Whig, Arthur Kinnaid, was elected. In both Edinburgh and Perth the idea of both Tories and moderate Free Churchmen had been to keep a radical Voluntary out.

'In the early part of the day, the Radical member is up on the poll. His opponent's friends look anxious and pull long faces. His agents run about like people half

<sup>30</sup> Mackie, *op. cit.*, p. 34. The final result of the election was: Macaulay, 1872; Cowan, 1754; McLaren, 1546/1559; Bruce, 1066; Campbell, 626

<sup>31</sup> Nicholson, *op. cit.*, pp. 164-165

<sup>32</sup> *Edinburgh News*, 17.7.1852

<sup>33</sup> *The United Presbyterian Magazine*, August 1852, p. 383

distracted and are seen at the corners of every street inquiring at the safe electors if they have voted yet? Finding that the stars are fighting against them, and that they must apply to their 'natural enemies' for succour, an embassy is dispatched to tell the Tories that they are wanted; and forthwith they begin to drop in in irregular platoons, which become emboldened by success, and increase in numbers, as the issue of the contest becomes certain, and so a victory is gained at the expense of honour.<sup>34</sup>

In Perth the Voluntary had been Charles Gilpin. He lost to Kinnaird by 100 votes. One analysis, in the Perth newspaper *The Northern Liberal*, of the number of Tories who supported Kinnaird put the figure at about 70.

'It is well enough known that Mr. Kinnaird's pledged supporters were whipped up to the last man, and that it was only when their insufficiency was seen, that the Conservative party came in and turned the scales.'<sup>35</sup>

The mood of the Radicals and Voluntaries, that they were trying to capture the Liberal inheritance in much the same way as McLaren's Independent Liberals in Edinburgh, can be seen in the same newspaper's judgement of the outcome of the contest:

'This elucidation [of the voting figures] may prove a bitter pill for the Whigs - or leading Liberals, as they choose to be styled - to swallow; but unpleasant medicine is often wholesome, and we commend the facts to their deliberate digestion. It is, we dare say, with chagrin that the party finds that they are no longer the Liberals of Perth, and that they must rely upon the Tories to save them from political discomfiture.'

The same paper at the time of the Edinburgh election in July drew an explicit comparison between this and the Perth contest, mentioning specifically the behaviour of the Tory voters who waited late into the day and only reacted when it was clear that the radical candidate was up in the poll. *The Northern Liberal* had been pro-Gilpin and expressed relief that the events in Edinburgh helped to relieve Perth of some of its shame. It also pointed the finger squarely at the Free Church as being the main culprit in both elections<sup>36</sup>. Its contention was backed up by a letter to the paper just before the May poll. This estimated that the number of Established Church voters was about equal to the number of United Presbyterian voters in the constituency. The rest were either

<sup>34</sup> *The Northern Liberal*, 17.7.1852

<sup>35</sup> *Ibid.*, 22.5.1852

<sup>36</sup> *Ibid.*, 17.7.1852. Articles on 'The Free Kirk and the Ballot' (3.7.1852) and on Dr. Begg being too Liberal for the Free Church (29.5.1852) broadened this antipathy out into a discussion of more general questions.

members of the Free Church or of other dissenting sects. The writer expected the Free Church to act as a Voluntary body and support the Voluntary candidate, Gilpin<sup>37</sup>. Members of the Church of Scotland and Episcopal Church could be expected to support Kinnaird, a member of the Church of England. In the event, assuming that most of the U.P.s and other Voluntaries supported Gilpin, it is obvious that the Free Church must have played a pivotal role in putting Kinnaird in. From a comment passed during a detailed analysis of the source of Kinnaird's Conservative support<sup>38</sup>, it is possible to say that the overlap between Free Church and Conservative voters must have been minimal. Perth Free Churchmen, if they had ever been Conservatives, had had their political allegiance changed by the experience of the Disruption. It does in fact seem to have been a case of moderate Free Churchmen, Conservatives (presumably amongst Churchmen and Episcopalians) and Whigs combining forces in support of the Liberal Kinnaird.

One more feature of the situation in Perth which is worth mentioning is the continuing presence of a Gilpin 'party' after their failure to win in this by-election. One has the same sense as in Glasgow of a group seeing themselves as struggling to control the Liberal inheritance and taking the helm of the Liberal party at large. At a meeting of his supporters held in the Scone and Perth Masons' Lodge during the general election it was decided not to bring Gilpin forward again so soon. The reason given was that although voters who had supported Kinnaird in May were now leaning towards Gilpin it was necessary to spare their feelings by not asking them to reverse their position publicly so soon. Attention at this time was therefore to be focused on the coming Registration Court and on keeping up an organisation among Gilpin's supporters to enable them to influence the forthcoming municipal elections. Gilpin's supporters saw themselves, in other words, as part of a larger coalition with everything to play for. The prize was to win over as many voters as possible within the Liberal party and, as in Glasgow, control the representation of what was regarded as a Liberal constituency.

The significance of the Edinburgh contest was not masked, as it was in Glasgow, by the negative reaction to the Whig candidate. On the contrary, as already mentioned, there was an emotional desire in Edinburgh to right the wrong of 1847 and reelect Macaulay. Events in Edinburgh clearly showed how fragile the links between Free Churchmen and Voluntaries could be once the will to leave differences aside had been lost. The atmosphere in which the contest was held was certainly not conducive to burying the hatchet. Cockburn in his *Journal* had commented on the "prevalence and intensity of our bigotry" with reference to Edinburgh and continued that "the religious

<sup>37</sup> *Ibid.*, 8.5.1852, letter from N.

<sup>38</sup> *Ibid.*, 22.5.1852, "There are sixteen electors who supported Sir P.M. Threipland when he stood against Mr. Kinnaird, and voted for the latter gentleman last week; but from these we deduct seven members of the Free Church who are not now to be classed among the Conservatives. This leaves nine Conservatives who opposed Mr. Kinnaird then and supported him now."

element was far more powerful than the political". Voluntaries could still prefer to be suspicious of, rather than accommodating about, the Free Church's Establishment wing. This element in the Free Church - Voluntary relationship was to be a crucial factor in the disagreements to come over education when James Moncreiff, as Lord Advocate in the Aberdeen Ministry, tried to solve this question in the mid-50's. Already in the immediate aftermath of this election it raised its head forcefully, fed by the experiences of Voluntary candidates in Edinburgh, Glasgow and elsewhere:

'And yet with all its talk about Protestantism and Maynooth, the Free Church preferred Macaulay to McLaren.

We are afraid the Free Church party, as a whole, have been carrying out the same policy in other places. With some honourable exceptions they have refused to vote for a Voluntary candidate. Very few Free Churchmen, in comparison, registered their votes in favour of Sir James Anderson in the Stirling burghs. The leading Free Churchmen of Glasgow, many of whom are the old Tories who fought for West India slavery and the corn laws, and all kinds of legalised robbery, naturally enough, it will be supposed, polled for the Tory, Blackburn. And in the Ayr burghs, the Free Church influence was given in favour of the Conservative, Boyle, and in opposition to Crawford, the liberal Voluntary.'<sup>39</sup>

This Voluntary mouthpiece explicitly stated what had been hinted at in the case of Charles Cowan: the root of these difficulties was the Free Church's hankering after the status of a national church:

'If the principle of an established church be so important in the eyes of Free Churchmen that they cannot vote for a parliamentary candidate who is opposed to it, it must teach us to look upon it also in this light, and to support no candidate who is a Free Churchman. ... If the Voluntaries had pursued the same policy as the Free Church, Moncreiff would not have been returned for the Leith burghs, nor Dunlop for Greenock.'

Turning to these other contests where Free Church candidates won, or where there were complaints about a lack of support for the Voluntary candidate, enables us to judge whether events in Edinburgh and Perth were isolated examples or whether a wider gap had opened up between Free Churchmen and Voluntaries; and if the Voluntaries did indeed possess the sort of leverage alluded to but had refrained from using it because of their feelings of common political interest with Free Churchmen.

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<sup>39</sup> *The United Presbyterian Magazine*, August 1852, pp. 383 & 384

In Greenock the formerly unacceptable Alexander Dunlop, who had been too Free Church in 1847, was probably still so to many Voluntaries in that constituency. Admittedly the virulence of the anti-Maynooth and anti-Papal feeling at this time may well have minimised old Voluntary antagonisms towards him since the sitting member, Lord Melgund, was particularly vulnerable on these issues. Some Voluntaries had longer memories, however:

'The Free Church maintains as tenaciously as ever the principle of a State establishment without State control. ... Her clergy are those that fought the Establishment battle against the Voluntaries - that conducted the Church Extension crusade - that maintained, in the principles of Non-intrusion, the most essential and vital of all the principles of Popery - ...'<sup>40</sup>

What helped him in 1852 were the same circumstances, albeit indirectly in his case, which helped Peter Blackburn in Glasgow. At a meeting in April men associated with the shipping interest in the constituency expressed their dissatisfaction with Melgund and a resolution was moved in favour of getting a representative who would try to obtain relief for them<sup>41</sup>. This resulted in a Tory, Sir J.D.H. Elphinstone being asked to stand. Dunlop entered the contest backed by a requisition signed by 474 electors. Melgund then withdrew citing the fact that there was now a Tory in the field and that the Tories, radicals, Churchmen and Voluntaries were all united in pursuit of the withdrawal of the Maynooth Grant<sup>42</sup>. It was now a straight Liberal - Tory contest with Free Trade as a central issue. Not surprisingly Dunlop was then able to beat Elphinstone convincingly<sup>43</sup>.

Even in this relatively clear-cut two party contest, however, the Voluntary attacks on Dunlop and the Free Church did not stop. A letter published two days after Melgund's withdrawal mentioned that Dunlop and his friends were still breathing hostility to Voluntaryism and went on to describe the events at the recent Free Church General Assembly. This had annoyed Voluntaries because of the atmosphere surrounding the welcome given to the Original Seceders who had joined the Free Church. Candlish, according to this correspondent, seconded by Dunlop, had dwelt triumphantly on the fact that the absorption of this body signalled the end of Secession in Scotland<sup>44</sup>. This claim, which merely rubbed salt in old wounds, found echoes beyond the confines of

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<sup>40</sup> 'The Duty of Dissenters at the Approaching Election' - from a Greenock Dissenter, *Greenock Advertiser*, 27.4.1852

<sup>41</sup> *Ibid.*, 6.4.1852

<sup>42</sup> *Ibid.*, 8.6.1852

<sup>43</sup> The result was: Dunlop, 467; Elphinstone, 254. The polling ended at 1 o'clock after Elphinstone withdrew protesting against the intimidation of his supporters.

<sup>44</sup> *Greenock Advertiser*, *op. cit.*

the Greenock election. By its very nature it highlighted the Free Church's Establishment connections at just the wrong point electorally for any co-operation with the Voluntaries. These Original Seceders felt able to join the Free Church because they saw in it a natural home, in other words a church built on establishment principles but without the taint of secular influence exercised through the power of patronage<sup>45</sup>. To some Voluntaries it signalled the end of any prospect of a possible union between the Free and United Presbyterian Churches:

'We confess that the proceedings of the last Assembly of the Free Church have extinguished, for a time, any idea we may ever have entertained of a union between them and us.'<sup>46</sup>

The Voluntaries may have voted for Dunlop, therefore, but with a good number of them it was very probably because the alternative was letting in a Tory who was suspect on Free Trade, rather than for anything positive they felt about his candidacy.

Leith was the other constituency where *The U.P. Magazine's* commentator felt that the Voluntaries had ensured the election of the Free Church candidate. The contest there showed similarities with what happened in Greenock. The Liberal, James Moncreiff, was opposed by a Derbyite, Wingate Henderson who, like Elphinstone, sought to differentiate himself before the electors by concentrating on the need for reciprocity in Free Trade, especially in shipping<sup>47</sup>, and by emphasising his record as an opponent of the Maynooth Grant. In this case the Voluntaries did not have the particularly personal dislike engendered by Dunlop to prevent them supporting Moncreiff. He certainly received the support of a good number of Voluntaries which helped to ensure a convincing victory, the first time the Liberals had carried all three burghs in the District since the Reform Act<sup>48</sup>. There is no evidence of active co-operation between Free Church and Voluntary voters, however. The size of Henderson's vote may be explained by dissatisfaction among the shipping interest, which was as depressed in Leith as elsewhere, and by the resentment felt by some in Leith at being a 'pocket burgh' for Lord Advocates. Posters had appeared in the town advising electors to "Keep clear of the Bar"<sup>49</sup>. It is also possible that the Free Church interest itself was less than solid. Virulently anti-Catholic Free Churchmen apparently needed encouragement to turn out for Moncreiff as a letter to *The Witness* from a Free Church office bearer

<sup>45</sup> The First Secession had taken place in 1733 under Ebenezer Erskine in response to the effects of the 1712 Patronage Act.

<sup>46</sup> *The United Presbyterian Magazine*, *op. cit.*, p. 343

<sup>47</sup> *The Scotsman*, 7.7.1852

<sup>48</sup> Moncreiff took 643 votes to Henderson's 409

<sup>49</sup> G.W.T. Omond, *The Lord Advocates of Scotland, Second series, 1834-1880*, London 1914, p. 164

shows. He pointed out that, with Fox Maule now in the Lords, Moncreiff was the Free Church's most prominent parliamentarian and that there was more at stake for Protestantism than the Maynooth Grant question. He was blunt about putting this issue into its context:

'... it ought to be kept in mind, that the chief reason for giving that question such prominence is that it serves as a test of the soundness of a candidate's Protestantism.'<sup>50</sup>

He saw no need for such a test in Moncreiff's case and went on to express his hope that electors would look at the parties supporting each of the candidates and vote for the one supported by the Liberals, Moncreiff, and not for the one backed by the Tories, Henderson. This was probably the precise point. This *Liberal* Free Church office bearer was trying to strengthen the *political* loyalty of fellow communicants who might have been tempted to vote for the Conservative Henderson on religious grounds.

The sitting member in Stirling Burghs, J.B. Smith, had already suffered electorally in 1847 because of his Unitarianism (as was described in Chapter 2). He had won largely by default in that year because the contest had been three-cornered. It is clear that by 1852 relations between the Free Church and the Voluntaries in this constituency had reached breaking point. This may be why Smith withdrew. Sir James Anderson, former Lord Provost of Glasgow, Voluntary and radical, was brought forward as his successor and did little to smooth ruffled Free Church feathers. There were objections to him on personal political grounds in that he was seen as a leveller. His address stated clearly that he was for triennial parliaments, the ballot and a large extension of the suffrage. Of more significance to Free Churchmen however were the views of his supporters on education:

'Little did the Voluntaries imagine, when they engaged in what was termed the "Anti-Maynooth Controversy", that they were about to thin their ranks - demolish the ground on which their representative, Mr. J.B. Smith stood - and lay widely open the breach, previously no more than apparent, between themselves and the Free Church. Both parties looked upon the Maynooth grant as an unpardonable act, but the Voluntaries had discovered that there was another, and if possible still more unpardonable act, namely that of the Free Church receiving aid from Government for the education of the young ... At all events, there was such a burst of contumely and scorn directed against the Free church, and such of its Ministers as were not ready to

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<sup>50</sup> *The Witness*, 7.7.1852. 'To the Free Church Electors of the Leith Burghs'. Letter from a Free Church Office Bearer.



repudiate all connection with the receiving of an educational grant from Government, that it was clear a rupture between the Free Church and Voluntaries became unavoidable.<sup>51</sup>

The differences between Free Churchmen and Voluntaries over education in Scotland generally are examined in more detail below. The important point for this constituency is that the 'glue' of 1847, the Maynooth controversy, was no longer sufficient to hold both groups together by 1852. Sir James Anderson was not accorded a warm reception in the town of Stirling itself, for instance, as a result of Free Church hostility. This was reflected in the final state of the poll there where his opponent, John Miller, a Whig who also enjoyed strong Tory support, had an 89 vote majority over him. Anderson's victory depended almost exclusively on his majority in Dunfermline where the radicals were strong<sup>52</sup>. The Tory *Glasgow Herald* stated that:

'... it is to be regretted that Sir James should have cast his political creed upon such an extreme measure for the comfort of the Radical Dunfermline weavers.'<sup>53</sup>

One correspondent writing to the *Stirling Journal* gave this contest national significance by linking the bad feeling between Free Church and Voluntaries in Stirling Burghs to what was happening elsewhere:

'It would appear that the "gum" betwixt the Free Church and Voluntaries threatens to spread more widely than agreeable. The fact is that the wind has borne to Edinburgh, and elsewhere, the hostility so bitterly expressed by the Voluntaries in Stirling to the Free Church schools getting public aid. This and the sentiments repeatedly expressed by many of them regarding religious education in a national plan, had begun to be spoken of in Edinburgh, and caused coldness among Free-Churchmen towards the electioneering plans of the Voluntaries.'<sup>54</sup>

<sup>51</sup> *Stirling Journal and Advertiser*, 26.3.1852

<sup>52</sup> The result was:

	Miller	Anderson
Stirling	236	147
Dunfermline	129	246
Inverkeithing	24	14
Queensferry	13	15
Culross	9	9
Total	411	431

<sup>53</sup> *Glasgow Herald*, 16.7.1852

<sup>54</sup> *Stirling Journal and Advertiser*, 16.4.1852, Letter from a Dunfermline friend. With reference to the Edinburgh contest discussed above, this shows that such disagreements over education were another reason for Duncan McLaren's uphill struggle there.

The last of the contests mentioned by the *U.P. Magazine's* correspondent was that in Ayr Burghs and here too the Free Church were less than enthusiastic about the Liberal Voluntary E.H.J. Craufurd. As with Stirling Burghs, dislike of his political opinions played a certain role in this. The Conservative paper in Ayr, the *Ayr Observer*, played on this by making the claim that Craufurd was not far removed from being a Chartist and asked "will my Free Church brethren fraternise with democrats, ...". This in turn brought a reminder from a Free Church supporter of Craufurd that:

'... the Tories were the most active abettors of the Moderate party in the Church which hastened on the disruption, which ... took place under a Tory administration.'<sup>55</sup>

In other words an attempt by a Free Churchman to hold the alliance firm by using an anti-Tory appeal. 'Gum' there may have been here also, but Free Churchmen and Voluntaries could still be held together by their common definition of Toryism as the enemy of progress. As in Perth earlier in the year, the overlap between Tories and Free Churchmen seems to have been minimal. According to this Free Church elector most Free Churchmen in Ayr Burghs were Liberals.

Free Church voters in Oban were apparently swayed by a different consideration, namely a conviction that the Tory candidate, Archibald Boyle, would oppose Roman Catholicism more effectively<sup>56</sup>. Being a member of the Church of Scotland he was no doubt seen as more trustworthy than the Episcopalian Craufurd. Episcopalianism was often indistinguishable from Puseyism in the eyes of some true-blue Presbyterian Free Churchmen!

Craufurd won by only 9 votes. As in Greenock, Boyle had been able to make political capital out of the plight of the shipping interest. Derbyite candidates in such constituencies could avoid the handicap of the label 'Protectionist' while at the same time benefiting from selective protectionism in shipping and sugar, for instance. Craufurd's sensitivity on this point is probably highlighted by the choice of his seconder at the nomination viz. J.H. Wate, 'merchant and ship-owner' of Irvine. This, however, did not prevent Craufurd's heavy defeat in that burgh.

Education does not appear as a contentious issue in this contest. What it does have in common with the other constituencies is evidence of a division amongst Free Church voters on political lines. Conservative sympathising Free Churchmen, probably admirers of the Establishment principle, could be persuaded to back the opponent of a Voluntary Liberal candidate. In the absence of the education issue, Maynooth and the

<sup>55</sup> *Ayr Advertiser*, 1.7.1852, Letter from a Free Church elector in Ayr

<sup>56</sup> *Ibid.*, open letter to the Free Church electors in Oban in reply to a letter from one of their number to the *Scottish Press*.

strength of a man's anti-Catholic convictions could be used as a persuader. Some Free Churchmen, on the other hand, were politically of a stauncher Liberal stamp, their convictions reinforced by memories of the part the Tories had played in the Disruption. Where, as in Stirling, the Free Church felt itself to be attacked on the education question the former moderate group would appear to have been strengthened. But in Ayr the politically more radical Free Churchmen were influenced more by memories of Tory opposition to Free Church claims.

All these contests do show that a division had opened up between the Free Church and Voluntary electors. Deep down this was caused by Voluntary suspicions about Free Church hankering after Establishment status, that the Free Church in other words was not Voluntary enough. The first signs of a serious disagreement over education can be seen in Stirling in particular.

The contest at Kilmarnock between the 'Voluntary'<sup>57</sup> E.P. Bouverie and J.A. Campbell provides further illustration of the way in which the opponents of non-Free Church Liberal candidates tried to split off their Free Church support by highlighting the religious issue. Both candidates were against Maynooth, but Campbell tried to differentiate himself by basing his opposition on the fact that Catholicism was an error and attacked Bouverie for being against all religious grants. Bouverie he claimed was putting Protestantism on the same level as Catholicism. As with Craufurd in the neighbouring Ayr Burghs and Cardwell in Ayrshire, his Episcopalianism may have led some voters to suspect that he had a Puseyite tenderness towards Catholicism<sup>58</sup>.

Aberdeen returned a Free Churchman George Thompson in quiet circumstances in 1852. The details of his contest with his fellow-Liberal Sir Andrew Leith Hay, however, do reinforce the conclusions drawn above. Leith Hay received the support of most of the Established Church's voters. Thompson, on the other hand, had strong Voluntary leanings and therefore was a good bridge between Free Churchmen and Voluntaries in the City. The Voluntary *Aberdeen Herald* while expressing a lack of admiration for his Free Churchism could therefore qualify this:

'... but, being combined with Voluntaryism, it (Thompson's Free Churchism) is more innocent than that principle of ecclesiastical polity which seeks to make the State both its slave and its paymaster.'<sup>59</sup>

<sup>57</sup> Bouverie was a member of the Church of England but took a voluntary position on the question of grants for religious purposes.

<sup>58</sup> *Kilmarnock Journal*, 29.4.1852

<sup>59</sup> *Aberdeen Herald*, 10.7.1852

The major fault line in Aberdeen was, as has been seen, between the Established and Free Churches, the town being very strongly Free Church and the surrounding county very Established. The Voluntaries made up a smaller group. All fifteen city ministers had seceded in Aberdeen in 1843 and the Free Church had declared a 'war' against the Establishment in the City<sup>60</sup>. It is not surprising that in this atmosphere co-operation between the Free Church and the Voluntaries was made easier. There was little room for the former to display pro-Establishment sympathies and the leading lights in the Free Church have been identified as the aggressive upwardly-mobile entrepreneurs who clearly set themselves apart from their staid Establishment contemporaries. With a Voluntary-leaning candidate like Thompson it was easier to carry on the pattern established by the previous M.P., A.D. Fordyce, in 1847 than it was in the other burgh constituencies discussed above.

The county elections of 1852 showed very clearly the bankruptcy of Protection and the prevalence of some degree of Free Trade thinking even amongst Derbyite candidates. Two Liberal-held counties were contested by Derbyites in 1852, Banffshire and Ross-shire, and in both the Tories lost.

In Banffshire there was a straightforward fight about Protection. The sitting M.P., James Duff, a Free Trade Liberal, was challenged by Macdonald Grant, who at the nomination made it plain he was standing to give the agricultural interest an opportunity of expressing its opinion on the question of Free Trade. Unlike the majority of Derbyite Tories who came out for compensation to the agricultural interest but refused to say they favoured the reimposition of a duty on foreign corn, Grant came out clearly for a return to Protection:

"I have no doubt those people would prefer the small loaf and the large wages."<sup>61</sup>

Despite the opposition of the Seafield and Richmond influences in the constituency, Duff won, helped by the support of the Fife family interest<sup>62</sup>. Territorial weight was the deciding factor in this, as in any other county, and political tradition determined how the Free Trade issue was viewed. The Fifes were Whigs. Duff's proposer at the nomination, A. Morison of Bognie, dwelt on the improvements that were being made to farms, and the ease with which they were being rented out. For him and for Duff the Protection question boiled down to one of rent:

<sup>60</sup> A. Allan MacLaren, 'The Disruption of the "Establishment": James Adam and the Aberdeen Clergy' in John S. Smith and David Stevenson (eds.), *Aberdeen in the Nineteenth Century*, Aberdeen 1988, pp. 106-120

<sup>61</sup> *The Scotsman*, 17.7.1852, Banffshire nomination

<sup>62</sup> *The Elgin Courant and Morayshire Advertiser*, 9.7.1852

"He need not attempt to prove to them, what the farmers very well understood, that they have no ultimate interest in a duty on corn, which, they now see, is a landlord question only - a pure question of rent."<sup>63</sup>

This was the view of the question they chose to promote in an attempt to win the support of any independent tenants and to justify their coercion of others. It is worth noting, however, that in different areas of the country the Protection issue followed no set pattern in terms of the way in which it was viewed. Two years earlier, for instance, George Hope had identified support for Protection as an excuse being used to try to get rents *reduced*<sup>64</sup>.

On the basis of the Banffshire result one commentator could draw national consequences:

"Lord Derby says he would not use a majority in the House of Commons to reimpose the Corn Laws - and he is right; for the feeling displayed, even in so purely an agricultural county as Banff, during this election, shows plainly that even with unanimity on the subject in Parliament, it would be dangerous to attempt to impose a tax on the people's bread."<sup>65</sup>

In the sense that the constituencies, even the agricultural ones, were clearly against the simple reimposition of a duty on imported corn, this commentator was right. As with some of the burgh constituencies where the shipping interest was present, such as Greenock there was, however, pressure for some amelioration of the effects of Free Trade which put Liberal candidates under pressure or even forced them to make compromises. This had been obvious at the Clackmannan and Kinross by-election of June 1851. The former Conservative, turned moderate Liberal, James Johnstone, was helped to victory over his more advanced opponent W.P. Adam, by his willingness to take up the question of assistance for the agricultural interest. *The Scotsman* had made fun of Johnstone's view of the land tax as a "peculiar burden" that was entitled to compensation or relief, by pointing out that the whole of Kinross county paid only £150. It nevertheless had to admit that Johnstone won the support of Protectionists in both counties, which must have been significant considering that Adam won Kinross and only lost the election overall by 65 votes<sup>66</sup>.

In Ross and Cromarty, the other seat where the Tories mounted a challenge in 1852, this also proved to be the case. Sir James Matheson, the sitting member, was challenged by G.W.H. Ross first and foremost on the Free Trade issue and to begin

<sup>63</sup> *Ibid.*, Duff's speech

<sup>64</sup> C. Hope, *George Hope of Fenton Barns*, Edinburgh 1881, p. 179

<sup>65</sup> *The Scotsman*, 21.7.1852

<sup>66</sup> *Ibid.*, 4.6.1851. Both candidates were committed to Free Trade.

with Ross was ahead of the main body of his party in not calling for the reimposition of a tariff but rather for relief for the agricultural interest<sup>67</sup>. Given the attitude of leading Derbyites as events unfolded, however, the attitude taken by Macdonald Grant in Banff proved to be rather exceptional and Ross's line the norm. As one commentator put it:

'In present circumstances the restoration of the Corn-Laws seems about as likely a thing as the restoration of the Stuarts or the revival of black mail.'<sup>68</sup>

At the nomination Matheson did admit the existence of suffering amongst the agricultural interest but tried to put part of the blame on the collapse in prices as compared with the famine levels reached in 1847<sup>69</sup>. The evidence in Ross and Cromarty points furthermore to the discontent not being confined to the proprietors. Tenants on long leases, the rule in Scotland, were identified as a source of opposition to the prevailing policy as they were having to pay the sum specified in their bond out of proceeds received from depressed prices<sup>70</sup>. In both Banffshire and Ross and Cromarty it is clear that the proprietors wanting high rents and the tenants compelled to pay them had a common interest in higher agricultural prices or some form of relief for the agricultural interest. This signalled trouble for Liberal candidates amongst any 'free' tenant voters, unless they could present an adequate defence. The difference in the approach of the two Liberals, Duff and Matheson, was that the former tried to get the tenants to resist high prices as they were a justification for high rents, while the latter expressed sympathy for the financially hard-pressed tenants and was prepared to consider some form of relief.

At all events, in Ross and Cromarty neither the Liberal nor the Tory were for the reimposition of the Corn Laws, but Matheson was clearly the one put under pressure by the raising of the issue. The wording of his address concedes its potency and suggests he was ready to support measures to relieve any distress amongst those affected by Free Trade<sup>71</sup>. It is noticeable that, although he kept his seat, Matheson did so by dint of crushing majorities at Ullapool and Stornoway, where the famine had been devastating and arable farming was not an important consideration. On the Eastern side of the constituency, however, at Dingwall, Tain and Cromarty, he lost by small margins.

In common with other candidates trying to unseat sitting members in other northern contests in 1852, Ross tried to use the Maynooth issue to attract Free Church voters

<sup>67</sup> *Inverness Courier*, 29.7.1852, points out that Ross took to the field before the issue of Protection was 'utterly given up'.

<sup>68</sup> *Inverness Advertiser*, 13.7.1852

<sup>69</sup> *The Scotsman*, 21.7.1852

<sup>70</sup> *Inverness Advertiser*, 27.7.1852

<sup>71</sup> *Ibid.*, 16.3.1852. He talks of giving his support to a readjustment of taxation while also furthering Free Trade.

and the charge of neglect of the constituency by the sitting member to attract support from all quarters. Matheson was accused of having steadily supported the Maynooth Grant which he was told would "do him no good in the villages". In the Wick District, the veteran Whig M.P., James Loch, was forced into a *volte face* which failed to save him. Having voted for the increase in the Grant in 1845, he refused to recant, but said he would vote against it in deference to the wishes of his constituents. The influence of the Sutherland and Zetland interests were not equal to the dissatisfaction expressed in votes for Loch's more radical opponent Samuel Laing<sup>72</sup>. In this constituency there was a north-south split with the larger of the towns, Wick and Kirkwall, supporting Laing and the smaller southern ones supporting Loch. Presumably Wick and Kirkwall contained more voters beyond the reach of territorial influence.

It is interesting to note that contests did not take place in isolation and, as in the Central Belt, that voters who did not have a candidate matching their own political persuasion often supported instead the lesser of the other evils. This was illustrated in the north in 1852 by the accusations of a deal having been struck between the Cromarty family, supporting G.W.H. Ross in the county, and the Sutherlands. In return for the latter withdrawing its support from Sir James Matheson, at least publicly, the former agreed to swing two or three votes behind Loch in the Burgh district. The Tories were prepared in other words to support a Russellite Whig in the Burghs in return for the Whig landlord agreeing to abandon a more mainstream Liberal in the county.

Loch's backsliding was too much for the tolerance of the Whig *Scotsman*, which launched into a bitter attack on the politics of this part of Scotland. The contest in Caithness only added to its invective. Here the sitting Whig, George Traill, was challenged by John Sinclair, a Derbyite, who, following the pattern, combined his expression of sympathy with the agricultural interest with an attack on Traill's record on Maynooth. On Caithness it summed up the situation by saying that Sinclair had:

'... sought to unite the support of Toryism and Free Churchism, and employed as his chief weapon appeals to the stupid bigotry with which those regions seem blessed above all other districts of Scotland.'

On Wick District it drew the conclusion that:

'It [Loch's defeat] proves at least this - that no concession, however shamefully large, will suffice to pacify the bigotry now rampant, because most of those who chiefly work the engine are actuated really not by religious fanaticism, but by political factiousness and personal spites or ambition. It is not enough that, on the subject of bigotry or proscription, you happen to agree with them, or consent to do whatever

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<sup>72</sup> *Ibid.*, 3.8.1852.

they shall bid - you must also be one of their own clique or of their own selection.'<sup>73</sup>

To apply these strictures only to the north of Scotland is rather unfair. *The Scotsman* was in fact describing the reality of constituency politics throughout Scotland at this time. The phrases 'influence within a party' and 'community of interest' could just as well be used as 'factiousness' and 'clique'. Bigotry was used as a tool to maximise political support. In the south it was beginning to find expression in the 'Godless education'/anti-Establishment face-off, in the north Maynooth was still central.

As in the Central Belt, the target group was the Free Church voters. The difference in the north of Scotland was that most seats were counties. Instead, therefore, of these electors lying politically between Whig and Voluntary/Radical candidates in burgh seats, like John Miller and Sir James Anderson at Stirling, in the north it was all about Tory candidates in county seats, like G.W.H. Ross or John Sinclair, trying to win votes in a straight fight with a sitting Liberal member who was often vulnerable because he was a religiously tolerant Whig. The result in Wick District, a burgh seat, confirms this pattern, the beneficiary, as in the Central Belt, being a more radical Liberal challenger. It is significant that in southern Scottish counties, where the Free Church did not have the same presence, there were no contests to speak of.

The overall picture in the counties is of a still split Conservative interest holding its ground. Only in the later 50's, as will be seen in the following chapter, did the Liberals begin to benefit from this. The 1852 election, called by a Derbyite ministry at a time when certain interests, such as shipping and those suffering from low agricultural prices or high rents, could be won over by an espousal of policies designed to cushion the effects of Free Trade, masked longer-term Conservative weaknesses which could lead to an increase in the strength of the Liberals in the Scottish counties. There was also a change in the balance on the former side of the political divide. The total number of Conservatives seemed to remain steady at 20. However, the Derbyites, (it seems mistaken in 1852 to call them simply Protectionists), numbered 15 after this election, a marked increase on the eight Protectionists of 1847. The number of Peelites M.P.s after the 1847 election had been estimated at 12, 11 of whom can be accepted as such. By 1852 the number of Peellites or Free Trade Conservatives not owing allegiance to Derby had fallen to 5<sup>74</sup>. This change, due to the political reasons cited earlier in this paragraph, was most clearly seen in, for example, the replacement of Oswald by Blair

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<sup>73</sup> *The Scotsman*, 28.7.1852

<sup>74</sup> These estimates are based on various sources including the candidates addresses and nomination speeches in cases of doubt and *The Scotsman's* breakdowns of the election results of 28.8.1847 and 28.7.1852. Detailed maps appear in Appendix 2. See below for a more detailed discussion of these figures.



in Ayrshire and of Home Drummond by Stirling in Perthshire. Protection as such was no longer really the issue. A candidate's position vis à vis Derby, relief for the agricultural interest, where relevant, and the Maynooth question was. The Liberals, if they made no headway in the counties, also lost no ground and that in a climate which was not as friendly to Free Trade as that of 1847 had been.

A final word about the 1852 General Election in Scotland. In the short to medium-term the most significant feature was the emergence of various levels of tension in the burgh seats between the religiously motivated groups in the Liberal party. The disagreements over education which immediately followed thus took place in a fertile environment. This did not, however, mean that the clock was being turned back to the situation which had obtained before 1847. The experience of success, the engine of which was religious divisions and enmities, won by the non-Establishment non-Whig Liberals and Radicals in 1847, and largely held on to, despite dissensions, in 1852, provided a tradition that could be built on in the 1860s and 1870s. This process was helped by the fact that the Free and Voluntary churches had amongst their members many of the mercantile, newly prosperous middle class in lowland urban areas. Duncan McLaren was a prominent example. The middle and late-nineteenth century was a period when the middle class was forming a larger and larger proportion of the urban population, and the boom years of the 1850's and 1860's were a period when its entrepreneurial sections were expanding particularly rapidly<sup>75</sup>. Peel's new Conservatism, which might have provided it with an alternative, was no longer in a position to do so after its performance in the latter stages of the Non-Intrusion struggle and the Conservative split of 1846. As has been seen in several constituencies in 1852, the tradition of distrust towards Conservatism was carried over to Derbyism amongst that most representative group of middle-class Scots, the Free Church. The Liberal party provided a political home for this middle class vote to enter, but as a solution to their emerging differences even the more moderate of these voters did not have in mind a return to a party dominated by the old Whigs.

The Liberal party, then, as will be discussed in Chapter 4, did not in the later 1850's see a turning back of the clock, rather it experienced the fire of evangelical religious fervour burn itself out to be replaced by other more secular influences. The rest of this chapter is devoted to examining the issues and events that contributed most to this change in the political climate.

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<sup>75</sup> See for example, N. Morgan and R. Trainor, 'The Dominant Classes', in W. Hamish Fraser and R.J. Morris (eds.), *People and Society in Scotland, Vol. II, 1830-1914*, Edinburgh 1990, p. 106 and Table 1.

## CHAPTER 3

### Part II : The Effects of the Education Issue, the Scottish Rights Movement and the Modernisers

Three salient factors influenced the development of Scottish politics in the mid-50's in this expanding social situation. The education issue and the nationalist movement were native to Scotland. From outside came the impact of the Crimean War which started in a burst of patriotic fervour in late 1854. Each of these had an effect on the Liberal party and help explain why, to take one example, by the 1857 Election both of the successful Liberal candidates for Glasgow no longer felt it necessary to hide their tolerance of the Maynooth Grant, a position that had helped to put Melgund bottom of the poll in 1852.

#### The Education Issue

Education was a "crossroads" issue in the 1850's in Scotland. Religious, political and national considerations all played their part. Religious, because each church was determined to see its own interests defended or furthered in any changes which were to be effected. Political, because the issue in the end opened up divisions within the Liberal party and again, much as Reform had done, brought out the clash of interests between more traditional, Established, and rural influences and the demands of exploding urban populations with more progressive representatives. National because of the way the issue was handled by Parliament and the fact that English political considerations played a role in deciding the fate of Scottish Education Bills.

The issue was expected to bring controversy, if not strife. Lord Aberdeen, a Prime Minister with first-hand Scottish experience, summed up the situation as he saw it in early 1854:

This education question is likely to become a real torment, as indeed everything Scotch is. They are a people made to wrangle, and whose supreme delight is to worry each other. Whenever they differ at all, they cannot do so without bitterness and rancour.

Seeing that the difference in matters of religion is so slight it was a very natural supposition that some common system might be established in which the religious teaching might be applicable to all Protestant sects.

This, I suppose, is the object of Lord Panmure; but here are Lords Dunfermline and Melgund who reject the notion of any religious belief in connection with schools in

Scotland. On the other hand the Duke of Buccleuch, Haddington, and many worthy supporters, are determined if they can, to preserve the Parochial schools under the control of the Presbyteries and the Church. This species of agitation is likely to extend itself among the Landlords.<sup>76</sup>

Aberdeen identified accurately the main points of disagreement on the issue. The Free Church wanted the parochial system opened up to at least its own members, secular Whigs like Melgund wanted a national system free of religious influence and Conservatives were determined to defend the rights of the Established Church.

All the attempts at reform in the 1850s were based on the premise that the existing national provision was inadequate. Some form of improved and truly effective national, or 'common' system, ranging from an improved network of parochial schools to a system of entirely new institutions, was seen as the solution. This was intimately bound up with the question of what form of religious education, if any, to include in such a scheme. Connected with this, as Aberdeen pointed out, was the question of what to do with the Parochial schools, until then under the control of the Established Church.

The consensus on the need for some action over educational provision was largely generated by concern at the state of overall educational provision, regardless of sectarian considerations. The law only required one school to be maintained in each parish and there was no mechanism for ensuring public provision when the urban population began to grow and new industrial settlements developed<sup>77</sup>. The parish schools outside rural Scotland simply could not cope with the twin pressures of a large mass of semi- and unskilled workers whose children required basic education and smaller, but equally significant numbers of children from middle class and artisan backgrounds whose parents wanted, in an increasingly complex society, the status and opportunity that only secondary education could bring. The parish system had left this secondary sector underdeveloped and in all but the large burghs and cities the burgh school had been very similar to a parish school. By the early nineteenth century these

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<sup>76</sup> Lord Aberdeen to John Hope, Lord Justice Clerk, 3.2.1854 (copy), Aberdeen MSS., ADD. MS. 43,206, ff. 290-291

<sup>77</sup> Based on an Act of 1696. See R.D. Anderson, *Education and Opportunity in Victorian Scotland*, Edinburgh 1989, Chapter 1, 'The Scottish Tradition', for a good summary of the background to the developments in education in nineteenth century Scotland. The only other major Scottish Education Act passed between 1696 and 1872, that of 1803, did permit, but not require, an extra 'side' school to be erected when one parochial school was seen to be inadequate. Otherwise, apart from provision for a modest increase in salary and a sufficient house for the master, it simply reinforced the principles of the 1696 Act, especially that requiring schoolmasters to sign the Confession of Faith and the Formula of the Church of Scotland. See James Scotland, *The History of Scottish Education*, 2 vols., London 1969, I, 174-176

burgh schools were being regarded as the basis for a system of middle-class day schools, which further put in question their role as providers of mass education<sup>78</sup>.

The statistics available for the period can be unreliable, but contemporary and more modern commentators are agreed that the parochial system was no longer adequate to meet the needs of the bigger towns and other populous industrial districts, if not in terms of quantity, then certainly in terms of quality<sup>79</sup>. J. D. Myers in his analysis of the background to the 1872 Education Act estimates that the number of children receiving no education in 1855 could have been as high as 150,000<sup>80</sup>. The Church of Scotland Education Committee itself, in other words the defenders of the parochial system, admitted as much. In its report for 1850 it expressed its anxiety "about the thousands of children in the midst of our civic population who are growing up in a fearful state of ignorance and crime" and stated that its funds were "completely exhausted"<sup>81</sup>. Certainly this was as much as anything an attempt to justify its claims for more money to spend on its own schools, but the admission is nevertheless there.

It was obviously in the interests of educational reformers to exaggerate the extent of under-provision in education so as to strengthen their case and this fuelled the increasing level of concern about what was perceived as the directly related decline in Scottish morality and social habits. Pamphlets, such as David Stowe Lewis' *Scotland a Half-Educated Nation: both in the Quantity and Quality of its Educational Institutions*<sup>82</sup>, however misleading in terms of actual content, had already helped in previous years to remove the complacency about the effectiveness of the parochial system. The formation of the National Educational Association in 1850 helped to give the pressure an institutionalised national form. Committees were formed and meetings held in the larger towns. By mid-century, despite the publicity given to Free Church, voluntary, and Church of Scotland efforts, there had, it appeared, been no real reduction in the great numbers of children receiving little or no education. In the case of the Free Church, D. J. Withrington has suggested that the Free Church Educational Scheme was largely made up of the schools of previously active adventure and subscription

<sup>78</sup> Anderson, *op. cit.*, p. 6

<sup>79</sup> See Helen Corr, 'An Exploration into Scottish Education', in Fraser and Morris (eds.), *People and Society in Scotland, Vol. II, op. cit.*, pp. 293-294

<sup>80</sup> J. D. Myers, 'Scottish Nationalism and the Antecedents of the 1872 Education Act', *Scottish Educational Studies*, vol. 4, 1972, p. 74 and p. 89, footnote 7 (statistics analysed in his thesis 'Scottish Teachers and Educational Policy, 1803-1872: Attitudes and Influence', University of Edinburgh, Ph. D., 1970, pp. 30-38)

<sup>81</sup> Church of Scotland Education Committee, *Report on Increasing the Means of Religious Instruction and Education in Scotland and Particularly in the Highlands and Islands*, Edinburgh 1850, pp. 11 and 23

<sup>82</sup> Published in Glasgow in 1834

schoolteachers<sup>83</sup>. In other words the real addition to educational provision was not as great as the publicity suggested.

Whatever the actual extent of under- or misprovision, what was important *politically* was that people, especially Whig reformers, *believed* that the system was inadequate.

Pressure for change arose not just because of concern about the level of provision, but was generated and made more acute by the Disruption. To Conservatives a 'national' educational system already existed in the parish schools and, as Lord Aberdeen pointed out<sup>84</sup>, they were determined to preserve Presbyterian inspection and the test which ensured that the schoolmasters came from the Established Church. To many of them this was the only worthwhile bulwark to ensure Scottish children received a Presbyterian Christian education. The Earl of Dalkeith based his objections to one set of proposals on the fact that:

'... nor was there any reference to any test of religious belief that was to be imposed upon the teachers - so that for aught he knew the Roman Catholics and all the different sects in Scotland might be mixed up together.'<sup>85</sup>

From a non-Established, and especially Free Church, point of view the test was not an insurance policy but a barrier to the employment of non-Church of Scotland and especially Free Church teachers and, in certain cases, to the entry of children whose parents objected strongly enough to Establishment principles. In all the debates on this question in the 1850's it was continuously stressed by its opponents that, as the 1851 Religious Census had shown, the Church of Scotland was now a minority church and therefore not fitted to run a national system of education<sup>86</sup>. From a Free Church point of view this census had emphasised how extreme this problem was in certain parts of the country, especially the Highlands. Alexander Dunlop, a leading advocate of their position on this question, pointed out that the Established Church was in a majority in only two Scottish counties and in Ross, Cromarty and Sutherland made up less than one twentieth of the population<sup>87</sup>. In these Highland areas the exclusion of Free Church teachers from parish schools must have been sorely felt, if only because it had been such a spur to the imbalanced creation or adoption of Free Church schools, which, by

<sup>83</sup> D. J. Withrington, 'Adrift among the Reefs of Conflicting Ideals? Education and the Free Church, 1843-55', in S.J. Brown and M. Fry, *Scotland in the Age of the Disruption*, Edinburgh 1993, pp. 81-82

<sup>84</sup> To John Hope, Lord Justice Clerk, 3.2.1854, quoted above

<sup>85</sup> *Hansard*, (Third Series), vol. 133, col. 238, 12.5.1854

<sup>86</sup> Figures for churchgoers in 1851 have been recently estimated as Established Church - 32%; Free Church - 32%; United Presbyterians - 19%; all others - 17%; in C.G. Brown, *The Social History of Religion in Scotland since 1730*, London 1989, p. 61

<sup>87</sup> *Hansard, op. cit.*, vol. 137, col. 1914, 27.4.1855

the early 1850's were stretching that denomination's resources to breaking point. Having set itself the aim of trying to duplicate the Church of Scotland-controlled parochial system, the Free Church had, by 1850, 600 to 700 schools connected in some way with its Educational Scheme, but these were generally in the wrong place. Individual churches, regardless of local need, had attached schools rather than scattered Highland populations and expanding Lowland towns<sup>88</sup>. The exclusion of Free Church teachers from parochial schools had meant, in other words, that the siting of many schools reflected more the distribution of those teachers who had seceded than of actual need. The whole Scheme had led to considerable financial problems for the Free Church, with teachers' salaries being lower than their pre-Disruption levels even with the benefits of the extension of the Privy Council grants-in aid from 1846 on. Opening up the parochial system, or seeing Free Church schools integrated into a national system on favourable terms, had, therefore, obvious attractions for the Free Church. True Voluntaries amongst the U.P.s objected to the parochial system and also to the system of Privy Council grants to denominational schools on the ground that the State had no business providing funds for any kind of religious education. They, therefore, supported the Melgund Bills of 1850 and 1851 with alacrity because they were so secular in orientation. Melgund himself showed an awareness of this when he expressed regret that Adam Black, the Edinburgh Whig Voluntary, was not in London to provide him with support:

'... because his reputation and character would carry greater weight than almost anyone with whom I am acquainted on his side in politics.'<sup>89</sup>

In addition to a belief in underprovision, stopping the growth in the number of denominational schools was another reason why Whig reformers like Melgund and John Hill Burton were so interested in educational reform.

The determination to reform the parochial schools and the movement to set up a more modern national system therefore sprang from a variety of sources, Whig secular, Free Church and Voluntary, and this helps to explain why it was so political, affecting the Liberal party internally and providing a contemporary point of division between Conservatives, as defenders of the Church of Scotland's rights, and Liberal reformers.

<sup>88</sup> See D. J. Withrington, 'The Free Church Educational Scheme, 1843-1850', *Records of the Scottish Church History Society*, vol. XV, part II, 1964, pp. 103-115, for a full discussion of this.

<sup>89</sup> Lord Melgund to John Hill Burton, 25.4.1851, Hill Burton MSS, MS. 9410, ff. 92-95.

Lord Melgund's attempts to pass educational reform measures in 1850 and 1851 both failed precisely because of the very secularism that helped to win them Voluntary support<sup>90</sup>. To Melgund it was clear that "... we are at war with them (the priests) and they know it"<sup>91</sup>. He further expressed himself as being against making, "dogmatical instruction part of the school business". These 'priestly' interests were in fact the party in the Free Church which was winning the argument as to the direction their own Educational Scheme should take. Melgund was aware of this but his 'war' mentality seems to have prevented him from being at all conciliatory with his first attempts at legislation. He remarked at one point that a deputation from the Free Church had been in London and had "poked their noses about every corner in which a Minister, Peer or commoner was to be found."<sup>92</sup> Again in April 1850, when his first Bill came before Parliament, Melgund, in discussing the chances of government support for the bill, wrote that:

'... a hot blast from Candlish taken up by Fox Maule will produce a scirocco in Downing Street which will paralyse the energies of those who are inclined to forward the good cause, and will convert others into enemies.'<sup>93</sup>

The explanation for this Free Church attitude has been best provided by D.J. Withrington in his analysis of the Free Church Educational Scheme. In this he shows that there had been a fundamental disagreement between Robert Candlish, Convenor at this time of the Free Church's Education Committee, on the one hand, and James

<sup>90</sup> Melgund's 1850 Bill proposed opening the parish schools to all and removing the religious test for schoolmasters. There was no provision making it compulsory to provide a sufficient number of schools and those in existence were to be financed by a mixture of already existing local taxation and Government grants. The major change here, in other words, was the switch of Government assistance from topping up Voluntary contributions to supporting a reformed and open parochial system. Power was to be given to a Board of Education in Edinburgh to decide whether religion would be taught in national schools or not. See Melgund's speech at 2nd Reading, *Hansard, op. cit.*, Vol. 112, cols. 79-83, 19.6.1850 and *The Witness*, 26.6.1850.

In 1851 the aim was still to create religiously mixed schools supported by local taxation. Melgund still argued for the removal of compulsory religious education from the proposed reformed national system, the choice of school subjects to be left to the local parish committees. Again see Melgund's speech at 2nd Reading, *Hansard, op. cit.*, vol. 117, cols. 402-407, 4 .6.1851.

<sup>91</sup> Lord Melgund to John Hill Burton, 3.12.1849, Hill Burton MSS, ff. 1-4. By "priests" Melgund meant ministers, the clerical interest in general, in Scotland.

<sup>92</sup> Melgund to Burton, 1849(?)[Could be 1850], n.d., Hill Burton MSS, ff. 17-20

<sup>93</sup> Melgund to Burton, 22.4.50, Hill Burton MSS, ff. 35-40. Fox Maule was the Free Church M.P. for Perth. He in fact supported Melgund's 1850 measure. This again may indicate that Melgund's judgement may have been clouded by the siege mentality he had adopted or by the isolation he may have felt vis à vis the Russell Government.

Begg, Thomas Guthrie, and Hugh Miller on the other, over how to approach the subject of National Education<sup>94</sup>. The latter were prepared to make concessions in the sensitive area of religious instruction in schools in order to achieve the benefits of a national system and avoid the hardening of positions which they felt accepting grants-in-aid would result in:

'Above all they feared that the acceptance of government money under the terms offered, that is, the granting of aid to the Church as a sect, would emphasise and exacerbate sectarian prejudices in education in a way that was quite foreign to the Scottish experience.'<sup>95</sup>

Guthrie, for example, "the Apostle of the Ragged School Movement", had made clear that these Ragged Schools were only a temporary measure to cope with a desperate situation and that the only realistic hope lay in state intervention<sup>96</sup>. All three were willing to accept the use by the Established Church of the Bible and the Shorter Catechism as a guarantee of proper religious education. Candlish and his supporters, however, urged concentration on their own Educational Scheme and on "taking advantage of such aid as the Government may be disposed to give"<sup>97</sup> so as to ensure the best kind of religious teaching. By 254 votes to 16, the General Assembly of the Free Church emphatically backed Candlish in 1850. The Free Church, in effect, put itself into the position of being thought to be against any feasible scheme of national education. This was because a scheme to be workable would have had to be largely secular if there was to be any hope of getting the various denominations to agree to it. Candlish's party wanted to maintain the connection between Free Church and school, if not that between the Auld Kirk and the parish school, leaving some form of religious instruction in place. They wanted a denominational rather than a national scheme in other words. This gave ammunition to defenders of the Establishment. Sir George Clerk, an English Conservative, appears to have been almost puzzled when he remarked:

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<sup>94</sup> D.J. Withrington, 'The Free Church Educational Scheme, 1843-1850', *op. cit.*, esp. pp. 110 and 113

<sup>95</sup> *Ibid.*, p. 110

<sup>96</sup> David K. and Charles J. Guthrie, *Autobiography of Thomas Guthrie, D.D., and Memoir*, London 1875, pp. 138-139. Samuel Smiles in his *Self Help* had been responsible for the 'Apostle' compliment. See p. 111.

<sup>97</sup> *Acts of the General Assembly of the Free Church of Scotland*, May 1850, 'VI Act anent Education', [point] IV



'And yet it appeared that the Free Church did not approve of the Bill: for a large majority of the members of a general assembly of that Church had joined Dr. Candlish in opposing it.'<sup>98</sup>

The conclusion he drew was that no system of education from which religious instruction was excluded would receive support in Scotland.

This was the crucial point as far as the Liberal party was concerned because this argument, when applied to any state-supported national system, could not be reconciled with the view of anyone who was a consistent Voluntary. Candlish and the Free Church, supporting in effect denominational schools<sup>99</sup>, were probably if anything even more separated from the Voluntaries than the supporters of the Establishment. Begg's position in particular would have been far more acceptable to them as is clear from the view he expressed about the Free Church Educational Scheme:

'Common fairness requires the admission [on the part of those 'friends' who fall back on the Scheme when resisting attempts to introduce a comprehensive national system] that our Scheme, important and eminently creditable as it is, does not promise to educate the Free Church, far less the nation ...'<sup>100</sup>

His '*National Education for Scotland practically considered, with Notices of certain recent proposals on that subject*' and espousal of Chalmers' view that Government should keep religion out of its part of any educational scheme were openly praised by the Voluntaries<sup>101</sup>. Still, his was a minority view within the Free Church.

The discussion of Melgund's 1851 measure reinforces this point about the incompatibility of the now majority Free Church view with Voluntary principles. In moving for the second reading Melgund argued that:

'To say that religious education must be mixed up with secular, was a fallacy; and in the parish schools it had been found utterly impossible to conduct them without separating these two branches of education.'<sup>102</sup>

<sup>98</sup> *Hansard, op. cit.*, vol. 112, col. 86, 19.6.1850

<sup>99</sup> *Proceedings of the General Assembly of the Free Church of Scotland*, May 1850, p. 228, [points] 4 and 5 make it clear that the majority of local parents were to be responsible for the content of the curriculum, secular and religious.

<sup>100</sup> James Begg, *National Education for Scotland practically considered, with Notices of certain recent proposals on that subject*, 2nd ed., Edinburgh 1850, p. 12

<sup>101</sup> 'National Education and its Assailants', *U.P. Magazine*, vol. IV, March 1850, pp. 118-119

<sup>102</sup> *Ibid.*, vol. 117, col. 402, 4.6.1851. The second half of this statement no doubt refers to provision made for children from non-Established Church backgrounds who nevertheless attended a parish school. This practice was quite widespread.

Melgund had learnt from the experience of 1850 and instead of leaving out provision for religious education entirely from his proposals he now intended the matter to be settled by local committees:

'With a view to Parliamentary success, there can be no doubt that the more moderate are the popular demands, the less roughly the existing interests are attacked, the less virulent the animus displayed against the heritors or the Established Church, the more likely are the motives of the agitators for improvement to be appreciated by the ruling powers, who at the present moment are tolerably well disposed.'<sup>103</sup>

Such flexibility did not win over the support of the Free Church evangelicals, a fact of which the Voluntaries were only too well aware. Commenting on the support given to Melgund this time by Scottish M.P.s, the *U.P. Magazine* went on to say:

'Scotland has thus unmistakably pronounced on behalf of this education measure, though all the influence of the Established Church, and almost all the ecclesiastical influence of the Free Church, has been brought to bear against it.'<sup>104</sup>

It is clear, then, that even before the 1852 Election education was putting a strain on relations between the Free Church and the Voluntaries. Politically the effects of this were, as yet, masked. In that election Melgund himself, as described above, suffered when he stood in Glasgow, but he was neither Free Church nor Voluntary. The matter surfaced at Stirling Burghs, but otherwise there was no open break on the subject. The reason lies partly in the *U.P. Magazine's* specification of 'ecclesiastical influence' when describing the opposition to Melgund's measure. Free Church M.P.s in urban seats were supportive. Fox Maule and A.D. Fordyce voted for the measure of 1850 and in 1851 Fordyce was joined by Cowan, and Moncreiff<sup>105</sup>. Ecclesiastically the Candlish party carried the day. *Politically*, either Whig party connection, the need to have an eye on Voluntary voters or just plain fear of being left out<sup>106</sup>, ensured some Free Church parliamentary support for Melgund, especially possible in 1851 when some optional provision for religious education was included. The hardening Scottish support for the

<sup>103</sup> Lord Melgund to John Hill Burton, 4.9.1850, Hill Burton MSS, MS. 9410, ff. 63-64.

<sup>104</sup> *U.P. Magazine*, vol. V, July 1851, p. 334

<sup>105</sup> *Hansard, op. cit.*, vol. 112, cols. 94 and 95, 19.6.1850 and vol. 117, cols. 442-444, 4.6.1851

<sup>106</sup> Hence *The Witness*, 26.6.1850, on the great probability of a national system "... with which her's [the Free Church Educational Scheme] must be unable to compete, but in which, unless she herself become an agitator, ... she may have little or no share."

measures can be seen in the voting figures. While the 1850 measure was lost at 2nd Reading by 100 to 94, Scottish M.P.s voted 18 to 15 for with 20 abstentions. The 1851 measure, however, went down by 137 to 124. Scottish M.P.s this time voted 24 to 21 with only 8 abstentions. The Scottish opposition to the measure in 1851 came almost exclusively from the Conservatives, but with three crucial Liberal exceptions, Alexander Matheson, member for Inverness District, J. Matheson, member for Ross and Cromarty and John Mackie, member for Kirkcudbrightshire. The two former were peculiarly dependent on Free Church votes in a tight burgh district and county seat respectively<sup>107</sup> and the latter member for a staunchly Established Church county seat. In other words, ecclesiastical influence counted when the sitting M.P. was dependent on Free Church votes and where Voluntary sensitivities were not a factor.

In addition to the nascent disagreement between the non-Established Church Liberals, the events of 1850 and 1851 had proved that a solution to the education question did not lie in the hands of secular reforming Whiggery. To that extent Sir George Clerk had been right. It would take more to win the acquiescence of English M.P.s concerned by the effects of educational reform in Scotland on the Church of England's position or, on the other hand, on the Voluntary principle. There were additionally those who simply wished to avoid the centralising example of Melgund's Board<sup>108</sup>.

Worry about religious education was, in any case, not confined to the Scottish Conservatives. The atmosphere engendered by the outcry over Papal Aggression and the Maynooth Grant no doubt fostered this concern. When local provision for religious instruction was included in the 1851 measure, the number of Scottish abstentions went down significantly from 20 to eight. Although the reasons for abstention can only be guessed at, the following may have been won over in 1851 by the permissive clause on religious education: Lord James Stuart, George Traill and James Loch. The switch to support by two north-east of Scotland Liberals would seem to be more than coincidence. In addition, the absence of Church of England member Arthur Kinnaird from both divisions was also probably more than chance. Voting against the measure would have offended Voluntary and reforming opinion in Perth. Voting for it would have gone against his Establishment principles.

James Moncreiff's attempts to pass an Education Bill in 1854 and 1855 started out in a more promising atmosphere. Moncreiff himself was a member of the Free Church and therefore not open to suspicion from that quarter. He was Lord Advocate in the Aberdeen and Palmerston administrations and therefore brought the measures forward as Government-sponsored. The attitude of the Russell Government towards Melgund's measures had been, at best, one of benevolent neutrality. Melgund in his own words

<sup>107</sup> *Inverness Courier*, 20.7.1847, on Matheson's Free Church support

<sup>108</sup> *Hansard, op. cit.*, vol. 112, cols. 94 and 95, 19.6.1850 and vol. 117, cols. 442-444, 4.6.1851.

had expected the Ministry and the House of Commons at large to 'enact the part of most impartial umpires'<sup>109</sup>. Andrew Rutherford, as Lord Advocate, had indeed abstained on the 1850 Bill. In 1854, the Prime Minister, Lord Aberdeen, although expressing the opinion quoted above that "Scotch Education ... I see very clearly is destined to give us much trouble."<sup>110</sup>, could at least be expected more than his predecessors to fully understand the nature of the political conflict in Scotland and was in a position to influence what was going to be the biggest stumbling block for any measure, House of Lords opposition. The 1850 and 1851 Bills had only been lost in the Commons by 6 and 13 votes respectively after all. Finally, Moncreiff had created a useful precedent in the removal of one Established Church restriction on education, the repeal of the tests for lay university chairs in 1853<sup>111</sup>.

Although the Candlish party had won the argument inside the Free Church and no sympathy could be expected from that body for a secularly based scheme of national education, opening up the parish schools by removing or altering the test did still offer them an opportunity of knocking away perhaps the last major prop to the Church of Scotland's claim that it was *the* national church, while at the same time relieving the Free Church of some of the burden of having to support its own Educational Scheme. For the U.P.s, rolling back the Establishment, removing the religious tests from parish schoolmasters and opening up schools to teachers of any Presbyterian denomination was also an attractive prospect. They would probably be satisfied by at least controlling the religious instruction offered within a secular system, so that public money was not used to support the ideas of any one particular church.

There was, therefore, momentum for change if Moncreiff could steer a course between the Scylla of secularism, defacto supported by the Voluntaries, and the Charybdis of some form of grant-in-aid or public support for religious instruction. Only if these disagreements within the Liberal party could be squared was there the remotest hope of passing an Education Bill in the Commons by a convincing enough margin to give it a chance in the Lords where the Conservative defenders of the Establishment were in the majority.

Unfortunately for Moncreiff, the task was probably beyond the skills of any politician. The Church of Scotland is generally recognised to have undergone a long-term revival after the Disruption and by the early 1850's was perfectly capable of defending its

<sup>109</sup> Lord Melgund to John Hill Burton, 22.4.1850, Hill Burton MSS., MS. 9410, ff. 35-40

<sup>110</sup> Lord Aberdeen to the Duke of Buccleuch, 1.2.1854, Aberdeen MSS., Add. MS. 43201, ff. 131-132

<sup>111</sup> R.D Anderson, *op. cit.*, p. 54, draws the connection between this question, the secularisation of Scottish society and the fact that this was implicit in the general reform movement. The defence of Church interests by the Conservatives appears all the more natural in this light as does the sympathy they received from Free Church members anxious about any loss of the religious element in education.

interests<sup>112</sup>. In the early 1850's synods set up committees to observe educational legislation and to petition against the relaxing of tests. In 1853, under John Cook, its convenor, the Church of Scotland Education Committee created four sub-committees to make sure its case was heard. These were to put views to all (including non-Scottish) M.P.s, win over opinion in the counties, write to the press, and arrange finance, respectively. The effort was largely aimed at the House of Lords, but also at any, especially English and county, M.P.s who might have had any doubts<sup>113</sup>. The Established Church and its Conservative supporters presented no easy target and was given a clear focus for its opposition to Moncreiff's 1854 and 1855 proposals and to the more limited 1856 Bill in the clauses in each which would have removed the religious test for parochial schoolmasters. The strength of local reaction can be gauged from preparations for and resolutions passed at county meetings on the 1st of May 1854 for instance. Lord Kinnaird was particularly active and was able to present Sir George Grey at the Home Office with a petition signed by 1800 'noblemen and gentlemen' of Scotland<sup>114</sup>.

Much of the effort of these sub-committees may have been a case of preaching to the converted, but even without their input it is clear from these and succeeding attempts to pass an educational measure for Scotland over the succeeding eighteen years that two great obstacles would have existed anyway. One was the House of Lords, which had powerful supporters of the Established Church in both Scotland and England amongst its number. It was to be responsible for dismissing the measure of 1855, which, as will be seen, had already been "softened" by Moncreiff and much amended, but nevertheless passed by the Commons. The Lords, however, insisted on voting against it 86 to 1 even after the Duke of Argyll had withdrawn the Bill as a Government measure<sup>115</sup>.

The other obstacle, much connected with the attitude of the House of Lords, was the view taken by English M.P.s and peers that whatever was done in Scotland would be

<sup>112</sup> See e.g. J.H.S. Burleigh, *A Church History of Scotland*, London 1960, pp. 372-373: "In the country generally the situation was far from hopeless... 752 ministers 'stayed in' and where a minister had proved himself faithful and popular the bulk of his elders and people 'stayed in' too ... The 'Auld Kirk' was found to have a greater hold over many of its people than had been supposed, and to some extent this was strengthened by the secession."

<sup>113</sup> J.D. Myers, 'Scottish Nationalism ...', *op. cit.*, p. 78

<sup>114</sup> On this petition see J. Hunter Blair M.P. to Patrick Boyle, 31.3.1854, Glasgow MSS., MS. SWB/4/26 & 29. It was later published as a 'Declaration by Justices of the Peace, Commissioners of Supply, and Heritors paying Public Burdens, Charged on Land in Scotland' in the spring of 1854. See J.D. Myers, *op. cit.*, pp. 78-79

<sup>115</sup> Argyll apparently did this to avoid the cause of national education being damaged by a crushing defeat. A division was forced, however, by the Duke of Richmond. The damage was limited by members of the Government and other supporters of the Bill voting in the majority. See *The Witness*, 21.7.1855. Lord Panmure was the one supporter of the Bill in the lobby.

taken as setting an example for England. Moncreiff himself saw this fear amongst English M.P.s as being a, if not the, major stumbling block in the way of reform:

Therefore, it is plain, it was fully more an English than a Scottish difficulty which impeded our operations. The English members were afraid of the bill being an example for England - I do not think that they need have been - but such was the case.<sup>116</sup>

This concern manifested itself in the form of an unlikely alliance between English Tories, in defence of the principle of Establishment, and English dissenters. Moncreiff in his *Retrospect* hints at a spectrum of radical dissenting opinion. This ranged from Cobden who voted for the second reading of the 1854 Bill because he wanted to support the majority of Scottish M.P.s, but who nevertheless objected to the attempt in the measure to combine secular with religious education in a national system, to Edward Miall who represented the more tenacious of the English Non-conformists and who expressed objections to national funds being applied to a national system of education as such. What was seen as "English interference" was, of course, fuel to the fire of those beginning to question the fairness, or rather lack of it, in the parliamentary representation of Scotland within the Union. J. D. Myers has documented well the feeling of resentment and frustration which existed among all but a few Scottish M.P.s. The voting figures for the 1854 Bill make clear why this was the case. It was defeated by 9 votes, 193 to 184, but Scottish members voted 35 to 14 in favour with 4 absentees<sup>117</sup>. He has also ironically contrasted the curious silence of the Conservative Romantic supporters of the Scottish Rights movement when it came to the overpowering of the will of the great majority of Scottish M.P.s in this instance.

These religious, national factors were clearly politically significant. What was important for the Liberal party in Scotland, however, was the difference of opinion which came increasingly to light between the Free Church supporters of these Bills and the Voluntary doubters. Whereas Melgund had felt himself defeated by the 'priests' objecting to his secular measures in 1850 and 1851, Moncreiff received clear Free Church support. The meeting of the National Education Association held in January 1854 saw a phalanx of prominent Free Churchmen take part, including Drs. Candlish, Guthrie, Cunningham and Harper, Sir James Forrest, the Rev. Sir H. Moncreiff and Murray Dunlop, not to mention the chairman, Lord Panmure. Candlish, who had lobbied hard against Melgund, was sarcastically described in the Voluntary press as

<sup>116</sup> James Moncreiff, 'An Educational Retrospect' Address delivered on the opening of Kent Road Public School, Glasgow 1886, p. 12

<sup>117</sup> *The Scotsman*, 10.5.1854 and *Hansard*, op. cit., vol. 133, cols. 295-298, 15.5.1854.

praising the Government for its patriotism in bringing forward Moncreiff's Bill<sup>118</sup>. Ironically, Moncreiff was, in the end, to face opposition from those who felt his 1854 and 1855 Bills were too religious. This was not necessarily decisive in their parliamentary defeat, although English Non-conformists were certainly encouraged by expressions of Scottish Voluntary unease<sup>119</sup>, but in the longer term this factor was the most significant for the Liberals as a party.

The place of religious instruction was to be crucial in 1854 and 1855, and the position taken up by the Free Church, essentially against a wholly secularist approach, was to make it very difficult to convince the Voluntaries that what they were being asked to support was not simply just state support for Free Church education. As *The Scotsman* put it, Moncreiff, in trying to untie this Gordian knot, ended up "having conciliated scarcely a single enemy and [having] alienated whole troops of friends"<sup>120</sup>.

The sticking point in the 1854 Bill in this respect was clause 27 which designated "set hours" for religious instruction from which children, whose parents did not agree with the form of instruction, could be withdrawn. No extra charge was to be made for these extra hours which would therefore be funded out of public money. No Voluntary could wholeheartedly accept this as it amounted to state support of religion.

As realisation of this sank in, so the initial support for what Moncreiff was doing from many in the Voluntary Church, expressed in a series of meetings in the period immediately before the Bill's appearance, turned into sour criticism of the Bill and suspicion of the Free Church's motives. This had not been without warning. In an atmosphere of some hope in early 1854 of not only a solution to the Education question, but also of a closer relationship between the U.P. and Free Churches, some doubting voices had been raised. John Hope, the Lord Justice Clerk, in reporting to Lord Aberdeen, gave a survey of press opinion on the meeting held in Edinburgh in January 1854:

'... in the *Courant* of today you will find extracts from 4 or 5 county newspapers and one Edinburgh paper (the *Press*), all representing Voluntary and Dissenting opinions scouting the attempt to patch a scheme for the Free Church and United Presbyterian - and I also send the *Scotsman* which at greater length and with greater ability opines on principle most powerfully against this meeting and its resolutions and in a style

<sup>118</sup> *Edinburgh News*, 4.3.1854

<sup>119</sup> The Rev. H. Renton, UP Minister in Kelso, reported to Lord Melgund that: "And of the 9 English Voluntaries who defeated it, I know that some voted as they did because they knew the opposition of the Voluntaries in Scotland to it, and would not have so voted had the latter approved of it. Indeed 5 of them promised to myself, if the obnoxious clauses were not so altered as to satisfy us to vote as they did.", Minto MSS., MS. 12349, ff. 80-85, 6.6.1854

<sup>120</sup> *The Scotsman*, 17.5.1854

which will satisfy you that the schemes of this meeting and its supporters will never tend to any adjustment of the Question.<sup>121</sup>

Hope made it otherwise clear to Aberdeen that Panmure, who had chaired the meeting, was pushing the idea of church unity hard. Hope's opinion tallied with that of the newspapers he was citing that such dreams would founder on the questions of school management and religious instruction. He was at one with Guthrie, who, while stressing that divisions on education proved the need for union, conceded that its prospects had been damaged:

'We were getting on most favourably, preparing the way for a union (in the long run, and I would have hoped at no very distant period) between us and the United Presbyterians. This Education question has in Providence rather come in as an obstruction, men would say. I say, on the contrary, it proves most forcibly the need of union, and demonstrates the injury which the country and religion suffer from our divisions.'<sup>122</sup>

With the details of the Bill made public, opposition hardened. The U.P. Committee on Public Questions passed resolutions in March approving of the main object of the Bill but opposing two of its prominent principles, viz. the stated hours for religious instruction in Clause 27 and the encouragement to the privy council minutes system, and therefore to denominational schools, contained in the second part of Clause 36<sup>123</sup>. The suspicion that Clause 36 was a loophole intended to help the Free Church Educational Scheme is seen clearly in the *U.P. Magazine's* sharp comment:

'It is an utter mockery to call that a national education bill which makes provision for each church having as many schools as it pleases, under its exclusive superintendence. ...

It depends principally, we believe, with the Free Church whether this clause be expunged or not.'<sup>124</sup>

<sup>121</sup> John Hope to Lord Aberdeen, 28.1.1854, Aberdeen MSS., MS. 43206, ff. 285-286

<sup>122</sup> Thomas Guthrie to Provost Guthrie, 17.4.1854, in D and C Guthrie, *Autobiography and Memoir of Thomas Guthrie, D. D.*, London 1875, vol. II, p. 300

<sup>123</sup> *U.P. Magazine*, vol. VIII, April 1854, p. 188. Clause 36 would have allowed the Board to contribute money to schools reported as deserving by the inspector. Episcopalian and Roman Catholic schools would also, for instance, have benefited by such a provision.

<sup>124</sup> *Ibid.*, May 1854, p. 239. Interestingly the *U.P. Magazine* recommended taking 'half a loaf' on the issue of set hours and bowing to the presumed Established and Free Church wishes on this point.



*The Scotsman* took this theme further calling the Free Church's support hollow and asserting that:

'... she was detected as intending not to participate in the public or national system, but through means of the denominational clause, to continue her sectarian schools at the public cost.'<sup>125</sup>

U.P. agreement with this assessment is reflected in John Hope's analysis, again written for the benefit of the Prime Minister and from an Establishment point of view:

'Why in a Bill to open the endowed Parish Schools, to abolish tests of the school master and to withdraw these schools from the superintendence of the Presbytery, actually there was introduced a clause by which if favourably reported upon, the Free Church schools ... would be endowed wholly by a public assessment - ... This was what so greatly roused the ire of not only the Established Church, but still more of the Voluntaries and the United Presbyterians who know the Parish Schools to be liberally conducted, who send their children there without scruple but who know the Free Church schools to be the most sectarian of all and meant to be solely a means of keeping up Free church congregations.'<sup>126</sup>

The U.P. Committee also objected to the lack of a popular element in the proposed Board of Education and in the parish school committees and to the ex officio status of the parish minister on these committees. The U.P. Synod followed this up by passing a resolution in May 1854 against the Bill. Various U.P. presbyteries, for instance Paisley, Greenock, and Perth, protested to the Lord Advocate. Within the Church at large and in the Synod there was, however, a significant difference of opinion between those, like the *U.P. Magazine* itself, who were prepared to live with Clause 27 and those 'pure' Voluntaries who felt that no U.P. member could work as a schoolteacher under such a provision.

'By those who hold the voluntary principle, and who try the bill and the clause by it, there is a diversity of sentiment, some holding that the principle is saved from violence by the religious instruction being gratuitous, communicated at a separate hour, and forced on nobody - others maintaining that, as religious teaching is made incumbent by statute, and is as much a condition of the schoolmaster's office as any

<sup>125</sup> *The Scotsman*, 17.5.1854

<sup>126</sup> John Hope to Lord Aberdeen, 17.5.1854, Aberdeen MSS., MS. 43206, ff. 292-296

other branch, although he is not allowed to charge a fee for it, the principle is invaded.'<sup>127</sup>

Outside parliament the 'pure' Voluntaries won through. The *Edinburgh News* gives a forthright example of their opinions. Touching what must have been a very raw Free Church Disruption nerve, even before the Bill was printed it had nailed, with respect to religious instruction and government inspection, its colours to the mast:

'... how the Free Church can tolerate an Erastian interference in schools which it could not submit to in church courts is not very intelligible to common people, unless, indeed, the Erastianism formerly denounced did not refer to religion at all, but to mere points of ecclesiasticism bearing upon clerical supremacy and domination.'<sup>128</sup>

At the time of second reading it was equally forthright:

'... we counsel our friends in Parliament to resist the second reading of this bill by any or every available combination, in as much as it is not a scheme for educating those at present doomed to ignorance ... while it is a scheme for taxing the entire people for the benefit of the Free Church.'<sup>129</sup>

There does appear to have been something of an East/West split here, however. One petitioner wrote to the Lord Advocate to report that:

'A resolution come to last week in the U.P. Presbytery of Glasgow shows that the Voluntaries of the West have little sympathy with the extreme opinions of some of their more rabid brethren of the East, ...'<sup>130</sup>

Interestingly the strict Voluntaries were also supported by the 'old Whig' party on the basis of bigotry or secular principles<sup>131</sup>. A small group round Lord Dunfermline were

<sup>127</sup> *The Scottish Press*, 10.3.1854

<sup>128</sup> *Edinburgh News*, 4.3.1854

<sup>129</sup> *Ibid.*, 29.4.1854. I.G.C. Hutchison, *A Political History of Scotland, 1832-1924*, Edinburgh 1986, p. 77, sees this in terms of the leaders of the U.P. Church being castigated by the rank and file. As the *Edinburgh News* pointed out there were two wings amongst the Voluntaries and a leadership/rank and file split may over-simplify matters. It described those Voluntaries supporting Moncreiff as "poor Voluntaries in religious but compulsories in secular education" (4.3.1854).

<sup>130</sup> Andrew Blair to Lord Advocate Moncreiff, 22.4.1854, Lord Advocate's MSS., MS. AD56/47/1

<sup>131</sup> See John Hope to Lord Aberdeen, 1.2.1854, Aberdeen MSS., MS. 43206, ff. 287-288

accused of the former motive<sup>132</sup>. Impotent themselves they apparently looked explicitly to the Voluntaries to do their work for them in stopping the Bill and Dunfermline actually upbraided the Whig Voluntary Adam Black for his 'backsliding'<sup>133</sup>. The strict Voluntaries also probably had the support of James Begg and of his wing of the Free Church<sup>134</sup>. Thomas Guthrie is reported to have described his position as "Free Churchism run mad". Begg for his part distanced himself from the Free Church leadership very clearly at this time by complaining that:

'... probably there is no corporation in Britain so despotically governed at this moment as the Free Church of Scotland. A limited number of men notoriously manage all our affairs in any way they please.'<sup>135</sup>

The hardened lines of division set at the 1850 General Assembly had obviously not been blurred.

There were, on the other hand, clear expressions of Voluntary regret at the Bill's failure:

'The Established Church has gained a great victory. She has secured a longer lease of her monopoly of education. The Free Church will not mourn much over the defeat of the measure, as the Privy Council grants can be increased to any extent. The U.P. Church was the only Presbyterian church which had everything to gain and nothing to lose by a change in the present system; and her Synod condemned the proposed measure as severely as if she had been a Commission of the General Assembly.'<sup>136</sup>

Names were also named:

'The 193 English, Irish and Scotch Tories, aided by such Liberals as the member for Kirkcudbright and by such Dissenters as Mr. Miall, have resolved that the parish schools of Scotland shall remain an appendage of the Established Church, and that

<sup>132</sup> A letter to Lord Melgund of 13.5.1854 hints at this: "... when I saw that there was no real union among the friends of a public system, I came to the conclusion that there was no safety except in a direct opposition to the Bill." Minto MSS., MS. 12349, ff. 86-89

<sup>133</sup> Andrew Rutherford to Lord Panmure, 26.2.1854, Dalhousie MSS., MS. GD45/14/ 642/2

<sup>134</sup> T. Smith, *Memoirs of James Begg, D.D.*, Edinburgh 1888, vol. II, p. 217.

<sup>135</sup> James Begg, *Reform in the Free Church; or, The True origin of our Recent Debates: Being Suggestions Respectfully Addressed to the Members of the Approaching Assembly.*, Edinburgh 1855, p. 4

<sup>136</sup> *U.P. Magazine*, vol. VIII, June 1854, p. 287

the test shall be preserved which confines the office of teacher to the adherents of that body.'<sup>137</sup>

These sentiments were mirrored by the Conservative and Establishment reaction to the Bill's loss. The Ayrshire M.P. J. Hunter Blair, prominent in the Conservative opposition to the Bill, expressed both satisfaction and relief:

'I was sure you would be glad to see how we had floored the Advocate's [Education] Bill. It was a very near thing, but a dreadful disappointment to them ...'<sup>138</sup>

In contrast to the position outside parliament, the 'pure' Voluntaries found no representation among the Scottish Voluntary M.P.s. True, Alexander Hastie, M.P. for Glasgow, thought that the Bill did not go far enough to meet the interests of the Voluntaries and Roman Catholics<sup>139</sup>, but all of them voted for the second reading<sup>140</sup>. One reason appears to have been last minute promises of concessions by Moncreiff. The Rev. H Renton, U.P. Minister at Kelso and a member of a U.P. deputation at this time to Moncreiff, while complaining of latter's obstinacy, makes this clear:

'... the conduct of the Lord Advocate seems to have been stupid as well as dogged - personally I had declined to seek a join in any communication with him after the obstinacy he had manifested at an interview with my fellow deputies in March against even modifying the 27th clause, of the paternity of which he seemed proud - and I was surprised at the 12th hour - viz. on the very day that the second reading came on, to receive a letter from Mr. Craufurd, member for the Ayr Burghs, telling me as a result of several conversations with the Lord Advocate that he believed modifications in the constitution of the Board - of the 17th clause - of the 30th and the abandonment of the 36th would be granted - and he was not without hope - the omission of the words *by the master* in the 27th and some other of less moment - on account of which he (Mr. C.) should feel it his duty to vote for the Bill.'

He added with reference to English Non-conformists:

<sup>137</sup> *The Scottish Press*, 16.5.1854. John Mackie sat for a strongly Church of Scotland county, Kirkcudbright, with a reputation for 'true blue' Protestantism, as witnessed in the 1845 by-election discussed in Chapter 2. Mackie explained his position in Parliament by saying that he would vote for 2nd Reading if the Lord Advocate could assure him that, even with the abolition of the test, the schoolmaster would remain a real Protestant Christian - *Hansard, op. cit.*, vol. 133, col. 266, 12.5.1854

<sup>138</sup> J. Hunter Blair to Patrick Boyle, 16.5.1854, Glasgow MSS., MS. SWB/4/23

<sup>139</sup> See *The Witness*, 1.3.1854, which picked this up and *Hansard, op. cit.*, vol. 130, col. 1190, 23.2.1854

<sup>140</sup> See the division list in *Hansard, op. cit.*, vol. 133, cols. 295-298, 15.5.1854.

I have reason to believe that Mr. Cobden and others consented to vote for the second reading in the same faith.<sup>141</sup>

Such a position certainly did them no harm with the majority of their Free Church allies. John Macgregor, Hastie's Glasgow colleague, for instance explicitly defended the Free Church against an attack by the Tory Cumming Bruce<sup>142</sup>. It cannot have helped endear them to a large section of their Voluntary supporters, which may well be one more reason why there was a lack of fervour for certain Voluntary candidates at the next general election in 1857.

For the Liberal party in Scotland the fate of the 1855 measure was even more significant in that in the end it actually drove the parliamentary Voluntaries into the same camp as the 'pure' opponents of 1854. How had this come about?

When the measure narrowly passed its third Commons reading *The Scotsman* pointed out that:

'Mutilation after mutilation was inflicted, in part by the Lord Advocate himself, in part by votes carried against the great majority of Scottish members ...'<sup>143</sup>

The result was a Voluntary revolt against Moncreiff:

'A bill bad enough at first having thus been made worse, many of our Scotch Liberal members, on Thursday night, which in one sense was just in time to be too late, felt themselves impelled to the declaration that the bill had been "amended" to the death of almost all the good it ever contained. Mr. Duncan, Sir James Anderson, Mr. Ewart, Mr Alexander Hastie, even Mr Cowan, joined in this declaration; and when we find the representatives of the chief Scottish constituencies - including Edinburgh, Glasgow and Dundee - taking this course, there is pretty strong presumptive evidence that the name of National is not truly applicable to the proposed system which they denounce.'<sup>144</sup>

The Bill from a Voluntary, and from a secular Liberal, point of view had been, for different reasons, bad enough to start with because it left Roman Catholic and Episcopal schools in receipt of Privy Council funds and had not promised a really 'national' solution. By Clause 45, moreover, the Privy Council retained the power to

<sup>141</sup> Rev H. Renton to Lord Melgund, 6.6.1854, Minto MSS., MS. 12349, ff. 80-85. the words *by the master* referred to religious instruction

<sup>142</sup> *Hansard, op. cit.*, vol. 133, cols. 254-255, 12.5.1854

<sup>143</sup> *The Daily Scotsman*, 14.7.1855

<sup>144</sup> *Ibid.*

alter its minutes, which led to suspicions, first voiced by the Tory, Peter Blackburn, that this would turn into a denominational clause by the back door, in other words government support for religious schools<sup>145</sup>. By clause 13 appointments and the management of the parish schools were left in the hands of the ministers and heritors until they voluntarily handed this over to a local committee. Moncreiff's attempt to mollify Voluntary opposition by making no mention of religious instruction at no extra cost, was not successful. Presbyterian teaching in the parish and new schools was still to be guaranteed and Voluntaries had great difficulty with the fact that it was to be provided 'by the master', even with an extra fee and the possibility for objecting parents to withdraw their children. The strongly Voluntary *Scottish Press* voiced its objections clearly, even if it seems to have overestimated the intended level of dependence the schoolmaster was to have had on the fees for religious instruction:

'... now we have a rate exacted, public money voted, and the ordinary master, compulsorily employed for his salary to teach religion - all which provisions are objectionable, and not one of them affected, far less obviated, by the permission to children, whose parents object, to withdraw them from the religious teaching. ... we have no doubt the clause will be vigorously opposed by those who hold the Voluntary principle in religion;...'146

If these points made the Bill bad enough, the amendments passed in early July 'amended it to the death'. The power of the Established clergy over appointments to parish schools was preserved by amending the 14th clause. [Additionally an amendment of the Selkirkshire Conservative Elliot Lockhart had ensured the preservation of the Established clergy's powers over the parochial schools.] The chances of a rapid development of a national system were stifled by the amendment to the 19th clause which would have meant that not only burgh and parish schools would have had to be included in any assessment of need in a district, but all schools. Moncreiff made an impassioned plea against this amendment:

'If by the clause now under consideration, all private schools were to be recognised, it would render the Bill completely nugatory. He therefore entreated the Committee not to destroy the integrity of the clause, which was indeed the very hinge of the Bill.'147

<sup>145</sup> *Hansard, op. cit.*, vol. 137, cols. 1911-1912, 27.4.1855. Conservatives were particularly worried about support for Roman Catholic institutions, "those little Maynooths", whereas the Voluntaries were concerned about all kinds of publicly funded denominational institutions.

<sup>146</sup> *The Scottish Press*, 6.4.1855

<sup>147</sup> *Hansard, op. cit.*, 2.7.1855, vol. 139, col. 377. *Hansard* underplays and does insufficient credit to the Committee sitting of the 2nd of July 1855. This was

He then gave way to the amendment without a vote which led to despairing tones in press commentary:

'... he afterwards submitted without a vote, 'although his own views on the subject remained unchanged.'<sup>148</sup>

Taken together with the preserved powers of the Established clergy over the parochial schools, this restriction on expansion in schools provision would have given the Establishment a tight grip on the proposed new national system.

Most telling from a Voluntary point of view was Moncreiff's own amendment to the 18th clause compelling a parish teacher to produce a certificate from the minister of the religious denomination to which he belonged attesting to his religious and moral character.

Voluntaries had salt rubbed into the wounds by two further factors. Firstly, the Bill's opponents showed no sign of a similar willingness to compromise. *The Scotsman's* comments on this last amendment, for a certificate of religious and moral character, bear this out:

'We naturally thought that the Lord Advocate had agreed to introduce this odious proviso as a compromise; but it now appears not to have placated in the smallest degree a single one of his opponents, who fought every inch of ground and courted alliances with the so-called English Voluntaries and all others who would help them in a vote.'<sup>149</sup>

Secondly, Alexander Hastie, the Glasgow Voluntary, put up amendments of his own, both of which were defeated, one heavily. Both still showed deep unease on the subject of religious instruction. His motion to drop Clause 27, providing for religious teaching to be given in parochial and public schools, entirely was defeated by 87 to 79. A week later he tried to amend the same clause again by striking out the words *by the master*, insisting, in other words, that someone else other than the schoolmaster carry out religious instruction. This time the amendment went down by 106 to 11 and against the explicit opposition of the Lord Advocate<sup>150</sup>.

The effect of this process in Committee on the attitudes of the Voluntaries can be most clearly seen in the case of Sir James Anderson, the U.P. M.P. for Stirling Burghs. It is

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the crucial night in the minds of many Voluntaries. For better descriptions see the press, for instance *The Daily Scotsman*, 4.7.1855 and 9.7.1855

<sup>148</sup> *The Daily Scotsman*, 4.7.1855

<sup>149</sup> *Ibid.*

<sup>150</sup> *Hansard, op. cit.*, 2.7.1855 and 9.7.1855, vol. 139, cols. 381-382 and 636

worth quoting at length because it describes his change of attitude, and that of his Voluntary colleagues, so well:

'We have at last got the Education Bill through the House. It passed last night by the small majority of fifteen, after a keen debate. Whether it will pass the House of Lords is I think very doubtful. I began lately to be rather unfond of the measure, and to doubt if, as a sound voluntary, I could with consistency, continue to give it my support, especially as all attempts on our part to get objectionable clauses amended had failed. I at last came to the resolution to oppose it and voted against the third reading, much to the annoyance of the Lord Advocate I have no doubt.

Mr Hastie and one or two other friends acted in the same way. ... The matter has given me a little uneasiness but I am satisfied I have done what is right.

I am strongly of [the] opinion if the Bill passes it will create strife, and debate, amongst our Ministers, and people, and not answer the good end intended by it. If I had voted for it, I could no longer have had the face to oppose Maynooth, and such like grants.'<sup>151</sup>

Alexander Hastie explained his vote against the third reading as follows:

'The Bill would establish a system of education which could only be accepted by the Free Church and the Established Church and which would be rejected by the religious body with which he was connected.'<sup>152</sup>

The Bill had a curious history in its last phases: it did pass its third reading by 105 to 102 votes<sup>153</sup>, which, as Moncreiff pointed out, was the first time a Scottish education bill had got that far. Also the Voluntaries were not united in their change of heart. William Ewart, M.P. for Dumfries District, for example voted for the third reading<sup>154</sup>. The *U.P. Magazine* speaks of a division in the Voluntary camp on the Bill rather than solid opposition<sup>155</sup>. Moreover, Voluntary ire must have been softened by the success of Murray Dunlop's amendment, which was seconded by the Voluntary W.E. Baxter. This, passed by a majority of 37, left out the section introduced [into clause 14] giving the Established Church power over appointments to parochial schools<sup>156</sup>. It was welcomed by the voluntary *Scottish Guardian* in the following terms:

<sup>151</sup> Sir James Anderson to his wife, 13.7.1855, Sir James Anderson MSS., MS. 11/51

<sup>152</sup> *Hansard, op. cit.*, 12.7.1855, vol. 139, col. 822

<sup>153</sup> *Hansard* provides no division list for this vote

<sup>154</sup> His reason albeit was merely to give the Bill a last chance in view of the amendments to be discussed after the third reading division. *Ibid.*, col. 821

<sup>155</sup> *U.P. Magazine*, vol. IX, Aug. 1855

<sup>156</sup> *Hansard, op. cit.*, vol. 139, 12.7.1855, cols. 825-830



'The bill had previously been grievously maimed in its passage through the Committee; and even the religious test for the parish schools had been virtually restored by the adherents of the Established Church; but on the motion of Mr. Dunlop, on Thursday, the provision of the Bill repealing the enactment requiring parochial schoolmasters to go before the Presbytery for a certificate of moral and religious qualification, and which had been struck out, was restored by a majority of 117 to 80.<sup>157</sup>

The effect of this was identified, together with a strong whip, as the reason for the Bill being passed, i.e. in a vote held after 3rd Reading, by the increased majority of 15, by 130 to 115<sup>158</sup>.

This said, however, the damage as far as the Voluntaries were concerned had been done. In a context where Scottish members had been seen to be fighting an uphill battle since 1850 to pass such a measure, Scottish Liberal MPs were found in the minority on third reading. People like Sir James Anderson, Alexander Hastie, and George Duncan<sup>159</sup> were listed in the lobby with Conservative supporters of the Establishment, a fact which was not quickly forgotten, as will be seen in Chapter 4. Relationships with the Free Church had been strained for some to breaking point. As well as having mutilated his own creation, Moncreiff, for instance, then went further by actually opposing Dunlop's post-third reading amendment on the ground that it would put presbyteries and schoolmasters in a false position<sup>160</sup>. Charles Cowan added to the problem by making it clear that he had only voted against the third reading not because of any delicacy towards Voluntary sensibilities, but because he objected to the support given to Roman Catholics and Episcopalians. This led *The Scotsman* to comment wryly that:

'Mr. Cowan's notion of what is "national" is a system teaching the Cowanite religion, and that only; what he denounces as "denominational", is any system that does unto others as he does unto himself and his.'<sup>161</sup>

For 'Cowanite' it would be possible to read Free Church.

For the Liberal party the strains between Free Church and Voluntary, though very important, were not, by this stage the only factor at play. Equally significant was voter dissatisfaction at Voluntaries pressing their religious scruples over education to the

<sup>157</sup> *The Scottish Guardian*, 17.7.1855

<sup>158</sup> *The Witness*, 18.7.1855 and *Hansard*, *op. cit.*, vol. 139, col. 830

<sup>159</sup> George Duncan was M.P. for Dundee

<sup>160</sup> *Hansard*, *op. cit.*, vol. 139, col. 828

<sup>161</sup> *The Scotsman*, 14.7.1855

length that they had. In the more secular climate of the mid-1850's there was to be increasingly less understanding amongst Liberals for this kind of sectarianism than there had been even a few years earlier at the time of the 1852 general election.

As a political issue Education was to be kept at the forefront of discussion almost right up until the 1857 Election, making this impatience with sectarianism a significant factor. This came about because in 1856 Moncreiff introduced two much more modest proposals, a Parish Schools Bill and a separate measure for the Burghs. The Bill for the parochial schools proposed the abolition of the test restricting the choice of schoolmaster to members of the Church of Scotland. It did, however, leave the general superintendence of these schools in the hands of the presbyteries. This was not enough to satisfy the Conservatives, led by the Duke of Buccleuch, in the House of Lords who insisted on reintroducing the test. Buccleuch's argument was that the Bill was intended to substitute Free Church for Established Church schoolmasters<sup>162</sup>. The Bill was then lost because Lords and Commons could not agree.

This, given Conservative reaction to the Bills of 1854 and 1855, was merely a confirmation of what had happened in previous years. The Burgh Schools Bill proposed giving the burghs the power to raise money for new schools with a rate not exceeding a penny in the pound. It also failed, through lack of parliamentary time, to reach the statute book. The reaction to it while it was before Parliament was, however, highly significant for the Liberals. *The United Presbyterian Magazine*, representing moderate Voluntary opinion, called for its acceptance. Speaking of both Bills it said:

They do not impinge, in the slightest degree, on our denominational principles, and if they become the law of the land, a beginning has been made.<sup>163</sup>

At the same time a meeting was arranged in Glasgow by some hard-line Voluntaries, among whom H.E. Crum Ewing was prominent, to oppose this Bill. Their arguments were that the measure was unnecessary as there was no lack of educational provision in Scotland and, certainly more important for them, that it interfered with 'civil and religious liberty'. In other words the proposal to allow the burghs to raise a rate offended their Voluntary principles<sup>164</sup>. As is shown in Chapter 4, Ewing, who stood for Paisley in the 1857 election, was just one of this group of Voluntaries who was to suffer at the polls for such views on Education.

<sup>162</sup> *Hansard, op. cit.*, vol. 143, 14.7.1856, col. 731

<sup>163</sup> *The United Presbyterian Magazine*, vol. X, May 1856, p. 236

<sup>164</sup> For a discussion of the reaction to both these Bills see, Wilson H. Bain, 'The Life and Achievements of James, First Baron Moncreiff, 1811-1895', unpublished M. Litt. thesis, University of Glasgow 1975, pp. 100-101

Significantly, therefore, this reaction against sectarianism was shared by moderate Voluntaries, who showed a readiness to compromise over education. These moderates felt themselves alienated from the hardline attitudes of their fellow Voluntaries and Free Churchmen. This, in turn, adversely affected the Free Church/Voluntary relationship in politics. For these reasons it has been necessary to go into the fate of these education proposals in some depth to reveal the importance of sectarian considerations in their defeat and to clarify the dividing lines between the various groups involved.

An early pointer to an anti-sectarian reaction can be seen by comparing the Montrose by-election of March 1855 with that in Edinburgh in February 1856. The Montrose contest was caused by the death of the long-serving radical Joseph Hume. Sir John Ogilvy, a Whig, was the first in the field in 1855, but was challenged shortly afterwards by W.E. Baxter, a more advanced Liberal and a Voluntary. One major reason why Baxter won was because of Maynooth. There were, additionally, rumours put about in Montrose that Lady Jane Ogilvy was a Roman Catholic and her husband a Puseyite<sup>165</sup>. *The Scotsman* described Baxter as "resting his hopes upon 'Maynooth', that ready resource of the political destitute." At the same time, however, it is interesting to note that it praised Baxter for being an out-and-out advocate of the American system of education, national and nominally unsectarian<sup>166</sup>.

By the time of the Edinburgh by-election of February 1856 (which is examined in greater detail in Chapter 8) the consequences of the education question and the reaction against sectarianism, helped along no doubt by the effects of the Crimean War (as discussed below) could be seen clearly. For the purposes of this chapter the salient points only need be mentioned. Duncan McLaren and his supporters on the Independent Liberal Committee ran the Free Churchman Francis Brown Douglas against the Whig candidate Adam Black, who was a Voluntary. Black won as the elements of the Free Church/Voluntary alliance, already strained by the events of 1852 in Edinburgh, could no longer work smoothly together. Brown Douglas had well known Conservative leanings which made him unappealing to many Liberals<sup>167</sup>. He was known to hold anti-disestablishment views and was accused of having been one of those who had blocked Black's accession to the Lord Provostship in the 1840's because he was a dissenter, both of which points did not help his case with the Voluntaries<sup>168</sup>. To many Voluntaries the thought of having two Free Churchmen

<sup>165</sup> *Dundee, Perth and Cupar Advertiser*, 9.3.1855. Baxter won by 478 to 434 votes, the main source of his strength being in Montrose itself. Ogilvy had a clear victory in Arbroath, nearer to his estate and to Dundee where he had been active politically and was to win a seat two years later.

<sup>166</sup> *The Scotsman*, 3.3.1855

<sup>167</sup> *Scottish Press*, 12.2.1856

<sup>168</sup> *The Daily Scotsman*, 30.1.1856

representing Edinburgh was out of the question<sup>169</sup>. McLaren was in a weak position with his strict Voluntary supporters given his positive view of the Moncreiff education bills and the fact that the opposing candidate on this occasion was such a well respected Voluntary. What is especially significant for this comparison of the two by-elections is the fact that Black, victorious by a larger than expected majority in all but one of the City's eleven districts, was not a strict opponent of Maynooth<sup>170</sup>. Adhering to the formula that withdrawal of grants must be across the board in Ireland<sup>171</sup>, he left himself open to the charge by the McLarenite *Scottish Press* that he would rather retain half a dozen acknowledged evils in this respect than knock one on the head<sup>172</sup>. The coalition which had backed Brown Douglas, besides being a collection of the 'outs' of Edinburgh politics, had been in large part driven by religious intolerance:

'Never, perhaps, in the history of electioneering has there been seen so utterly unprincipled and disgraceful [a] coalition as that which Adam Black and the sound Liberals of Edinburgh have just defeated - Tories and Radicals, Churchmen, Free Churchmen, and Voluntaries, silly Teetotallers, and bigoted No-Popery men, all united under one banner ... and utterly destitute of any common ground of principle except the detestable one of religious intolerance and social tyranny.'<sup>173</sup>

The reaction against such sectarianism appeared more explicitly than merely in a willingness to vote for Adam Black. *A Dissenter's Reasons For Not Voting for Bailie Brown Douglas*, addressed to Duncan McLaren from James Mushet, appeared shortly before polling day and explained why the author thought that the No-Popery cry was becoming dangerous to civil and religious liberty:

'I speak from a personal knowledge of the minds of very many in our city, that this No-Popery feeling has become so strong among us from No-Popery lectures, sermons, meetings of Reformation Societies, Protestant Associations, and Anti-Maynooth Grants - that the shutting out of the British Parliament [of] all Roman Catholics is seriously maintained ... I speak of sober Free Churchmen and United Presbyterians. I mix largely with both, and find it generally entertained among the former, that no Roman Catholic ought to be a member of the Protestant Parliament. Many among the U.P.s hold the same view.'<sup>174</sup>

<sup>169</sup> *Edinburgh News*, 9.2.1856. The *Scottish Press*, 12.2.1856, commented that "... we hesitate not to say that his denomination lost him a considerable number of votes."

<sup>170</sup> *The Daily Scotsman*, 9.2.1856. Black won by 2429 to 1786 votes.

<sup>171</sup> *Ibid.*, 30.1.1856

<sup>172</sup> *Scottish Press*, 8.2.1856

<sup>173</sup> *The Aberdeen Herald*, quoted in *The Daily Scotsman*, 11.2.1856

<sup>174</sup> *The Daily Scotsman*, 6.2.1856

Mushet, obviously one of the moderate Voluntaries referred to above, was distancing himself from the hardliners in both the Free and U.P. churches, attacking the Free Church in the person of Brown Douglas in particular for indulging nothing other than anti-Catholic bigotry in opposing the Maynooth grant. Brown Douglas was reportedly also not helped by a small, but noisy, Orange group which attached itself to his campaign<sup>175</sup>.

Connected with this anti-sectarian atmosphere and Black's refusal to pledge himself against the Maynooth Grant were his views on the education question. The winning candidate specifically applauded Moncreiff's efforts and went on:

'It is melancholy to think that generations are passing away while we are fighting about some dogmas of religion.'<sup>176</sup>

A further reason for detailed analysis of the education issue lies in its having become a 'national' cause by 1855. The Duke of Argyll, in his failed attempt to get the Lords to take the 1855 Bill seriously, had specifically warned of the dangers of the Upper House rejecting the measure by listing the voting figures for Scottish M.P.s at various stages of its Commons progress<sup>177</sup>. The 'national' aspect to this problem, as Argyll quoting figures for Scottish M.P.s makes clear, had been exacerbated by what was seen as uncalled for interference by English M.P.s. This has already been discussed above. It can have escaped very few people that Argyll's hand would have been strengthened if he had been able to give convincing figures for the third reading division.

When the National Association for the Vindication of Scottish Rights was founded at a meeting in Edinburgh in November 1853, it launched national issues more generally onto the Scottish political scene. So, before going on to discuss what has been mentioned as the more secular climate of the mid-1850's, it is necessary to take up this question of 'national' issues in order to assess their significance in the development of the Liberal party in Scotland.

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<sup>175</sup> *Scottish Press*, 12.2.1856

<sup>176</sup> Meeting in the Music Hall, 31.1.1856. *The Daily Scotsman*, 1.2.1856

<sup>177</sup> *Hansard, op. cit.*, vol. 139, col. 1040, 19.7.1855

## The Scottish Rights Movement

In commenting on the defeat of the 1854 Education Bill, *The Scotsman* made its views about the 'national' aspect of this event clear:

'No such thing as the rejection of a Scotch Bill supported, like the Lord Advocate's Education measure by a sweeping majority of the Scotch members, has happened since the Reform Bill. Here is a grievance at last - substantial, irritating and humiliating. Yet strange, monstrous to say, the glorious patriots whose indignation was so uncontrollable about 'the repairs on Holyrood', and such like matters, are, at this great Scottish crisis, nowhere to be seen or heard.'<sup>178</sup>

The reason why this was so probably lies partly in the makeup of the nationalist movement of the 1850's. Two of its most organised expressions were the National Association for the Vindication of Scottish Rights, founded in the summer of 1853 and launched at a public meeting in Edinburgh in the November of that year, and the movement to erect a monument to William Wallace which was started in 1856.

The first of these, the National Association concentrated, in terms of issues, on the complaints associated with the working of the Treaty of Union. The claim that Scotland was under-represented at Westminster by the 1832 settlement, including the absence of university representation, was listed as a grievance, as was the complaint that Scottish business was not given adequate parliamentary time, often coming up for discussion late at night after everything else of importance. The fact that the leading Scottish minister was a law officer bogged down in case detail and often in Edinburgh, albeit responsible to the Home Secretary, was an administrative grievance, the solution to which was the call for the restoration of the Scottish Secretaryship. It produced figures which showed that Scotland did not get her fair share of the revenue and patronage pie. Naval and military establishments were to be found in England, not Scotland and the £3 million given to the British Museum and the National Gallery was compared unfavourably with the £15,000 invested in Scotland for similar purposes. Even the contracting in London for the red uniforms worn by Scottish G.P.O. employees was brought up.

On a less substantial, but more emotional level, there were the concerns of the historical novelist James Grant and others with heraldic irregularity in Scotland, for instance the degradation of the thistle as an emblem and the lack of importance accorded the Scottish Lion. Here was the heart of the romantic element in the movement<sup>179</sup>. Grant, with a

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<sup>178</sup> *The Scotsman*, 20.5 1854

<sup>179</sup> 'Statement of Certain Scottish Grievances', The National Association for the Vindication of Scottish Rights, Edinburgh 1853, in *Scottish Rights Association*,

series of articles in the *Edinburgh Advertiser* and the *Caledonian Mercury* in the early 1850's on a long list of specific grievances such as the lack of dockyards and arsenals in Scotland, the brain drain to London of talented Scots, the drain of capital south by absentee landlords and capitalists and the unequal expenditure of taxation in Scotland as compared with the rest of the UK, gave the impulse to the founding of the National Association.

As *The Scotsman* pointed out, there was in this collection of grievances ample room for contradictions:

'It is a dozen single Associations rolled into one, and yet all its grievances in mass are not worth and do not require any associating at all. For illustration of this new principle of association we need go no further than the speeches of Wednesday. Thus Sir Archibald Alison declared that the principal act of justice required by Scotland is to have her militia called out and a much greater number of soldiers quartered within her bounds; while the preceding speaker - the Lord Provost, President of the Peace Conference - has declared decidedly that the calling out of the militia would be nothing less than infamous, and leans very strongly to the opinion that all sorts of soldiers are forbidden things, and that it is a Christian duty to submit to having our throats cut by anybody that will take the trouble.'<sup>180</sup>

Historians now recognise that the grievances complained of had some substance. The Scottish contribution to the Union, especially in terms of enterprise, wealth-creation and revenue was not fairly recognised. A comparable amount of expenditure was not being returned to Scotland. The loyalty of Scotland's people, compared with Ireland's, was not recognised by giving their claims the urgency accorded to the 'Sister Isle'. Even the romantic, heraldic aspects highlighted by the Grants were shown by them to be capable of working up a national agitation (albeit unsurprising in an age so engaged in reformulating its history)<sup>181</sup>.

*The Scotsman's* lukewarm attitude to this new body might in this light, therefore, be due to the fact that each of these itemised grievances could fairly be attributed to the failure of its Whig political friends at Westminster ever since 1832 to do anything to effectively remedy them. The Whig flagship was, in other words, here on the defensive. This said, its point about it being a dozen single associations rolled into one was real.

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vol. 2, a compilation of pamphlets and cuttings by John Grant in the National Library of Scotland, pp. 9-32

<sup>180</sup> *The Scotsman*, 5.11.1853, commenting on the inaugural Edinburgh meeting of the Association

<sup>181</sup> cf. W. Ferguson, *Scotland, 1689 to the Present*, Edinburgh 1968 and C. Harvie, *Scotland and Nationalism*, 2nd ed., London 1994

An examination of the committee list of the Association reveals only one Liberal M.P., Charles Cowan, no Liberal peers and, apart from an impressive list of councillors and provosts, including Duncan McLaren, no other politician of note. The chairman significantly was the Derbyite Earl of Eglinton<sup>182</sup>. It is arguable indeed that it was primarily press driven anyway. At the Glasgow meeting of December 1853 George Outram, Peter MacKenzie and the Rev. John Smith, the editors of the *Glasgow Herald*, *Glasgow Gazette* and *Glasgow Examiner* respectively, were all on the platform<sup>183</sup>. In contrast to the lack of enthusiasm evinced by the west of Scotland Liberal political establishment<sup>184</sup>, the Glasgow press, with Liberal exceptions like the *North British Daily Mail* and the *Scottish Guardian*, which was more preoccupied with the Education issue<sup>185</sup>, jumped on the bandwagon, or rather took a hand in pulling it. Well might *The Scotsman*, venting frustration at its isolation, remark that:

'Even the *Herald*, for instance - a contemporary who scarcely ever ventures to have an opinion of his own, and who never lent anything but resistance to any "Scottish right" that has been obtained in his time - has fed himself up with this question till he has become quite a Glasgow O' Connell, a big, burly patriot, breathing scorn and defiance against the Saxon oppressor.'<sup>186</sup>

From the list of the acting, or central, committee of the Wallace Monument Movement, it can be seen again that, apart from the Liberal M.P. local to where the monument was to be built, namely Sir James Anderson, M.P. for Stirling Burghs, no other nationally prominent Liberal, either in or out of Parliament, was a member. The Tories were, however, well represented. Sir Archibald Alison, the Tory Sheriff of Lanarkshire, was a vice-president and Peter Blackburn, William Stirling of Keir and Charles Cumming Bruce, all Tory M.P.s, were members of the Committee<sup>187</sup>. A printed subscription list for Glasgow and neighbourhood for 1856 gives the same impression. Big contributors included the Duke of Hamilton, Sir M. Shaw Stewart, M.P. and James Baird,

<sup>182</sup> *Scottish Rights Association*, vol. 2 'Address to the People of Scotland and Statement of Grievances by the National Association for the Vindication of Scottish Rights', 1853, pp. 34-36

<sup>183</sup> R. M. W. Cowan, *The Newspaper in Scotland, A Study of its First Expansion, 1815-1860*, p. 325

<sup>184</sup> Some Glasgow commercial men, perhaps of the true-blue Tory Exchange kind, were interested enough, however, to hire a special train to attend the Edinburgh meeting of the Association. See the *Edinburgh News*, 5.11.1853

<sup>185</sup> *Ibid.*, p. 328

<sup>186</sup> *The Scotsman*, 17.12.1853

<sup>187</sup> Newspaper cutting from *The Daily Scotsman*, n.d., in 'Records of the National Wallace Monument Movement, 1856-1870' an ms. collection in the Mitchell Library, Glasgow, Acc. No. 115062.



M.P.<sup>188</sup>. Sir James Anderson also contributed £55. The message, however, is clear. If the nationalist movement of the 1850's was at all coloured by party politics, it was a more natural home for Tories than for Liberals. This was naturally so because the point the Association was making politically was that the Liberals who had been predominant in representing Scottish interests since 1832 had not been very successful at protecting them. If there was anyone to blame for Parliamentary indifference to Scotland it could hardly be the less than influential Scottish Tories. The few Liberal political names that do occur are almost exclusively from the world of municipal politics, to whom certain of the Association's grievances would have particularly appealed<sup>189</sup>, and/or were, like Duncan McLaren and Sir James Anderson, not part of the Liberal mainstream.

For a mainstream Liberal view of the Scottish Rights movement there exists Sir Henry Moncreiff's *Reasons for Declining to Join the National Association for the Vindication of Scottish Rights*. Moncreiff was the brother of Lord Advocate James Moncreiff and a moderate Whig/Liberal. He expressed his views of those involved in the movement as follows:

'The lives of such as they have been devoted to the obstruction of national progress; they have endeavoured by hand, tongue, and pen to stereotype every political, social and ecclesiastical corruption that has hitherto fattened amongst us; they have grossly maligned, trod upon, and scorned our most devoted reformers; they would even now shackle up our minds by a despotic system of education, and train up our children to fight and argue about a defunct Scottish Lion!'<sup>190</sup>

The bitterness against post-Reform Act Tory and Moderate obstructionism is clear, as is the resentment that those prominent in this Association (and this answers the point raised by *The Scotsman* at the start of this section) were often at the same time determined opponents of educational reform. Moncreiff also defines the Association in clear party terms:

'When we see such a man as Lord Palmerston actually bidding for the Premiership on the ground of opposition to Reform, and then behold him returning to power on the

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<sup>188</sup> Printed subscription list for Glasgow and neighbourhood, issued by Alex. Kay, Secretary, 1856 - in the same collection in the Mitchell Library.

<sup>189</sup> For example the arguments made about centralisation and the difficulty of getting acts concerning local questions through Parliament. See the *Glasgow Herald's* (17.12.1853) point about replacing the existing system with a local parliament based on the Convention of Royal Burghs.

<sup>190</sup> Sir Henry W. Moncreiff, Bt., 'Scottish Rights and Grievances - Reasons for Declining to Join the National Association for the Vindication of Scottish Rights', Edinburgh 1854, *Scottish Rights Association* - collection of pamphlets - pamphlet 20, p. 16

promised realisation of his views, why play into the hands of those who would hail with delight the utter destruction of the liberal party in this country?"

In other words at this point, 1854, there were sufficient problems for serious reformers within the Liberal party, without supporting an association composed mainly of the political enemy.

Sir Henry Moncreiff's was not an isolated voice. *The Scotsman* was equally dismissive. Commenting on the inaugural Edinburgh meeting, it pointed out that six of the eight known speakers were Tories and claimed that "the Scottish people" were not represented:

'Can that be "a national movement" to which not one of the national representatives, freely and popularly chosen has given assent? and why is that assent refused? The answer to this second question brings us to what might be claimed to be the conclusion of the whole matter. Because the Scottish members know experimentally that never since the Reform Bill has any Scottish measure been passed which a majority of them opposed, nor any Scottish measure refused which a majority of them asked. And if it is not 'justice' to a nation to give her representatives all that they ask, and nothing that they decline, how, in the name of common sense, is justice to be done?'<sup>191</sup>

The point about Liberal non-involvement amongst M.P.s is well made but, unfortunately for *The Scotsman*, its confidence about the power of Scottish M.P.s over Scottish measures was soon to be rendered invalid by their experiences over education, as was shown in the previous section.

As has been said, those Liberals who were involved were either active in their localities or were not part of the mainstream. In terms of Liberal politics it is possible to take up the 'radical' half of H.J. Hanham's portrayal of the movement as a mixture of 'romantic and radical'<sup>192</sup>. Hanham depicts the romantics, like Grant and W.E. Aytoun<sup>193</sup>, as hoping that the movement might provide a firmer basis for Scottish Toryism with its belief in traditional values. Aytoun, for instance, was against the movement away from Protectionism among Conservatives in the early 1850's. If the

<sup>191</sup> *The Scotsman*, 5.11.1853

<sup>192</sup> H.J. Hanham, 'Mid-Century Scottish Nationalism: Romantic and Radical', in Robert Robson (ed.), *Ideas and Institutions of Victorian Britain, Essays in Honour of George Kitson Clark*, London 1967. This article provides a good analysis of the nationalist movement of the 1850's.

<sup>193</sup> Sir Reginald Coupland in his *Welsh and Scottish Nationalism, A Study*, London 1954, gives too much weight to Aytoun, describing him as the moving spirit of the 1853 movement. On this romantic, High Tory, latter-day Jacobite side the Grants were the catalysts.

Tories brought the romance to the movement, the radicals were those 'outs', among them Liberals, who found themselves outside the mainstream of Scottish political life. In Edinburgh the McLaren Liberals were, in 1853, 'outs' having suffered defeat at the 1852 election. For them the Scottish Rights movement was an opportunity to attack the anglicising and politically dominant Whigs. They represented opinions opposite to those put forward by Sir Henry Moncreiff. *The Edinburgh News*, a McLaren supporter at this point, saw the party politics of the Edinburgh meeting as follows:

The meeting was remarkable from another cause - viz., the all but entire absence of Whigs and Whig politicians. These drags upon self-government were indeed not missed, but it is worth the people's knowing that the only enemies which this movement for the destruction of centralisation and the upholding of Scotland's self-government in Scotland and by Scotchmen are those Whigs and Whiglings, who either now possess or expect soon to acquire a living from our country's deeper degradation.<sup>194</sup>

Their line was that supporting the Association's call for decentralisation would reduce the number of 'berths' which were supposedly the source of Whig power. The radical Liberal *Edinburgh News* in pursuing this argument found common cause with the Tories in attacking Whig dominance. After assuring itself that Lord Eglinton had indeed accepted that Protection was a dead letter, it went on to assert that:

'Scotchmen know that the so-called Tory, Duncan McNeill, saved Scotland from some of those centralised inflictions prepared for it by the Whig Lord Advocate, Rutherford. In all districts, and on all subjects, the people have learned this striking fact that the country has become burdened by centralisation, and themselves defrauded of self-government through the legislation of Whig-liberalism falsely so-called; and if Whiggism be antagonistic and opposed to local self-government, as fifteen years sad experience proves, whatever is opposed to Whiggism on this question is what the people want, and that they will strive to obtain whatever be the political nickname of its holders. If the Tories are opposed to this centralisation, then are the people in that sense and to that extent Tories; ...'<sup>195</sup>

It was certainly radical to claim in any sense that all Scotsmen were simply Tories! If, however, Toryism was defined as the only anti-centralising, anti-anglicising group in the country, some of the shock effect wears off. Just as Churchmen, Free Churchmen and Voluntaries each tended to define Scottish educational needs in terms of their own

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<sup>194</sup> *The Edinburgh News*, 5.11.1853

<sup>195</sup> *Ibid.*, 17.12.1853

particular view of history, so anti-centralisation was defined according to each group's viewpoint as to what constituted the Scottish national, and by extension their own, interest. For McLaren personally, as well as for his supporters there was the additional motivation of opposing the supremacy of the Lord Advocate in Scottish administration and therefore of the lawyer, Parliament House class that was the backbone of east of Scotland Whiggery. In defending McLaren, his biographer makes clear that, if not on personal grounds, then certainly on public ones this was an important consideration:

'Still less ground was there for the charge, not unfrequently made in the excitement and heat of local political contests, that antagonism to Mr. Moncreiff inspired his efforts to terminate the reign of the Lord Advocate as 'King of Scotland', ... He objected to the political supremacy of the Lord Advocates solely on public grounds. ... he objected to the limitation of the selection for state service to one profession, and held that political prizes in the form of Ministerial position and influence should be open to the best men of all classes and professions.'<sup>196</sup>

Another group of 'outs' were to be found in the Free Church. As Hanham argues, generally mainstream Free Churchmen, like Sir Henry Moncreiff:

'... far from suffering from a sense of inferiority, felt that they were on top of the world, with God firmly behind them; ready to rule the Empire in partnership with the English and to carry Christianity to the far corners of the earth.'<sup>197</sup>

The Free Church contained, however, many who, unlike Sir Henry, felt themselves to be among the 'outs'. A good example, and this provides a link to the McLaren 'outs', was Francis Brown Douglas, who at the Edinburgh by-election of 1856 used the Scottish Rights issue as part of his platform<sup>198</sup>. An exposition of the opinions of these Free Church 'outs' is given by an article in the *North British Review* in 1854 which reveals the resentment still left over from the Ten Years' Conflict. After acknowledging Scotland's immense gains from the Union it then goes on to argue that if Scotland had retained some internal autonomy, then the Disruption would not have happened. This, however, in turn is qualified in that the blame is specifically pinned on one party:

'But, certainly, from the point of view of practical statesmanship, which regards the heavings of majorities and the omens of the present, the sufferance of the Disruption

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<sup>196</sup> J.B. Mackie, *The Life and Work of Duncan McLaren*, Edinburgh 1888, vol. 2, p. 122

<sup>197</sup> Hanham, *op. cit.*, p. 149

<sup>198</sup> *The Scotsman*, 5.2.1856

was a great political blunder. It is, and will remain, a lasting opprobrium to the Conservative Ministry of Sir Robert Peel.'

The blame is then carried over to a section of the National Association for the Vindication of Scottish Rights. Having pointed out that the Disruption was mentioned as a very secondary event in the Association's list of grievances, the author went on:

'Some of the leading members of that Association as, for example, Lord Eglinton, Sir Archibald Alison, and Professor Aytoun, are Scottish Episcopalians, whose sympathies were all against the Non-Intrusion party in the ten years struggle, and whose Scotticism is a Scotticism bereft of its Presbyterian fibre.'

This is then excused on the grounds that the Association needs such members if it is to be truly national and that, anyway, a counter-weight exists in other sections of its membership:

'Such names as those of Hugh Miller, Mr. Cowan, and the Lord Provost of Edinburgh, on the other side, are an efficient counter-poise.'<sup>199</sup>

The author concludes by generally supporting the Association and its objects as truly national and unsectarian. A confused view, but nevertheless one which reflects the Free Church's image of itself as struggling against the Establishment and yet wanting at the same time to supplant it. The Union had brought great advantages, but it now needs to be purified. For 'Union' one could almost read 'Establishment'. It is significant that the author adds a further item to the grievances listed in the Association's "Statement of Scottish Grievances", viz., incongruous legislation for Scotland based on Anglican principles. A legacy of feelings still in the back of Free Church minds since the Disruption? Anglicanism and Erastianism were often one and the same to Non-intrusionists.

That wing of the Free Church, represented by James Begg and Hugh Miller was far less ambivalent about the movement. The latter was a member of the Association's Committee and *The Witness* greeted the National Association enthusiastically as a solution to the political problems of the early 1850's:

'The time had become particularly favourable for the formation of what the country had not seen for many years, - a great Scottish party. The old political factions had become mere skeletons, none of which singly could undertake the government of the

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<sup>199</sup> 'The Union with England and Scottish Nationality', attributed to David Masson, *The North British Review*, vol. XXI, 1854, p. 93

country. The great bulk of the people had become in Scotland, as elsewhere, properly of no party. Toryism was no longer a force potent enough to be feared, - Whiggism no longer a leading power in the van of improvement, worthy of being followed. The last great popular triumph - the abolition of the corn laws - had been earned at the expense of the governing powers, by a combination that had betaken itself, - its real work done, - to the amusement of holding peace meetings. Scotchmen were left, in the pause that ensued, to remember they had a country, and, in the main, a scurvily used one.<sup>200</sup>

Similar to the McLaren critique of the political situation, except in the implied criticism of 'peace meetings'<sup>201</sup>, it is clear that this strand of Free Church thinking also saw itself as outside the mainstream and in need of alternative political representation. This sort of 'out' critique can be taken as evidence of a groping towards a new political framework. With the old groupings of Tory and Whig seen as played out, new, more radical groupings were emerging and calling for better representation of the political will of the more complex and increasingly specialised society that was 1850s Scotland. It is worth calling to mind the social and economic backdrop against which these political developments were taking place, with the iron, steel and transport revolution well under way, the new predominance of urban areas and the end of the old Highlands and the migration consequent on the famine of 1846-1850. The cultural framework of the early nineteenth century which had been the mainstay of Whiggery was, in other words, being superseded.

The Scottish opposition to the National Association was defined as those in control politically:

'... what benefits a nation often injures a clique; and hence much hostility on the part of cliques and pro-patronage men, to what is most advantageous for the community at large.'

Begg's involvement in the education issue and his championing of the 40-shilling freehold movement were two examples of his positions on ecclesiastical and political questions which fitted into a voluntary, radical and evangelical philosophy. On both of them he was an 'out', to Candlish and the Free Church majority on Education, and to the Liberal political establishment, as will be seen, on a freehold qualification. Support for the Scottish Rights movement was a logical extension of his beliefs:

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<sup>200</sup> *The Witness*, 5.11.1853

<sup>201</sup> McLaren's involvement in the peace movement is discussed below.

'Our ecclesiastical divisions in Scotland, the parents of so many evils, have been mainly caused by a deliberate violation of the Treaty of Union on the part of England.'<sup>202</sup>

To draw out the spectrum of Free Church opinion even more it is worth mentioning Patrick Dove, Hugh Miller's assistant, whose speech caught the attention of the Association's follow-up meeting held in Glasgow. His radical views on Scottish parliamentary representation, for instance, were seen by the *Edinburgh News* as complementary to McLaren's, but 'the Dove school' drew a predictable response from Henry Moncreiff:

'Its disciples imagine themselves the Cromwells of the age, but there never was a greater mistake. They worship only the physical aspect of the Cromwellian age and overlook its great moral lessons and examples. No man had a greater contempt for mere externals than the illustrious Protector. His memorable words still strike terror in Flunkeydom - "Take away that bauble!"'<sup>203</sup>

The contempt here for 'heraldic politicians', Dove was seen as sharing the Tory 'romantics' concern with symbols, is obvious. Even more than this, however, the dismissal of Dove's brand of radicalism brings the 'ins' and 'outs' nature of the Scottish Rights movement to crackling life. Moncreiff's views were shared at the highest level. Here is the Prime Minister, Lord Aberdeen, to Lord Panmure, a Free Churchman of the same stamp:

'I agree with you in thinking that ridicule is the best weapon to employ against a demonstration of this kind. It cannot be denied, however, that there are two or three trifling matters which by great exertion may be swelled to the magnitude of Scotch grievances, but these may be easily redressed and indeed ought to be.'<sup>204</sup>

Across the spectrum there was support for the Union and for the dignity of Scotland as a nation. The claim of Scotland to more representation based on population and contribution to revenue was to be increasingly heard on many hustings at succeeding elections, indeed it became Liberal orthodoxy by the late 1850s. The point of conflict was however between the 'ins', whose customary control was, to their indignation and bewilderment, under attack, and the 'outs' who, from a variety of motives, saw

<sup>202</sup> James Begg, *A Violation of the Treaty of Union. The Main Origin of our Ecclesiastical Divisions and other Evils.*, Edinburgh 1871, p. 4

<sup>203</sup> Sir Henry Moncreiff, *op. cit.*, p. 23

<sup>204</sup> Lord Aberdeen to Lord Panmure, 20.10.1853, Aberdeen MSS., Add MS. 43251, f. 210

political opportunity in calling for the updating of the Union and attacking those at the centre.

The significance of this agitation for Scottish Liberalism was that it was one of the ways - an important one, too, for the nerve it touched - in which 'outs' like McLaren, Begg and Dove could carry on the challenge to Whig, moderate Liberal dominance.

There were other movements, with at heart similar analyses of what 1850s Scottish society needed and which, therefore, formed part of the same modernising stream. They appealed, however, more than the Scottish Rights movement to other sections of the Scottish Liberal party.

For mainstream Liberals interested in further reform there was, for instance, the alternative means to modernisation of pressing for more assimilation to English norms in commercial and legal matters. This can be seen as on a par with the Scottish Rights movement's call for a more effective Union and for more Scottish representation at Westminster. The latter demand meant, after all, more assimilation in the shared forum of party and policy-making which was Parliament.

The Glasgow Law Amendment Society was the foremost proponent of this<sup>205</sup>. It was widely representative of the Glasgow business community, including among its ranks men such as the Whig Walter Buchanan, the Voluntary Lord Provost Sir James Anderson, the industrialists W.P. Paton and Charles Tennant and representatives from the major banks<sup>206</sup>. It thus commanded a spectrum of support among the business community in its demands that the differences between Scottish and English commercial law be tidied up to facilitate business within Scotland and between the two countries, especially in the areas of sheriff court procedures<sup>207</sup>, the law of tenures and leases, bankruptcy and contracts. One commentator put these requirements into their

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<sup>205</sup> A discussion of this movement in terms of its general political significance is provided by I.G.C. Hutchison in his *A Political History of Scotland, 1832 - 1924*, pp. 93-95. Dr. Hutchison's analysis depicts the law reform movement as offering a more integrationist analysis opposed to that of the Scottish Rights movement. It is argued here that these movements, and the National Education Association, were, rather, part of the same manifestation of the demand for further reform and modernisation as was being put forward by the home rulers.

<sup>206</sup> See reports of the initial meetings of those interested in the *Glasgow Herald*, 11.8.1851, 15.8.1851 and 22.9.1851.

<sup>207</sup> See the long series of weekly articles presenting the case for sheriff court reform in detail in the *North British Daily Mail*, 17.10.1851 to 30.1.1852. A sense of the spirit of these can be gained from the final article which commented:

"If the County Courts must be condemned [by the English] because they cannot recover debts at a less cost than 22.5 per cent what shall be said of our Sheriff courts which cannot even very clumsily accomplish the same piece of business for less than 400 or 500 per cent of costs!"



broader mid-nineteenth century context, especially bearing in mind the coming of the railway and telegraphic communication:

'This [assimilation] is necessary not only to remove various impediments to inland commerce, and certain inconveniences to social intercourse, but as a fit accompaniment to that perpetual process of assimilation, both in language and manners, that is fast binding the people of both countries into one great nation.'<sup>208</sup>

Also fitting into this scene of agitation for modernisation and significant also for Scottish Liberals, certainly judging by the level of participation and membership, was the National Education Association. Its 1850 meeting in Edinburgh saw Adam Black, James Begg and Charles Cowan on the platform and received letters of apology from Lord Dunfermline, William Fergus, William Ewart, Joseph Hume, Alexander Hastie and Archibald Hastie. At the similar meeting held in the same place four years later the spectrum of those involved had spread (for the reasons discussed earlier) to include Sir William Gibson-Craig, Lord Panmure and Murray Dunlop<sup>209</sup>. Leaving ecclesiastical considerations aside, there is no doubt that this organisation was one for the 'ins'. The *Edinburgh News* reported on the meeting held on 27th April 1854 that:

'In short this body has degenerated down into the usual dozen or two of Edinburgh citizens who represent the Whig Government party; and those men assembled themselves on Thursday evening, as a matter of course to pray for the passing of the Government bill.'<sup>210</sup>

It is important therefore to keep the Scottish Rights movement, as far as the development of the Scottish Liberal party in the mid-1850s is concerned, in a broader perspective. It was only one of a number of agitations which surfaced at this time which all had the modernisation of Scottish society as their guiding theme. The difference between them lay in their 'personnel'. Its importance for the party at this point lay in the 'outs' who were involved and their critique of the political establishment. Beyond this it has been argued that the movement was, in any case, in the spotlight for only a short while<sup>211</sup>. It was quickly overshadowed by a surge of British nationalism that accompanied the Crimean War and by calls for reform of the structure of administration and government that encompassed more than purely Scottish

<sup>208</sup> A Scotch Lawyer, *The Amendment of the Law*, Edinburgh and Glasgow 1853, p. 92

<sup>209</sup> See *The Scotsman*, 10.4.1850 and 21.1.1854 and *The National Education Association of Scotland*, pamphlet containing a report of the public meeting of the 9th of April 1850

<sup>210</sup> *Edinburgh News*, 29.4.1854

<sup>211</sup> Sir R. Coupland, *Welsh and Scottish Nationalism...*, *op. cit.*, p. 289

grievances. Nevertheless, it cannot be dismissed as a passing fad. Its list of grievances, especially the point about Scotland's right to more Westminster representation, remained and became part of the canon of mainstream Liberal opinion by the late 1850s. It is worth briefly mentioning here also, for this among other reasons, that even those Whigs and moderate Liberals involved in the contemporary agitations mentioned were of a newer, more entrepreneurial kind than their pre-1847 predecessors. These were the men who were to adopt some of the planks in the anti-Whig Scottish Rights movement's platform. They were given their political chance by the wartime climate of the mid-1850s and by the elections which followed.

## CHAPTER 3

### Part III : The Crimean War, the Peace Movement, the Scottish Peelites and the Palmerston Premiership

Discussing atmosphere and mood is a nebulous, impressionistic business. One is often left referring to the tone of correspondence and newspaper comment, rather than concrete statements of opinion. There was, nevertheless, by 1856 a palpable change of mood in Scottish politics which had a great influence on the following elections of 1857 and 1859. The Education issue, discussed above, played its part, but equally important was the influence of the war fought in the Crimea, the change of ministry and the calls for structural reform which resulted from it, and, above all, the premiership of Lord Palmerston. By way of introduction to the next chapter, it is worth trying to fit these factors into the Scottish political scene in more detail.

The Crimean War led in terms of Scottish Liberal politics to several important developments.

Firstly it weakened the McLaren Voluntary wing because of its involvement in the peace movement. The mocking references made to the move of those active in the Anti-Corn Law League into holding peace meetings<sup>212</sup>, applied particularly to Duncan McLaren. As John Bright's brother-in-law, it was he who received the Peace Society's request to stage a repeat of the Anti-Corn Law Conference, this time against the drift into war with Russia. With the co-operation of the U.P. Church a conference was held in Edinburgh in October 1853<sup>213</sup>, two hundred thousand pamphlets having been distributed by way of advertisement and preparation. But these pre-war efforts seem to have been ineffective. Writing as the Edinburgh Chairman of the Patriotic Fund to Lord Aberdeen in January 1855, McLaren commented as regards the opinions of those he had canvassed about the war:

'My belief is that an immense majority of them approved of it heartily when commenced, and gave your Lordship full credit for not rushing heedlessly into it, but I think there is now a great change going on in men's minds, from the disastrous state of matters in the Crimea, and that very many of those who most heartily supported the war, would be glad to have it honourably terminated. My conviction is strong that the number of such persons is daily increasing; and if spared for another

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<sup>212</sup> *The Scotsman* and *The Witness*, 5.11.53

<sup>213</sup> J.B. Mackie, *The Life and Work of Duncan McLaren*, *op. cit.*, vol. 2, pp. 9-20

year, I expect to find the intense war spirit manifested only by a minority of the people.'<sup>214</sup>

Although there had been an intense war spirit (as indeed there still was to some extent) a change was nevertheless taking place in men's minds. The person who would get the credit for bringing the war to an honourable close, however, would be Palmerston, not the Peace party.

Other results of the Crimean War in Scotland stemmed from the collapse of the Aberdeen ministry, an unfortunate victim of long standing administrative inefficiencies and inflamed public opinion resulting from the first on-the-spot war reporting. These plus the departure of some of the leading Peelites from the newly formed Palmerston ministry (over its refusal to block the committee of inquiry into the conduct of the war in early 1855 and the subsequent antipathy between these men and Palmerston) led to their becoming increasingly unpopular<sup>215</sup>.

These events led to those still identifying themselves with the Peelites in Scotland to take one of three ways forward. They either joined Palmerston, took up positions as independent Liberal-Conservatives, often supporting Palmerston by the later 50s, or they began moving back towards rejoining Derby and the Conservative party proper.

The Duke of Argyll was one of those who chose the first of these courses of action. He remained in the Cabinet in 1855 and explained his position to his old leader, Lord Aberdeen, two years later in the following terms:

'About the Peelites. I very much agree with you - except on one point. I am glad of any result that may tend - even at some temporary sacrifice, to break up what, if not a Political "Party" had at least the aspect of being such - and yet was not in a position to take a really useful and effective part in the direction of political affairs.- But I disagree with what you say as to that Party not having had "any real existence". It is true that there were no very definite opinions on principles separating them from the rest of the Liberal Party: and you intended that the separation should cease on the formation of your Government. It is also true, of course, as you say, that any other three members of the Cabinet might have objected to Roebuck's Committee and

<sup>214</sup> Duncan McLaren to Lord Aberdeen, 5.1.1855, Aberdeen MSS, Add. MS. 43254, ff. 336-339

<sup>215</sup> A discussion of these events can best be found in J. B. Conacher's *The Aberdeen Coalition, 1852-1855*, Cambridge 1968. His conclusion, pp. 549 to 553, is particularly thought-provoking. W.E. Gladstone, Sir James Graham and S. Herbert left the Cabinet in February 1855.

For comments on the effect of the first Palmerston ministry on the Peelites see J. Parry, *The Rise and Fall of Liberal Government in Victorian Britain*, New Haven 1993, pp. 176-177 and See E.D. Steele, *Palmerston and Liberalism, 1855-1865*, Cambridge 1991, pp. 109-117.

might have retired from Palmerston's Government on that committee being assented to - But how came it that no other three did take that course except the three who were called "Peelites"?

... It is quite obvious that they held together from that influence of old personal association, which is very often the strongest element in all Party combinations.<sup>216</sup>

Apart from the interesting reflections on the nature of 'party', which confirm what was argued in the Introduction, and the interpretations of Aberdeen's own motives, it is clear that for Argyll, joining the Liberals was a question of taking a more effective part in public affairs which continuing as a Peelite would hinder. In this he was eventually joined by J.S. Wortley, member for Buteshire, who accepted the post of Solicitor-General in November 1856<sup>217</sup>. The strength of Wortley's conversion may be doubted. By late 1856 Palmerston's popularity in the wake of what was seen as a victory and honourable peace in the Crimea was assured and Wortley did not hesitate to stand as a Conservative in the West Riding of Yorkshire in 1859<sup>218</sup>. Nevertheless Argyll's decision in 1855 and Wortley's later show that some Peelites, either from conviction, in Argyll's case, or expediency in the face of Palmerstonian ascendancy, in Wortley's, joined the Liberals.

In explaining the position of those who chose to rejoin the Derbyites or to become independent Conservatives sympathetic to Palmerston, it is a good starting point to say that the Liberal attitude towards the Peelites in Scotland, both in 1855/56 and previously, probably had something to do with this.

Difficult relations in Scotland between the Whigs especially and the Peelites went back to the formation of the Aberdeen ministry in late 1852 and early 1853. Finding someone for the office of Solicitor-General for Scotland was the point of conflict. The last Solicitor in the Russell ministry, George Deas, was a candidate and was pushed for hard by the Whigs led by Moncreiff. Their anger at Aberdeen's non-compliance with their wishes reveals their belief that there were no true Peelites in Scotland worth appointing:

'No one has heard a word about our Solicitorship and rumours are rife that the greatest efforts are making to substitute Moir for Deas. If Moir, or Robertson, or any of the others one hears of, were Peelites, we should lift no voice against them, but follow cheerfully the example set us in the highest quarters. but I need not tell you that none of them are Peelites, or have a spark of liberal principle among them. They

<sup>216</sup> Argyll to Aberdeen, 22.4.1857, Aberdeen MSS., Add MS., 43199, ff. 82-87

<sup>217</sup> See Palmerston to J.S. Wortley, 23.11.1856, Wharncliffe MSS., MS. WhM 602

<sup>218</sup> See Steele, *Palmerston and Liberalism*, *op. cit.*, p. 110

are all rank Tories of the old school, supporters of Lord Derby's Government, and men with whom we have been politically at deadly feud up to the moment when, some fortnight ago, that Government fell. To talk of fusion with such men is a farce; and if our friends, from want of proper information, are induced to promote them as Peelites, or Liberal Conservatives, it will not only disgust the Liberal men in the Parliament House, who have fought our battle, but it will raise a suspicion in this end of the island as to whether we have really a Liberal Government in the present administration.<sup>219</sup>

Moncreiff was blunter:

'Deas is out of sight the best man if they were all Peelites, instead of Derbyites to a man as they are.'<sup>220</sup>

and stated his belief that Lord Justice Clerk Hope, Aberdeen's confidante and an opponent to the Free Church, was at the bottom of the problem<sup>221</sup>. Lord Panmure warned of similar problems ahead:

'This is the first consequence of having no one who knows the liberal policy of Scotland at hand to advise ...

Don't however suppose that you are to escape the evils of a coalition. - You must make up your mind for some disagreeable bedfellows.'<sup>222</sup>

It is true that the argument that there were no Peelites in Scotland applied only to the Parliament House. Moncreiff, moreover did not long hold to his initial opinions. Writing of his discussion with Aberdeen about the appointment of Robert Handyside he admitted that:

'The whole matter arose from nothing but want of information and perhaps our own suspicions have partly led to the result.'<sup>223</sup>

Frank Charteris put his finger on the longer term problem in his comment on Charles Baillie's appointment as a sheriff and the Whig opposition to it voiced in *The Scotsman*:

<sup>219</sup> John G. Brodie to William Gibson-Craig, 30.12.52, Gibson-Craig MSS., Box 2/I/48

<sup>220</sup> James Moncreiff to Edward Ellice (the Younger?), 30.12.52, Ellice MSS., MS. 15039, ff. 31-32

<sup>221</sup> James Moncreiff to William Gibson-Craig, 9.1.53, Gibson-Craig MSS, Box 2/J/03

<sup>222</sup> Lord Panmure to William Gibson-Craig, 9.1.53, *ibid*, Box 2/J/04

<sup>223</sup> James Moncreiff to William Gibson-Craig, 10.1.53, *ibid*., Box 2/J/05

'I was sorry to see that article in the Scotsman about C. Baillie's appointment. - More such articles will cause bad blood and upset the coach. It is nonsense to say that there are no lib:Cons lawyers in Edinbro' and that all who were no bona fide Whigs went over "body and soul" (such is the expression) to Lord Derby! ... The Scotsman should remember that it is a coalition Government - but he appears to think that in Edinbr. at least the "heads, I win, tails, you lose!" system ought to prevail. .<sup>224</sup>

The Whigs so long used to dominance in Scottish politics were not ready to enter into the compromises demanded by coalition with erstwhile opponents at local level. Nor always were their more radical Liberal colleagues, as the case of Ayrshire, discussed in Chapter 7, shows. An important reason for Sir James Fergusson's and the Derbyites' victory over the Peelites and Alexander Oswald in the Ayrshire by-election of December 1854 was the split in the Ayrshire Liberal party caused by having to support Oswald and not one of their own. Supporting the prominent Peelite Edward Cardwell in 1852 had been one thing, having to support the local man Oswald was quite another and drove the radicals in the county, as the leader of the group, Rigby Wason, explained, to the most extreme of measures:

'We believe it to be our duty to do everything in our power to prevent the Reformers of this County being subjected to the political degradation of being represented by Mr. Oswald, and therefore we will vote for Sir James Fergusson.'<sup>225</sup>

All this must have rankled with the Peelites, especially as they were under pressure from the Derbyite Conservatives.

The example of the Dumfriesshire by-election of January 1853 will serve to show the nature of the Peelites' position outside the Parliament House. The by-election was caused by the appointment of Lord Drumlanrig as Comptroller of the Household. His address placed him firmly in the Peel tradition and explicitly stated that he was not a Derbyite.

<sup>224</sup> Francis Charteris to William Gibson-Craig, 27.1.1853, Gibson-Craig MSS, Box 2/J/07. Charteris went on to ask Gibson-Craig to use his influence with *The Scotsman*:

'If you can keep things quiet in Edin. and make the Scotsman more liberal and tolerant you will do much good.'

<sup>225</sup> Printed and published letter from R. Wason to Mr. Goudie, 18.12.1854, Glasgow MSS., MS. SWB4/185

I at least, for one, will never insult the great Conservative cause of my country by subscribing to the dogma, that because I am a Conservative, politically speaking, of necessity also I must be a Derbyite.<sup>226</sup>

It is interesting to note that Drumlanrig saw himself as a Conservative, much in the same way as Free Churchmen saw themselves as the true upholders of the Establishment.

Opposition to Drumlanrig appeared in the form of Sir William Jardine, a former supporter. Jardine claimed not to be opposing the Aberdeen ministry and he accepted Free Trade. The reasons for his standing came out clearly in his second address in which he stated that he was acting from a sense of duty to those who had helped return Drumlanrig in 1847 and who now felt betrayed by the fact that their M.P. had helped turn out Derby's Government a few weeks earlier<sup>227</sup>. The reasons for Jardine's withdrawal before the nomination lay in the fact that at this point in Dumfriesshire, as in other counties [Ayrshire (again see Chapter 7) is a notable example], the Aberdeen ministry provided a rallying point for the Peelites and independent Conservatives, particularly those like the Duke of Buccleuch, who were decisive opinion formers because of their territorial position:

'All this mystery [surrounding the motivation for Jardine's candidature] arises simply from Sir William Jardine and his brother Derbyites of Dumfriesshire, having found that, besides their want of the popular voice, they had not the sympathy of the chief territorial magnates - the Duke of Buccleuch and Mr. Hope Johnstone having, we are glad to say, intimated their approval of and confidence in the New Liberal Ministry.'<sup>228</sup>

As mentioned, the Aberdeen ministry fell in January 1855 and some of the leading Peelites increasingly came under a cloud for not having supported Palmerston. There was a suspicion of a lack of patriotism on their part, reinforced by, for example, their opposition to a loan guarantee for the Turks in the summer of 1855 and later by their opposition to Palmerston in the China vote of March 1857:

'The opinion of Liberals in Scotland seems to have been that while the Peelites might have done their duty to their consciences, Lord Palmerston and those who remained with him had done their duty to the country.'<sup>229</sup>

<sup>226</sup> *Dumfries and Galloway Courier*, 4.1.1853

<sup>227</sup> *Ibid.*, 11.1.1853

<sup>228</sup> *Ibid.*, 18.1.1853. Quotation from *The Scotsman*.

<sup>229</sup> G.W.T. Omond, *The Lord Advocates of Scotland, Second Series, 1834-1880*, London 1914, p. 188. As mentioned W.E. Gladstone, Sir James Graham and S.



This rallying point therefore no longer existed. Taking M.P.s as the most accessible representative group<sup>230</sup>, a detailed analysis of their fate will serve to indicate which Peelites and independent Conservatives thereafter either rejoined the Derbyite Conservatives or remained independent and sympathetic to Palmerston. As a reminder, this analysis starts with the results of the 1847 election. 10 of the 11 county 'Peelites' (i.e. followers of Peel and Free Trade Conservatives) identified by *The Scotsman* in its analysis of the results of the 1847 election can be accepted as such<sup>231</sup>. It can be seen from the maps in Appendix 2 that by the end of 1852 this number had fallen to 5. These were Lord Drumlanrig (Dumfriesshire); Francis Charteris (Haddingtonshire); A. E. Lockhart (Selkirkshire); Col. Mure (Renfrewshire); and J. S. Wortley (Bute). This had come about partly because certain M.P.s had been replaced. The elevation of Duncan McNeill to the bench in 1851 resulted in Sir Archibald Campbell, a Derbyite, replacing him in Argyllshire. Inheritance and therefore a change in the territorial balance in the county appear to have played a part in this result<sup>232</sup>. At the 1852 general election J. Hunter Blair had replaced Alexander Oswald without a contest in Ayrshire and William Stirling similarly was sitting for Perthshire in place of Henry Home Drummond. Both new M.P.s were Derbyites. Partly the number had fallen because two Free Trade Conservatives had returned to the Derbyite fold. This can be gleaned from the position they took up in the 1852 election and, for instance, from their votes on the Disraeli budget in December 1852<sup>233</sup>. These M.P.s, who had, even before the experience of the

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Herbert left the Cabinet in February 1855. Edward Cardwell then refused to replace Gladstone as Chancellor of the Exchequer. See E.D. Steele, *Palmerston and Liberalism, 1855-1865*, Cambridge 1991, pp. 83. All four voted against the Government on the China motion in March 1857. See *Hansard*, *op. cit.*, vol. 144, 3.3.1857, cols. 1846-1850. On the loan guarantee question see Olive Anderson, *A Liberal State at War*, London 1967, pp. 224-226. Dr. Anderson makes the point that with peace negotiations broken off at this time, July 1855, the country was in no mood for sophisticated objections to such a guarantee for the Turks. She makes the point that this episode marked the nadir of the Peelites' reputation.

<sup>230</sup> Accessible in terms of the evidence available. The evidence relating to groups in individual constituencies or to peers is much more patchy.

<sup>231</sup> *The Scotsman*, 28.8.1847. 12 were actually classified as Peelites in this analysis. Admiral Gordon, classed here as a Peelite, cannot, given his voting record in 1846 and, for example, the comments of the *Aberdeen Herald*, 7.8.1847, be accepted as such. Lord Lincoln sat for Falkirk Burghs and is not included in this discussion. See Chapter 6 in connection with this. The remaining 10 were D. McNeill (Argyllshire); A. Oswald (Ayrshire); J.S. Wortley (Buteshire); A. Smollett (Dumbartonshire); Lord Drumlanrig (Dumfriesshire); F. Charteris (Haddingtonshire); H. J. Baillie (Invernessshire); H. H. Drummond (Perthshire); Col. W. Mure (Renfrewshire); A. E. Lockhart (Selkirkshire)

<sup>232</sup> See the obituaries of Sir A.I. Campbell, *The Times* and *The Scotsman* 15.9.1866. The by-election was held in June 1851.

Aberdeen years, returned to the Conservatives, were Alexander Smollett (Dumbartonshire) and Henry J. Baillie (Inverness-shire).

During the life of the Aberdeen ministry, these four Peelites were arguably strengthened by the addition of the Earl of Dalkeith, elected for Mid-Lothian in June 1853 on the death of the Derbyite Sir John Hope and Lord Haddo elected in place of Admiral Gordon for Aberdeenshire in August 1854.

Lord Haddo is the shakier to classify of the two. As the 5th Earl of Aberdeen from 1860 he exercised his influence as a Conservative and his voting pattern in the late 1850's points to sympathy with the Derbyites, on their Reform proposals for instance. Correspondence makes clear also that he was elected with the tolerance rather than with the enthusiastic support of his father, the Prime Minister<sup>234</sup>. It may be that his more marked Conservatism was more acceptable to Aberdeenshire farmers than that of his younger brother, the other possible candidate, though there is evidence that even he was not sufficiently staunch for some of them. The *Aberdeen Journal* referred to a group of gentlemen who would have liked a candidate more in tune with their party traditions and went on:

'... we presume these gentlemen are well aware that there is no definite principle, and no tangible question, on which they could call upon intelligent men to oppose a candidate of the liberal-conservative school of Lord Aberdeen.'<sup>235</sup>

Based on this and the fact that he would have been unlikely to oppose his father's ministry<sup>236</sup>, it is possible at this point to classify him as a 'Peelite' in the extended sense adopted for this analysis.

The Earl of Dalkeith for example voted against the Roebuck motion for an enquiry into the conduct of the war, and therefore supported the Aberdeen ministry at one of its

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<sup>233</sup> *Hansard, op. cit.*, vol. 123, 16.12.1852, cols. 1693-1697. As discussed earlier in this chapter, the perception that Protectionism was a dead letter by 1852 certainly helped in such cases.

<sup>234</sup> Lord Aberdeen to Mr. Chalmers (Aberdeenshire agent?), 4.6.1854, Haddo House MSS., Box 1/33. Lord Aberdeen explains that he would have preferred to see his youngest son as member but that

'I am assured, however, that this could not be done without the certainty of a very decided opposition and a strong contest of doubtful issue. I am at the same time informed that my eldest son would meet with no opposition. Under these circumstances, I have no choice but to acquiesce; as I neither wish to incur the expense, or ill-will of a contest.'

<sup>235</sup> *Aberdeen Journal*, 23.8.1854.

<sup>236</sup> Lord Haddo's proposer at the nomination, which he himself could not attend, Sir J. D. Elphinstone, expressed Haddo's support for the Government in the prosecution of the war. *The Scotsman*, 26.8.1854

most critical moments, indeed at its end<sup>237</sup>. As the son of the Duke of Buccleuch, it would have been difficult, for the same reasons as in Lord Haddo's case, for him to have opposed the Aberdeen ministry.

In the wake of the 1857 election, if we accept the number of Scottish 'Peelite' M.P.s at the end of 1854 as being 7, the number of M.P.s who cannot be classified, however loosely, as either Conservatives or Liberals, had dropped to 4. These were Lord Elcho, the former Francis Charteris, (Haddingtonshire); J.S. Wortley (Buteshire); A.E. Lockhart (Selkirkshire); and J.J. Hope Johnstone (Dumfries-shire). All can be considered as independent Conservatives, the classic cases of Liberal-Conservatives in Scotland.

Taking those who were no longer part of this list first, Col. Mure had been replaced in Renfrewshire by Sir M.R. Shaw Stewart at a by-election in May 1855. At the nomination he referred to his tendency towards Conservatism and his later record supports counting him amongst the Derbyites, albeit loosely<sup>238</sup>.

Considering next those who were still in Parliament, but whose affiliation changed, or rather in these cases had become more obvious. The Earl of Dalkeith and Lord Haddo can be considered as having become Derbyite supporters, though this classification is coloured by their subsequent records in the 1860's. Their votes against Palmerston on China in 1857 and the Conspiracy to Murder Bill in 1858 and against Lord John Russell's Reform resolutions in 1859, however, suggest this, though they are not conclusive, given the similar voting records of independents like A.E. Lockhart<sup>239</sup>. The position of Lord Haddo has already been considered. In the case of the Earl of Dalkeith it is necessary first to look at the position of his father, the Duke of Buccleuch. His position can be seen to have changed after 1855. The 5th Duke had held office in Peel's ministry and had been offered it again in Aberdeen's as Master of the Horse. He had refused in 1852, saying that he could best support the Government as a non-office holder:

'In office my influence goes no further than those who would otherwise support the Government, out of office I can exercise that influence ... to a far wider extent and a more important character.'<sup>240</sup>

<sup>237</sup> *Hansard, op. cit.*, vol. 136, 29.1.1855, cols. 1230-1233. J. A. Roebuck's motion was the immediate cause of the Aberdeen ministry's fall.

<sup>238</sup> *The Scotsman*, 16.5.1855. See the obituaries of Sir Michael, *Times* and *Scotsman*, 11.12.1903.

<sup>239</sup> For the two latter division see *Hansard, op. cit.*, vol. 148, 19.2.1858, cols. 1843-1848 and vol. 153, 31.3.1859, cols. 1257-1261. Lord Haddo was absent from the division on the Conspiracy to Murder Bill. These divisions will be taken up again in Chapter 4.

<sup>240</sup> Buccleuch to Aberdeen, 31.12.1852, Aberdeen MSS., Add. MS. 43201, ff. 59-62

In May 1853 he wrote to Aberdeen praising the budget and Gladstone's presentation of it<sup>241</sup>. Buccleuch was offered office again, by Derby this time, in 1858. Again he refused, but assured Derby that this was not on personal grounds<sup>242</sup>. Derby consulted Buccleuch on patronage and appointments questions during his ministry of 1858/59 and by early 1859 Buccleuch was promising Derby election information about the south of Scotland in advance of the general election<sup>243</sup>. In connection with the representation of Roxburghshire in 1859, Buccleuch also displayed his changing position by seeking advice from Lord John Scott, a Conservative, who he had apparently once said he would mortgage his last acre to stop sitting for any county he, Buccleuch, was connected with. To Buccleuch's accusation that the gentry in the county were apathetic, Scott bluntly replied:

'As Sir Robert Peel destroyed the Party in [the] House of Commons ... so you broke up your force from the day you joined his Administration. No people could have worked harder or more enthusiastically than they did for you, and would have done so yet, but for that unfortunate step. You might have voted as you thought well, but from the day you joined Peel's Government, your personal influence went into Peel's pocket for the time and now no one knows what are your politics. I'm sure I don't, but then you are not communicative to me ...'<sup>244</sup>

The reasons for this move towards Derby, in addition to there no longer being the pull of personal loyalty to Aberdeen, may, for example have been connected with the education question. Buccleuch had been very active in defending the parochial system, a battle that would have strengthened his natural conservative interests. During the passage of the Parochial Schools Bill in 1856, for instance, he found himself in direct conflict in the Lords with the Duke of Argyll, representing the Government, when he moved for and divided the House successfully on the retention of the test for parish schoolmasters<sup>245</sup>. He was also very conservative on the subject of reform, especially when it came to proposals affecting the small counties which were his power base<sup>246</sup>. Buccleuch's move towards Derby was not in the nature of a conversion. He for instance withdrew his son's, Lord Henry Scott, name from the Dumfries-shire by-

<sup>241</sup> Ibid., 4.5.1853, ff. 81-82

<sup>242</sup> Buccleuch to Derby, 23.2.1858, Derby MSS., MS. 920/DER/14 Box 164/17A

<sup>243</sup> Ibid., Box 164/17B

<sup>244</sup> Lord J. Scott to Buccleuch, 10.4.1959, Buccleuch MSS., MS. GD 224/1031/19/6-8

<sup>245</sup> *Hansard*, *op. cit.*, vol. 143, 14.7.1856, cols. 730 - 732. See also, for example, Buccleuch to Aberdeen, 25.1.1854, Aberdeen MSS., Add. MS. 43201, ff. 124-129. "... I have expressed myself as ready to support and to maintain the present system to the utmost of my power, ..." This was in the context of a Government bill which was expected to affect just this system.

<sup>246</sup> Buccleuch to Derby, 23.2.1858, Derby MSS., MS. 920/DER/14 Box 164/17B

election of early 1857, in favour of the more independent Conservative James Hope Johnstone. Nevertheless it probably allowed the Earl of Dalkeith, described later by Lord Morley as a hard and narrow Tory<sup>247</sup>, to express his conservative instincts more freely.

Further evidence of the Duke's tortuous move towards Derby can be seen in the case of one of the remaining independent Conservatives, A.E. Lockhart. Faced with rumours of changes to Selkirkshire's representation under any Reform proposal, he expressed his wish for Lockhart to remain as the county's M.P.. His reasoning shows at the same time his own conservatism on the issue and his acknowledgement that the best defence of the integrity of the county lay in Lockhart's known independence<sup>248</sup>.

Two of the other three in this group, J.S. Wortley and J.J. Hope Johnstone are quickly dealt with, indeed their position by this time has already been referred to. Wortley held office in Palmerston's Government, but was to resign shortly afterwards and followed an erratic political course thereafter, voting against Russell's Reform resolutions in 1859, for example. J.J. Hope Johnstone was the beneficiary of Buccleuch's lingering Peelism in February 1857, when he replaced Lord Drumlanrig, elevated to the peerage as the Marquis of Queensberry. Lord Henry Scott, Buccleuch's son, had he stood would have had the support of the Derbyite party that started Sir William Jardine against Drumlanrig in 1853<sup>249</sup>.

Finally, the most illustrative of these four remaining Liberal-Conservatives was Lord Elcho, who had held office as Scottish Lord of the Treasury in the Aberdeen government. His election address of 1857 explained that:

'I felt myself reluctantly compelled to separate from them, and I joined in urging the vigorous prosecution of the war.'<sup>250</sup>

Although in agreement with the Peelites over the Roebuck motion, Elcho had parted company with them when they called for peace on what he thought were less than

<sup>247</sup> See obituaries of the 6th Duke of Buccleuch, *Times* and *Scotsman*, 6.11.1914

<sup>248</sup> Buccleuch to Mr. Waller, 5.4.1859, Buccleuch MSS., MS. GD 224/1031/19/3+4

<sup>249</sup> *Dumfries and Galloway Courier*, 10.2.1857

<sup>250</sup> *The Scotsman*, 25.3.1857. The method of classifying M.P.s here is open to the charge of not being sufficiently scientific. Statistical analysis, given the small numbers involved, is not possible. R. G. Watt in his unpublished thesis 'Parties and Politics in Mid-Victorian Britain, 1857 to 1859. A Study in Quantification.', University of Minnesota 1975, carried out a highly statistical analysis of voting cohesion amongst all M.P.s to try to establish affiliation to certain leading political figures and parties. His results, as far as they concern Scottish members, though not covering by name all the individuals mentioned here, show no noticeable divergence. Lord Elcho, however, is an exception. Watt would classify him as a Liberal in 1857. Additionally he classifies both A.E. Lockhart and J.S. Wortley as Conservatives in 1852.

honourable terms in 1855 and after and he offers a good example also of how this group moved explicitly towards support of Palmerston rather than of Derby.

'... I have remarked in the speeches and conduct of my political friends a spirit of hostility to Lord Palmerston's Government with which I am unable to sympathise, and inasmuch as the term Peelite would now appear to designate a follower of Mr. Gladstone and Mr. Disraeli, it is no longer as a Peelite that I ask for your support, although I still am ... both in feeling and action, a Liberal-Conservative.'

The aspect of antipathy towards Disraeli also, interestingly, played a role for these independents. His role, for example, in trying to draw Conservatives together round criticism of Palmerston's Government for failing to make peace in the autumn of 1855 had brought him unpopularity within the Conservative party and Elcho's bracketing of his name with that of Gladstone was merely a reflection of their being found on the same side on many issues at this time<sup>251</sup>. He was tolerated merely as Derby's lieutenant and even this was too much for people like Elcho. William Mure, who had resigned as Renfrewshire's M.P. in 1855, was of a similar mind and explained his refusal to vote for Sir James Fergusson in Ayrshire in 1857 in the following terms:

'I fear I shall not be able to support Fergusson this time, as he has identified himself rather too closely with D'Israeli for my taste.'<sup>252</sup>

As the next chapter makes clear, not just independents, but Conservatives generally in Scotland also gravitated towards Palmerston, helped along by distrust of Disraeli.

Such a detailed analysis of these M.P.s serves to show that by the time of the 1857 election in Scotland the Peelites were no more. Apart from the Conservative and Liberal parties, there was really only a tiny group of independents who were more Liberal-Conservatives than they were conservative Liberals. For the Liberal party in Scotland, the disappearance of the Peelites as a distinct group meant the acquisition of some new members of their community of interest. Very often, however, due to Peelites and Free Trade Conservatives either choosing to stand down or to return to the Conservative fold, the Liberals did not profit. What can be said is that they were to benefit from weaknesses in the Conservative leadership and the attraction Palmerston had for many otherwise natural Conservatives.

<sup>251</sup> See Robert Stewart, *The Foundation of the Conservative Party, 1830-1867*, London 1978, pp. 314-316

<sup>252</sup> Col. Mure to Patrick Boyle, 13.3.1857, Glasgow MSS., MS. SWB1/112

The Palmerston factor is, therefore, essential for an understanding of the Liberal party in Scotland by the 1857 election and leads naturally into the next chapter. This starts with an analysis of the Scottish Liberal party in the 1857 election, virtually a referendum, as elsewhere in the UK, on Palmerston's leadership. One of the basic elements which caused Scotland to be so receptive across party lines to Palmerston was the call for better and more efficient leadership that resulted from the Crimean War.

The poor performance of the British administrative and military structure in the Crimean War led in Scotland, as elsewhere in the UK, to a reaction against what was seen as aristocratic amateurishness and lack of efficiency. At the Montrose Burghs by-election in March 1855, the Whig candidate Sir John Ogilvy, a landowner and member of the local aristocracy, suffered from this. His opponent, the radical Liberal W.E. Baxter, specifically mentioned in his address that a commercial constituency like Montrose Burghs should choose for its representative a commercial man like himself. He went on to stress his local connections as a merchant and linen manufacturer<sup>253</sup>. Both he and his proposer on the day of the nomination stressed the same theme. This issue found an echo as the following comment makes clear:

'In the contest for the Montrose Burghs, it is made an accusation against Sir John Ogilvy that he is 'a country gentleman', and a recommendation of Mr. W.E. Baxter that he is engaged in trade.'

Not surprisingly taking Ogilvy's part, *The Scotsman* went on:

'To take the worse because he deals in flax, and reject the better because he owns land, would be folly and injustice. ...'

It then went on to highlight the fact that the objections to Ogilvy, a veteran of the Anti-Corn Law League, had nothing to do with any suspicions as to his political, i.e. Liberal soundness:

'Sir John Ogilvy has, for many years, been co-operating politically, not with his own class, but with those very 'Dundee merchants' in whose name, falsely taken, he is now condemned. ...

Here then is a man who, during a long political life, has separated himself from the prejudices, the supposed interests, and the prevailing opinions of his class; and now

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<sup>253</sup> *Dundee, Perth and Cupar Advertiser*, 2.3.1855

it is seriously proposed to punish him ... on account of those sins of class against which his whole public life has been a consistent and generous protest!<sup>254</sup>

It is of course difficult to tell exactly how big a part such considerations played in Baxter's victory, but it is likely that Montrose voters especially, furthest from Ogilvy's area of strength round Dundee, would have been swayed by such a line of attack. Baxter was seen as one of the new, more radical middle-class M.P.s who, for instance, after 1859 took up the radical causes advocated by the Scottish Rights people in 1853-54.

The call for men of business and especially commercial men to be entrusted with the running of affairs which played a part in the Montrose Burghs contest was part of a nation-wide movement. The formation of the Administrative Reform Association in London in May 1855 and its short domination of the political scene during the early summer of that year is well known<sup>255</sup>. Its reception judging by the press was mixed in Scotland. The newer papers, the "mushroom growths", were especially in favour, whereas the more established papers took a more critical view<sup>256</sup>, though even this is at best a rough guide. The radical, Edinburgh *Scottish Press*, an example of the newer papers, commented that:

'... we feel compelled to accept a charge as founded on substantial truth, that 'the whole system of Government offices is such as in any private business would lead to inevitable ruin.'<sup>257</sup>

It welcomed the Association as not having come into existence a day too soon. Its point about it being possible to be loyal to the constitution and yet object to a system under which the powers and responsibilities of the chief offices of state were shrouded in mystery fitted in well with its support of McLaren locally and his struggle against the local Whig upholders of this system.

*The Scotsman*, on the other hand, while allowing that there had been poor appointments, showed its contempt for the Association:

'... we see this curious fact, that, while the general strain of the speeches and documents, is a demand for affairs being intrusted to "men of business" many of those who make the demand, and who are not too modest to let it be understood that they themselves are the men meant, are men of no business at all, and almost none

<sup>254</sup> *The Scotsman*, 7.3.1855

<sup>255</sup> See Olive Anderson, *A Liberal State at War*, *op. cit.*, pp. 83+84 and G.R. Searle, *Entrepreneurial Politics in Mid-Victorian Britain*, Oxford 1993, pp. 92-96

<sup>256</sup> R.M.W. Cowan, *The Newspaper in Scotland*, *op. cit.*, p. 332

<sup>257</sup> *Scottish Press*, 25.5.1855



of them men of the kind of business presently in hand. That business is war; and it is an assumption of the agitators ... that war would be better managed by merchants or anybody else than by soldiers and sailors.<sup>258</sup>

It, had, shortly after the founding of the Association picked out one example of the "men of business" being looked to:

'It is but a very few weeks since a very considerable office was pressed upon Mr. Samuel Laing, M.P., who, though no 'merchant prince', declined on the ground that it was a better thing to be manager of a railway.'<sup>259</sup>

Despite the fact that it was really a London-centred affair the Association did give rise to several branches elsewhere, including one started some time later, in the November of 1855, in Glasgow<sup>260</sup>. The inaugural meeting was presided over by the Lord Provost and attended by among others Alexander Hastie M.P., Sir James Anderson, M.P. and James Moir. This was not all of Glasgow's political elite certainly, but very representative of those radical middle-class and working-class forces which were coalescing now in order to shoulder aside the old elite's sole leadership<sup>261</sup>. Nothing more of significance seems to have been heard of the Glasgow Association. As *The Glasgow Herald* had already pointed out at the time of the defeat of A.H. Layard's motion for administrative reform:

'The proposition [of concern at the state of the nation] might have been admissible during the early part of spring, when the accounts which arrived from the Crimea told only of hunger and cold, and despair and death. But what ever this part of the motion might have been four months since, it was untrue at the time it was discussed.'<sup>262</sup>

In late 1855, and especially after the fall of Sebastopol in September, the momentum provided by the War was missing. Really the significance of the Glasgow Association is that it can be counted together with the other movements of the time that, as has been shown, were symptoms of the desire for modernisation in 1850s Scotland. Even at its inaugural meeting there was an indication of the cross-currents involving other such

<sup>258</sup> *The Scotsman*, 16.6.1855

<sup>259</sup> *The Scotsman*, 12.5.1855. Laing was Liberal M.P. for Wick District. See G.R. Searle's assessment of Laing's importance to the ARA in *Entrepreneurial Politics in Mid-Victorian Britain*, *op. cit.*, p. 107.

<sup>260</sup> Olive Anderson makes the point about the London-centred nature of the ARA in her article 'The Administrative Reform Association, 1855-57' in Patricia Hollis (ed.), *Pressure from Without in Early Victorian England*, London 1974, p. 275

<sup>261</sup> *The Glasgow Herald*, 5.11.1855

<sup>262</sup> *Ibid.*, 22.6.1855

movements. Some of those present, radical Liberals and perhaps representatives of the peace movement objected to the motion to set up an association on the grounds that administrative reform should go together with parliamentary reform<sup>263</sup>. In this they were supported by *The North British Daily Mail*:

It is impossible to separate administrative from electoral reform. It is the franchise which defines the ruling body which gives the tone to the administrative system.<sup>264</sup>

For the *Mail* the important issue by this time was not so much the conduct of the war as the opening up of the public service and, by implication, the governing class to merit:

There are two ways in which an electoral reform might probably purify and elevate the Administration. It would increase the field of selection for public office, and it would place our representatives and rulers more under the influence of public opinions, and less under that of families and individuals.'

If this was an indication of an important political issue for the Liberal party in the late 1850s, it was in this sense ironic that the eventual beneficiary of the ARA's slogan 'The Right Man in the Right Place', in Scotland as elsewhere, was Palmerston, who was certainly not in agreement with such a programme of electoral reform.

Already in May 1855, when Palmerston's position was far from secure, *The Scotsman* was referring to one of the major sources of strength in his position:

The present Ministry may be said to be in office because nobody else would take the work - after Government after Government had been condemned by popular outcry, and after all other parties and sections of parties, in fact every man known to public life, had either tried and failed or had refused to try. The Whigs were declared effete; the Derbyites were rightly set aside as at once dangerous and incompetent; then we had a Peelite and Whig Coalition, which was broken up by the popular storm directed against the Peelite section, into whose hands had fallen the management of the war; then the Derbyites were asked back again and refused; then a Derbyite and Palmerston coalition was proposed and broke down; then the proposal of a Russell Ministry with some Peelite elements miscarried; and, finally, nothing was found practicable but the Government we have at present got.<sup>265</sup>

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<sup>263</sup> *Ibid.*, 5.11.1855

<sup>264</sup> *The North British Daily Mail*, 3.11.1855

<sup>265</sup> *The Scotsman*, 12.5.1855

Whilst *The Scotsman* was commenting on the unpopularity which the Palmerston government was experiencing at this point and explained it on the basis of too high expectations, its main view, that Palmerston had taken on the job and that there was no one else to whom people in Scotland looked, was correct. This was to become crushingly clear once the war had been successfully concluded. On hustings after hustings at the 1857 election Palmerston was praised for these reasons, by Liberals and Conservatives alike.

His attractiveness to Conservatives has already been referred to. Early evidence of this in Scotland was provided by an analysis of voting at the Edinburgh by-election of February 1856 given by the *Edinburgh News*. The 'high Conservatives', (Professor Aytoun and the Blackwood's staff were mentioned as examples), in other words the old Edinburgh Tory party, were found to have voted for Adam Black and not for Brown Douglas. It was pointed out that they had voted in 1852 for Charles Cowan, even though he had supported the ballot, the extension of the suffrage and was against church establishments, but had refused support to Brown Douglas who took the opposite position on all three issues. These 'high Conservatives' were, furthermore, vindicators of Scottish rights but had not supported the friend of the movement, Brown Douglas. The explanation the *News* offered made clear that it saw Black as the Palmerston candidate in this contest, who had benefited with these 'high Conservatives' because of his connection with the Prime Minister:

'With such examples as Mr. Milner Gibson before their eyes, the high Conservatives not unwisely judge that the men who came out from Toryism are more dangerous to decayed or corrupt 'institutions' than professed and honest Whigs, headed by Lord Palmerston, who is the most Conservative statesman in the House of commons, according to the opinions of all who know and whom the people esteem as truly Liberal.'<sup>266</sup>

It is not surprising, given McLaren's involvement in the Peace Movement referred to earlier, to find that Brown Douglas's foremost backer took a diametrically opposed position:

'I look on Lord Palmerston as the most dangerous minister we have had for many years, and at his foreign policy as little better than quackery.'<sup>267</sup>

The sources of Palmerston's attraction for Scottish Conservatives lay in his acknowledged attitude of scepticism towards further Parliamentary reform. He was

<sup>266</sup> *Edinburgh News*, 16.2.1855

<sup>267</sup> McLaren to George Combe, 27.11.1855, Combe MSS., MS. 7327, ff. 85-87

known, for example, to have resigned for a short period from the Aberdeen ministry over this issue in 1853<sup>268</sup>. Added to this was the popularity of his ecclesiastical appointments in England. He was known to seek advice on these from the leading evangelical Shaftesbury and his favouring of low churchmen appears to have been a conscious political move<sup>269</sup>. It won him Conservative votes without incurring any Liberal losses and it certainly found support among Conservatives in Scotland. The Duke of Montrose, for example, was led to comment in early 1857 that:

'... it is curious how foolishly many voters seem to be acting and how in parts of Scotland Conservatives have been led astray by the feeling in regard to the appointment of Bishops.'<sup>270</sup>

Lastly, Palmerston's bullish foreign policy won him Conservative support. As has been seen in the case of Duncan McLaren, this same policy led to some strain within the Liberal party. Both elements, Conservative support and some Liberal dissension were to show up in the 1857 general election, discussed at the beginning of the following chapter, which was held on a foreign policy issue, viz. the attempt to censure the Government over the conduct of its representatives in Canton.

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<sup>268</sup> J.B. Conacher, *The Aberdeen Coalition*, *op. cit.*, pp. 222 and 225-229 describes this episode.

<sup>269</sup> See P. M. Gurowich, 'The Continuation of War by Other Means: Party and Politics, 1855-1865', in *The Historical Journal*, vol. 27, 1984, p. 619

<sup>270</sup> James Graham, 4th Duke of Montrose to William Stirling, M.P., 20.3.1857, Stirling of Keir MSS., MS. T-SK-29-79/53

## CHAPTER 4 THE LIBERAL PARTY IN SCOTLAND, 1857-1859

### Part I : The 1857 Election. Redressing the Balance in Favour of the Whigs and Moderates. The Palmerston Factor.

In drawing together its commentary on the 1857 election, the *Glasgow Sentinel* was in no doubt about what it regarded as the salient feature of the contest:

'Of the few public questions which were tossed about with any energy in the late turmoil, probably the most notable on the whole was Maynooth. Nor is it the least remarkable result of the elections that in almost every instance where the struggle turned in any measure upon this point, the victory was to the adherent of what all parties may admit to be the unpopular side. The anti-Maynooth candidate was beaten at Leith by the Lord-Advocate, at Dundee by Sir John Ogilvy, at Glasgow by Mr. Buchanan and Mr. Dalglish, at Falkirk by Mr. Merry, in Ayrshire by Lord James Stuart - and, we may add, though there the debate was not carried to the ordeal of a poll - in Clackmannanshire by Lord Melgund. At Aberdeen both candidates were constrained with undisguised reluctance to pledge themselves against the seminary, but of the two the choice of the constituency fell upon the one who committed himself the least deeply, and, who, in committing himself, openly proclaimed that in his heart he still believed to be the endowment to be aright thing. Elsewhere, unopposed candidates such as Mr. Black at Edinburgh, and Mr. Elliott in Roxburghshire, came forward with unsolicited declarations of their resolution to vote, as before, in support of the grant.'<sup>1</sup>

The paper went on with its summary by commenting that:

'Opponents of the Lord Advocate's late Parish Schools Bill were defeated by supporters of that measure in Ayrshire, Argyllshire, Clackmannanshire and Lanarkshire.'

This chapter will take up these important conclusions of the *Sentinel* and explain why the elections of 1857 and 1859 were so different from those of 1847 and 1852 not only in that religious sectarianism and bigotry played a less important role but also because the issues discussed in the second half of Chapter 3 came to fruit politically.

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<sup>1</sup>     *The Glasgow Sentinel*, 11.4.1857

Glasgow provides a good starting point for following up the *Sentinel's* analysis as there had been a by-election in the city in early March 1857 which had provided a foretaste of things to come a month later. John Macgregor, the radical victor of 1847 and 1852 had resigned under the cloud of the bankruptcy of the Royal British Bank, of which he had been a founder<sup>2</sup>. The resultant contest was between the leading moderate Whig, Walter Buchanan, and the ironmaster and patron of the stud James Merry, who stood as an advanced Liberal. The Free Church and Voluntary religious party, which had so successfully dominated Glasgow politics since 1847 did not, in other words, even put up a candidate. Buchanan's address mentioned specifically that he was not for the disendowment of the Established Church and was against the withdrawal of the grant to Maynooth as an isolated case. He furthermore stated that he did not believe that temperance could be enforced by Parliament and that he supported improvements in Forbes Mackenzie's Act, which regulated the opening of public houses, to remove the irritation it had caused<sup>3</sup>. These opinions ran directly contrary to those that had been necessary for political success in Glasgow since 1847.

'Mr. Buchanan publicly appeared as a candidate yesterday, and resolutely declined to move an inch in the direction in which Glasgow bigotry usually forces anyone who wants to be a 'popular' man. He declared that he was opposed to the Maynooth Grant as a part of the system of religious endowments, but that he was not prepared to vote for its abolition so long as the Irish Church Establishment was left standing. Wonderful as it may be thought, this piece of decency seems to have been swallowed by his listeners without much effort.'<sup>4</sup>

Added to this, Buchanan expressed his support for Moncreiff's education measures. Merry for his part also explicitly stated that the government should keep faith with every religious denomination to which guarantees had been given<sup>5</sup>. Neither candidate was, in other words, afraid of openly opposing withdrawal of the Maynooth Grant which had been such a rallying point for the religious party in Glasgow politics.

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<sup>2</sup> Described by John McAdam as 'poor Mr. Mcgregor(sic)' he died shortly afterwards in April 1857. See Janet Fyfe (ed.), *Autobiography of John McAdam, (1806-1883)*, Edinburgh 1980, p.28 and obituaries of John Macgregor in *The Times*, 27.4.1857 and *The Scotsman*, 28.4.1857. See also the *Kilmarnock Journal*, 3.4.1857, which explicitly refers to Macgregor's resignation as the city's representative as being a result of the Bank's failure.

<sup>3</sup> *The Glasgow Herald*, 27.2.1857. Forbes Mackenzie's Act, passed in 1853, regulated drinking hours and was aimed at stopping Sunday drinking. The responses to it politically were to say one wished to give it "a fair trial", basically the Temperance position, to call for an inquiry or for alterations in it, the moderate's way of saying he was against it, or to call for its repeal, the radical position.

<sup>4</sup> *The Daily Scotsman*, 27.2.1857

<sup>5</sup> *The Glasgow Herald*, 2.3.1857

Apart from the question of the franchise, on which Merry was prepared to go further, both candidates held very similar positions on the issues of the day.

Buchanan won by the very convincing majority of 3,036<sup>6</sup>. What makes this result even more impressive is that he achieved it without the support of many of the Conservative voters in the city:

'A very large body of Conservative electors held aloof, offended at Mr. Buchanan's declaration in favour of a £5 franchise; but had the contest come to anything like a tie - had there, in fact, ever been the slightest danger, we have reason to know that Mr. Buchanan would have got their votes.'<sup>7</sup>

In other words, as in Edinburgh a year earlier, a moderate Whig Liberal had been able to win convincingly without the solid support of the Conservative voters. The stress here is on the word moderate. The Conservatives may have objected to Buchanan's support for a £5 franchise, but Buchanan was in no way advanced on the Reform issue. Even *The Scotsman* was able to upbraid him for being backward in supporting a lower ownership qualification in the counties<sup>8</sup>. Buchanan was no supporter of 40s freeholds.

Merry's coalition of supporters bore some resemblance to that which had supported Brown Douglas in Edinburgh and it may be that its very heterogeneity was a source of weakness:

'The result shows that Mr. Merry had not the ghost of a chance, notwithstanding the coalition in his favour of Publicans, Roman Catholics, and Advanced Liberals or Chartists.'<sup>9</sup>

Admittedly there was very little to rouse the ire of the publicans or Roman Catholics. Buchanan was tolerant when it came to both drink and religion. Merry's only real point of attack, as he made clear at the declaration of the poll, was against the 'municipal party' or organised clique, in other words against the Whigs<sup>10</sup>. This, against the eminently Whig and moderate Buchanan, had signally failed, just as Brown Douglas had failed against the equally moderate Adam Black in 1856.

Linked to this victory of moderatism was the significance of the most important signal to come out of this by-election for the Scottish Liberal party. The following comment went to the heart of the matter:

<sup>6</sup> The result was: Walter Buchanan, 5979; James Merry, 2943.

<sup>7</sup> *The Glasgow Herald*, 6.3.1857

<sup>8</sup> *The Daily Scotsman*, 27.2.1857

<sup>9</sup> *The Glasgow Herald*, 6.3.1857

<sup>10</sup> *The Daily Scotsman*, 7.3.1857

'But we cannot help asking what has become of the party or parties by whom the representation of Glasgow has hitherto been so much controlled, and through whose influence Glasgow politics have become a by-word and a reproach? Where is the candidate to represent the conceit, the religious bigotry, and the fiery prejudices, by which the city of the West has been so much distinguished! Is it possible that the reformation on behalf of which we have so frequently preached has at last been begun, and that even Glasgow has been converted to moderation and toleration?'<sup>11</sup>

The answer, judging by the result of the general election poll in Glasgow a little over a month later would appear to have been a definite 'yes'.

Alexander Hastie, the sitting Voluntary M.P. found himself in a three cornered contest with the recently elected Buchanan and a newcomer, Robert Dalglish. The latter's father had been a leading light in the old Glasgow Whig junta. Dalglish junior was, however, more radical, though still with more than a tinge of Whiggery. He, for instance, supported the American South during the Civil War, unthinkable for most radical Liberals. An industrialist, owner of a large calico works, he nevertheless maintained an estate at Kilmardinny<sup>12</sup>.

In view of the moderate mood of the voters displayed at the by-election, Hastie was faced with an uphill battle. His views on education attracted adverse press comment. *The North British Daily Mail* asked:

'Is an Education Bill less necessary to-day than it was two years ago when we were all moving for it? Because the Duke of Buccleuch has defeated us in the House of Lords, and Lord Kinnaid and a misguided section of the Glasgow Voluntaries have conspired together to resist any comprehensive measure, is the whole question changed, are our schools what they ought to be, or the children of the masses educated? On the strength of the affirmative Mr. Crum Ewing presents himself to the electors of Paisley, with what success another day or two will show. Indoctrinated with the same views, Mr. Alexander Hastie has returned from London proud of having kicked out the Burgh Education Bill of last year as a totally unnecessary measure, and boldly claiming the suffrages of the citizens that he may have the power of doing so again.'<sup>13</sup>

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<sup>11</sup> *Ibid.*, 4.3.1857

<sup>12</sup> Janet Fyfe (ed.), *Autobiography of John McAdam, op. cit.*, pp. 207-208

<sup>13</sup> *The North British Daily Mail*, 30.3.1857. Lord Kinnaid was a Conservative defender of the parochial schools system. Crum Ewing was the Voluntary candidate at Paisley, a contest that is discussed below.



Hastie was particularly vulnerable because he had not only opposed the 1855 Education Bill, but had, as the *Mail* pointed out, been one of the few who had opposed the Burgh Schools Bill of 1856. This abandoned measure had been intended to be permissive, and would have allowed Glasgow to raise a maximum penny in the pound rate to provide public schooling. Using the example of a voluntary school in a working-class quarter of Glasgow, one which received a £30 Privy Council grant and took in 120 pupils, 40 more than the sanitary regulations allowed, the paper charged that such a school was:

'... one of these voluntary schools to which Mr. Crum Ewing and Mr. Hastie and their friends would henceforth consign the masses of our large towns.'

The *Mail's* attack was rounded off with a general appeal:

'Let us rally round the good old policy to which Scotland owes her intelligence and her glory, and wherever a voluntary educationalist shows his face, give him such a beating at the poll as shall prevent this pestilent delusion from ever lifting up its head again in the name of any Scotch constituency.'

The result of this contest showed that the *Mail's* was not an unrepresentative voice. Hastie, the sitting member of ten years standing came bottom of the poll with 5,044 votes, 1,721 behind Dalglish with 6,706, and an impressive 2,006 behind Buchanan with 7,050. *The Scottish Guardian*, radical Free Church and a Hastie partisan, specifically identified education as one of the causes of Hastie's defeat:

'Several votes, we have learned, were withheld from him in consequence of his expressing a conviction, at the meeting on Monday afternoon, that the number of schools in Glasgow is adequate to the educational wants of the city.'<sup>14</sup>

The *Guardian* also distanced itself from Hastie's opinions on this issue. This hints at the fact that Hastie may also have been weakened by the desertion of moderate Free Church voters who had favoured Moncreiff's measures. An appraisal of the Free Church's role in the defeat of candidates like Hastie is, however, held over for the analysis of the contest at Paisley where there is more evidence.

The *Scottish Press* tried to throw some perspective on the importance of the education issue, however, by drawing attention to the other reasons for Hastie's weakness:

'We observe the North British Mail attributes the loss of Mr. Hastie's seat to his Voluntary education views. This had probably its own share in the issue. But we

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<sup>14</sup> *The Scottish Guardian*, 3.4.1857

daresay opposition to Maynooth and his support of the Forbes Mackenzie Act were not without their effect, and were all plied by his opponents according to the peculiar opinions of electors sought to be influenced.<sup>15</sup>

Other commentators took up the same theme and added to it observations on the voting pattern:

'Mr. Hastie's votes in Parliament against the Maynooth endowment lost him the support of the Roman Catholics, who appear to have given plump votes for Mr. Dalglish. The publicans because of Mr. Hastie's approval of Forbes Mackenzie's Act, probably followed the example, as we find that an inordinate proportion of plumpers fell to the share of Mr. Dalglish, which can only be accounted for on the supposition that large classes of electors voted for him alone.'<sup>16</sup>

Moderate views on Maynooth and Forbes Mackenzie's Act were what these groups of voters were looking for and in each case they transformed their rejection of Hastie's hard line into plumping for the candidate who needed such support to pass him in the poll. Given that many of Dalglish's voters were those who had supported Merry against Buchanan at the by-election, it is also clear why these voters did not split between Buchanan and Dalglish to keep Hastie out<sup>17</sup>. Ironically Hastie's voters helped to ensure their own candidate's defeat:

'Whilst the friends of Mr. Hastie were giving their second votes to Mr. Buchanan, the friends of Mr. Buchanan were giving their second votes to Mr. Dalglish.'<sup>18</sup>

More plumping would have helped Hastie. The behaviour of his supporters was the more surprising as the Buchanan camp refused to be drawn into an alliance with them. Wariness of burdening Buchanan with the baggage of Hastie's ten years in Parliament may well have played a part in this, some Buchanan people appear also to have been wary of assuming any responsibility for joint expenses, especially in view of the recent by-election<sup>19</sup>, but clever tactics by Dalglish were at least of equal importance:

'I have been informed ... that there is, or at least has been, an attempt to form a coalition between the two cliques. I am told that Mr. Hastie's clique are anxious to coalesce with the other clique; but that the other clique have held aloof in the

<sup>15</sup> *Scottish Press*, 3.4.1857

<sup>16</sup> *The Scottish Guardian*, 3.4.1857

<sup>17</sup> *The North British Daily Mail*, 1.4.1857

<sup>18</sup> *The Scottish Guardian*, 3.4.1857

<sup>19</sup> *The Daily Scotsman*, 21.3.1857

meantime, and have not made up their mind till they see the result of this meeting.<sup>20</sup>

Dalglish positioned himself at this meeting early in his canvass as the anti-clique candidate, thus cornering the Merry constituency of a few weeks before. The target for him was clearly the hard-line Voluntary/Free Church religious 'clique' rather than the Whig 'clique' which Merry had failed to beat. This would appear to explain why he used the singular in his declaration, "I am at war with the clique." To discourage Buchanan's committee from closing with Hastie's 'anxious' suit Dalglish threatened to start a running mate and to pay his Parliamentary expenses. This would have raised the fear in the Buchanan camp of there being no second votes from Dalglish supporters to help their man. This early in the canvass they may not have realised just how weak Hastie's position was.

The message for the Liberal party to come out of the Glasgow contest was, therefore, that moderate views on the religious and drink-related issues which had dominated Glasgow politics for the previous decade were now no hindrance to success. *The Glasgow Herald* in its analysis concluded that:

To come nearer home, certain Shibboleths sufficiently well ventilated when there was no opportunity to test their actual force, have not proved all-potent when they came to be wielded as electoral weapons. A candidate has declared himself opposed to the immediate and total withdrawal of the grant to Maynooth; still the great majority of his constituency have not considered him the less earnestly and sincerely attached to the doctrines of the Reformation.'

On the issue of temperance it went on to speak of the country at large:

Further, we have had the greater number of candidates in Scotland affirming their readiness to institute an inquiry into the working of the Act of Forbes Mackenzie, while no rational and reasonable body of the constituencies drew the violent conclusion that they had the most remote desire to promote intemperance.'

The paper finished by portraying 'zeal' in Glasgow as a political liability:

'Mr. Dalglish has not been rejected and Mr. Hastie preferred, because the former was more tolerant, both as to ecclesiastical and social policy, than the latter. The zeal of

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<sup>20</sup> *Ibid.*, 18.3.1857

Mr. Hastie in these directions, have [sic] not placed him at the top, but at the bottom of the poll.<sup>21</sup>

Dalglish and Buchanan were able, in addition to their views on Maynooth, in safety to avoid the question of Sunday opening for the British Museum and National Gallery by saying, for instance, it was a question for London citizens. Well might the *Glasgow Sentinel*, a partisan for Dalglish, see the result of the Glasgow election in the following light:

'All the most virulent elements of sectarianism were combined in opposition to Mr. Dalglish. The churches, "bond" and "free", the Sabbatarians of every dreary shade, the rabid opponents of Maynooth, the teetotallers and Maine Law-Men, all were arraigned on the side of Mr. Hastie,...

If ever they [Dalglish's opponents] had the power which they assumed to possess, it is evident that a reaction must have taken place ...

We can regard this election in no other light than as a practical protest on the part of the community against Mackenzieism, and bitter observance.'

The paper saw the result as having marked the dawn of a new social state in Scotland:

'The reins have been drawn too tight and the reaction which was not anticipated has already, as we confidently believe, fairly commenced.'<sup>22</sup>

One further point which may help to explain the success of candidates holding moderate views on certain issues. This applies to other burgh seats, but Glasgow is a good example because the point was so well demonstrated there. In 1852 the four candidates who stood shared 8,384 votes. In 1857 there were three candidates who on this occasion shared 18,859 votes. The difference cannot be accounted for by the turnout figure. Both elections were keenly contested. If anything, one might expect the 1857 figure to be lower because of a drop in voter interest in the wake of the by-election held so soon before. Neither can the larger 1857 figure be wholly explained by increasing prosperity or by a fall in the value of money leading to there being an increase in the number of £10-ers. The most likely cause of this rise in the number of votes recorded is the Burgh Registration Act of 1856 discussed in Chapter 1. By making registration in

<sup>21</sup> *The Glasgow Herald*, 3.4.1857

<sup>22</sup> *The Glasgow Sentinel*, 4.4.1857. The "bond" church was presumably the Established Church, in "bond" to the State. The Maine Law was a prohibition measure in force in the US state of that name which many supporters of the Temperance movements wanted introduced into Scotland. "Mackenzieism" refers to the Forbes Mackenzie Act, discussed above, which regulated drinking hours in Scotland.

the burghs more or less automatic it probably brought on to the register many who were not associated with the interest groups of the day, many, in other words who had not seen to it that they were on the register so that they could ensure that their religious, social or political views prevailed. In addition, there may well have been artisan or lower middle-class voters who had been put off by the expense or trouble of the old registration system. They would have had other concerns than issues, like Maynooth, which had dominated in 1847 and 1852. All this is very difficult to prove empirically. Poll books are not available. It would, however, help to explain why a candidate like Dalglish, who was for the ballot, for triennial parliaments and apparently for manhood suffrage could at the same time afford to take on the religious party in Glasgow<sup>23</sup>. It would also help to explain the highly interesting events at the meeting of Advanced Liberals held in Glasgow on the 23rd of March.

At this meeting there was something of a row about the last paragraph of a "platform" prospectus this group produced for the election. This referred to "special" agencies which were to be patronised in the work of social reform. The preliminary committee charged with drafting this platform apparently had at least representatives of the Temperance movement on it, if not of other special interest groups. This led to a revolt on the part of a good body of those present. An Andrew Paton, all the more convincing a speaker because of his declared personal position, moved to strike these agencies referred to:

'As a total abstainer he opposed this covert introduction of disputed matters into a political platform, in which he was supported by Mr. Buchanan of the *Sentinel*. The promoters of the meeting, however, would not give way on this 'point'; and though several divisions took place in which we feel assured the amendment was carried, the chairman (Mr. William McAdam) ruled it otherwise. ...'

The meeting ended in some disorder, its participants very divided. The result appears to have seen the majority rejecting the opinions of the organisers, however:

'The effect of such a demonstration either for the purposes of the election or otherwise, must be nil. No independent Radical Reformer, with the least soul or spirit in him, will allow himself to be tied to the tail of the noisy declaimers of the Temperance League, or to play second fiddle to the Maine Law restrictionists, and

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<sup>23</sup> By promoting the Reform meeting held in Glasgow in December 1858 which endorsed the Glasgow Parliamentary Reform Association's object of manhood suffrage, Dalglish by implication associated himself with the manhood suffrage movement. See Janet Fyfe (ed.), *Autobiography of John McAdam, op. cit.*, p. 207

teetotal and Sabbatarian fanatics. Yet teetotalism and Sabbatarianism were practically the aims of the proceedings of Monday, as far as the promoters are concerned.<sup>24</sup>

There is evidence here of an attempt by those interested, probably middle-class businessmen, in a religious/'restrictionist' approach to reform to channel the radical wing of the Glasgow Liberal party in that direction and of a consequent revolt by those committed to a political approach to the social problems of the period, those who believed that Parliamentary Reform, empowerment, was the way ahead. The new voters on the register, judging by Dalglish's success, would appear to have belonged to the latter group and although it is impossible to be sure, these may well have included a good number of the better-off artisan class.

The dilemma for a link-man in this situation like James Moir comes through clearly in the following observation:

'... Mr Moir, though privately objecting to the closing paragraph of the platform, had not the moral courage publicly to say so, and act accordingly. It may suit that gentleman's convenience, or perhaps contribute to the re-election of Mr. William McAdam preliminary to a bailiership, to sail with the tide, set afloat by Messrs. Melvin, Gavon and Ray; but they will not carry along with them the great body of suffrage reformers of this city. The divided state of the meeting called and managed by these parties showed this; ...'

Moir was a tea and coffee merchant who had played an active part in the Glasgow Chartist movement and had been President of the Glasgow Charter Association. He was first elected to the Town Council in 1848. Probably a middle-class politician like Moir knew that in challenging people like Messrs Melvin, Gavon and Ray, clearly the representatives of the religious/'restrictionist' interest groups at the meeting, it made sense to avoid antagonising their potential supporters. Like Dalglish and Buchanan one did not say one was in favour of the Maynooth Grant, one said one was in favour of the withdrawal of all religious endowments. Attacking the religious/'restrictionist' reformers head on would bring little. The number of electors may have been larger in 1857, new kinds of elector may have been coming on to the register, but there were still not enough to totally ignore the 'pull' of people like Messrs Melvin, Gavon and Ray. William McAdam, facing re-election at local level was apparently in the same position and this may explain his behaviour as chairman of the meeting. It was important, in other words, to avoid being classed as an extreme politician of any kind, not just of the religious/'restrictionist' variety. Robert Dalglish himself was to make the same point

<sup>24</sup> *The Glasgow Sentinel*, 28.3.1857. Robert Buchanan was the editor of the *Sentinel*. An Owenite, he was heavily involved in the Parliamentary Reform movement in Glasgow in the 1850's.

two years later to Moir, when the Dalglish party were faced with the possibility of Buchanan choosing not to run again in the 1859 general election. Speaking of who might replace Buchanan, he wrote:

I have no idea who is likely to be brought forward - but I think the best game for the Reformers, is to try to pledge any candidate to a liberal measure - rather than start an extreme man at the present election - if any extreme man is started against a moderate they will probably start a second candidate - and the result will be that no care on my part can prevent my being classed with the Ultra, and very likely in that event lose my election - and my opinions being pretty well known here - it would be looked upon as a conservative triumph - ...<sup>25</sup>

Moderatism cut therefore both ways for the radicals in the Liberal party. A radical Reformer of the political, as opposed to the ecclesiastical or social, kind in the late 1850's could only go so far without running the same danger of rejection that Alexander Hastie had fallen foul of for taking his Voluntarism too far.

The contest which was frequently mentioned in the same breath as that in Glasgow was that which took place in Paisley. *The North British Daily Mail* in passing comment on Alexander Hastie's views on education, for instance, commented that:

"I cannot say I would vote for an unsectarian system of education", were his words the other night at a public meeting; and we see the active prosecution of his election on this occasion almost entirely in the hands of the small knot of Voluntary Educationalists who have politically ruined Mr. Humphrey Crum Ewing, and are performing with characteristic zeal and bitterness the same service to their present candidate for Glasgow.<sup>26</sup>

The sitting M.P., Archibald Hastie, had decided on retirement. He may have been helped in this decision by the appearance of H.E. Crum Ewing, a Voluntary, in response to a requisition got up by that part of the Liberal party in Paisley which had brought forward W. Taylor Haly against him in 1852. Crum Ewing's address positioned him as an opponent to religious grants and to Maynooth specifically, as for the regulation of public houses, but prepared to consider an adjustment of the Forbes Mackenzie Act and as a supporter of household suffrage, the ballot, shorter parliaments and better electoral districts. Most important of all, he made it clear at the nomination that he was opposed to Moncreiff's efforts as regarded education. He was, in other

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<sup>25</sup> Robert Dalglish to James Moir, 5.4.1859, Moir MSS., MS. 204/157

<sup>26</sup> *The North British Daily Mail*, 26.3.1857

words, the candidate of the Voluntaries and probably of the hard-liners on the drink and sabbath questions. He was not so radical, as Dalglish in Glasgow for example, on Parliamentary Reform.

Crum Ewing's position on education he brought with him from Glasgow:

It was with regret that many of Mr. Crum's friends saw him placing himself at the head of a small sect of voluntary educationalists in Glasgow, and lending his name and purse to resist the passing of measures which had gained the assent of a large majority of a large majority of the Scotch members and the great bulk of the Scotch people.<sup>27</sup>

It was this that moved another portion, "the graver portion", of the electors to get up a requisition to Archibald Hastie to stand in spite of his original decision. This was eventually signed by one half of the town's electors<sup>28</sup>. Hastie had supported Moncreiff and also, for example, Melgund's 1851 Bill, and as a result, it was claimed, was more in line with public opinion in the constituency than Crum Ewing. At the nomination Crum Ewing's seconder, Bailie Pollock, claimed that his candidate's views on education were more in line with those of some of Hastie's supporters who were also opposed to Moncreiff's Bill. Which bill was not specified. Hastie for his part claimed to be just as Liberal as Crum Ewing on Reform as he had always been for a £5 suffrage, which he therefore equated with household suffrage. There was a third candidate, C.F.F. Wordsworth, but he appears to have been started in place of Hastie when the latter was out of the race, and only went to the poll to keep his pledge to do so.

Of the two main candidates the voters, not surprisingly given the level of participation in the requisition to Hastie, were more attracted by Hastie's record on education than by any edge Crum Ewing may have had on Reform. Hastie won by the comfortable margin of 611 to 524 votes, with only 4 going to Wordsworth. One commentator saw this as honourable altruism:

"The people of Paisley have exerted a most important influence on the education cause by their recent election, and the part which they have taken is the more creditable to them in as much as from the zeal of their religious denominations, and from the fact that the population has not much increased for some years, the want of education is not so great in Paisley as in many other towns and districts in Scotland."<sup>29</sup>

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<sup>27</sup> *Ibid.*, 23.3.1857

<sup>28</sup> *The Daily Scotsman*, 31.3.1857

<sup>29</sup> *The North British Daily Mail*, 4.4.1857



Self-interest may well have played a greater part than this description allows, however. True in Paisley the need for educational reform would not have been so dramatically obvious as in Glasgow, but the other motive for rejecting Crum Ewing's position lies perhaps in the "zeal" of Paisley's religious denominations. Calling the issue of national education a dodge, the *Scottish Press* saw Crum Ewing's defeat in the following terms:

It is only in keeping with the whole character of the proceeding, that Mr. Crum Ewing, a "hereditary" Voluntary and Dissenter, should lose his election through the opposition of Voluntaries and Dissenters. What a splendid thing ... is voluntaryism and dissent on the platform and even in the pulpit. Pity it so rarely finds its way to the hustings and the polling booth unless to turn its back upon itself.<sup>30</sup>

The interesting question is which Voluntaries and Dissenters turned their backs on Crum Ewing. Moderate Voluntaries in favour of national education certainly, but is the use of the word "hereditary" here meant to compare Crum Ewing's long-standing Voluntaryism with that of more recent dissenters, Free Churchmen in other words. It would certainly help to explain how denominational zeal went together in Paisley with rejection of the candidate whose Voluntary scruples led him to oppose Moncreiff's educational measures. As has been seen, these received the support of the great majority of Free Church members. In all the comments on Crum Ewing, and on Alexander Hastie in Glasgow, reference is made to their both having received support from "voluntary educationalists". No mention is made of Free Church support, and it is therefore likely that both candidates were refused support by all but the radical voluntary wing of the Free Church. This is confirmed by comments made during the Paisley by-election which took place later that same year following Hastie's death on 9th November.

After some coming and going, two candidates went to the poll, Crum Ewing again and W. Taylor Haly, Hastie's erstwhile opponent of 1852. This time Crum Ewing won with the support of those who had backed Haly in 1852. In other words he kept the support of the anti-Hastie party. But the lopsided result, 767 to 98, suggests that he had an accession of support from another quarter. This apparently came from the Free Church. In late November there was a proposal to run Francis Brown Douglas, the rejected Free Church candidate at the 1856 Edinburgh by-election. He refused. In early December a junction of Crum Ewing's and Brown Douglas's friends was reported. This may have been more of a Free Church take-over. A Mr. Gardner, in proposing Haly, claimed that:

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<sup>30</sup> *The Scottish Press*, 3.4.1857

'A small number of Free Churchmen and U.P.s met; the one party outwitted the other, and called the meeting an amalgamation. I think it would have been better to have named it a conglomeration - a mixture of oil and water ... Will the people of Paisley submit to be ruled by a small and uninfluential Kirk clique?'<sup>31</sup>

Crum Ewing's acceptability to these Free Churchmen may well have been due to the process of adjustment he was reported to have embarked upon during the general election. Then he had declared himself not to be opposed to Privy Council grants and as willing to accept state support of schools in districts where the voluntary principle was found to be inadequate. He was, in other words, engaged in moderating his hard-line voluntaryism in the face of electoral necessity, a process that was advanced enough by November 1857 to allow more Free Churchmen to give him their support. These gentlemen may also have hesitated to put up their own candidate as this would have risked letting in the ultra-Radical Taylor Haly, the candidate of the mob in 1852, on a split vote.

Following the *Glasgow Sentinel's* post-election survey of results, quoted at the beginning of this chapter, which added up to a rejection of anti-Maynooth and anti-national education candidates in 1857, there remain amongst the burghs Dundee, Aberdeen, Leith, Edinburgh and Falkirk. Looking at these will establish whether the mood in Glasgow and Paisley was common to the rest of Scotland.

In Dundee the long-serving M.P. George Duncan retired on the grounds of age. Sir John Ogilvy, the defeated candidate at the 1855 Montrose Burghs election, stood on a platform of explicit acceptance of the Maynooth Grant as settled by Parliament and support for Palmerston over China<sup>32</sup>. Ogilvy was a moderate Whig Liberal, an Episcopalian.

<sup>31</sup> *The North British Daily Mail*, 10.12.1857. See also 27.11.1857 and 4.12.1857

<sup>32</sup> As mentioned at the end of Chapter 3, this was the issue on which Palmerston obtained a dissolution of Parliament in March 1857. A concise description of the events leading up to Sir John Bowring's, the Governor of Hong Kong, decision to order a naval bombardment of Canton over the detention of the *Arrow*, a small sailing ship with dubious claims to be flying the British flag can be found in M.E. Chamberlain, *British Foreign Policy in the Age of Palmerston*, London 1980, pp. 75-77. The resultant vote in Parliament on Richard Cobden's vote of censure on the Government for not disavowing the acts of its representatives in the Far East was lost by 263 to 247. Palmerston, avoiding the dispute about Bowring's actions and about the doubtful legal position of the *Arrow*, concentrated on the threat to British civilians in China and on the lack of patriotism displayed by his opponents and went to the country on this basis.

The Scottish members split 19 for the motion and 27 against (including pairs), in other words against the overall result. The following Liberals were in the majority, i.e. against the Government: A.M. Dunlop (Greenock), James

He was also a landowner, who on this occasion did not suffer from the accusation that he was not a commercial man for a commercial constituency. The call for men of 'business principles' to be sent to Parliament to clean out the administrative Augean Stables, heard so loudly in 1855 and used at the Montrose Burghs by-election, had died down, at least, for instance, in the Dundee Chamber of Commerce which backed Ogilvy<sup>33</sup>. At one of his early election meetings a Mr. D.B. Brown also expressed surprise that many names on Sir John's committee were those of people who had said two years before that he was unfit to represent a commercial constituency. Brown put the question simply by asking why he was more fit to represent Dundee in 1857 than he had been Montrose Burghs in 1855<sup>34</sup>.

Ogilvy did not, however, satisfy what were described as a variety of the ultra sections in the constituency, amongst whom was this Mr. Brown. An attempt was made at a meeting of Free Church and Voluntary ministers and gentlemen to get ex-Provost Rough to stand. He refused and in his place London merchant George Armitstead agreed, apparently in response to a requisition organised by this same group<sup>35</sup>. Armitstead's address expressed support for Palmerston abroad but for a more progressive policy at home. It called for the disendowment of all sects in Ireland and expressed opposition to the Maynooth Grant.

Ogilvy in a further address tried to defuse any opposition to his Episcopacy by expressing agreement with Moncreiff's opinion that the Episcopal Church in Scotland was a voluntary body, in other words he had no hidden agenda for its endowment. He also qualified his position on Maynooth to the extent that he said he would not endow it if it were to have come up at that time, but he restated that he regarded it then, in 1857, as a settled question<sup>36</sup>.

Armitstead's views on Maynooth made it certain that the contest would revolve largely round that question. Some of Ogilvy's requisitionists did not apparently agree with him on this question, but what seems to have held them back were the fears of stirring up trouble in Ireland and of being accused of simple anti-Catholic bigotry<sup>37</sup>. Unlike the cases of Glasgow and Paisley there is clear evidence in Dundee of an attempt to keep the Free Church/Voluntary alliance going using this engine of opposition to the Maynooth Grant. The strain by 1857, however, was obvious:

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Johnstone (Clacks and Kinross), Samuel Laing (Wick District) and George Thompson (Aberdeen). See *The Scotsman*, 7.3.1857 and *Hansard*, Third Series, vol. 144, 4.3.1857, cols. 1846-1850

<sup>33</sup> *Dundee, Perth and Cupar Advertiser*, 17.3.1857

<sup>34</sup> *The Daily Scotsman*, 17.3.1857

<sup>35</sup> *Dundee, Perth and Cupar Advertiser*, 20.3.1857

<sup>36</sup> *Ibid.*, 24.3.1857

<sup>37</sup> *Ibid.*, 20.3.1857. Moderate Free Churchmen seem to have been the target of this comment.

'... the coalition of the Free Church with the Voluntary party in favour of Mr. Armitstead on this question of Maynooth is a coalition of parties holding the most conflicting principles.'

The conflict, according to this commentator, was especially acute on the question of church/state relations. Setting education and the Establishment question in Scotland aside, the inconsistency of the Free Church position on Maynooth was enough to give substance to this claim of conflicting principles.

'Ex-Provost Rough and his party mean one thing and Mr. Smieton and his party mean another; the one is against all religious endowments, the other only against the endowments of Catholics and Episcopalians ...'

The Free Church position was bigotry, not voluntaryism:

'Yet here we have Free Churchmen coalescing with Voluntaries to send a representative to Parliament who, if he represents anything, represents pure and unadulterated Voluntaryism!'<sup>38</sup>

The strain between the two groups proved too much as Ogilvy's victory by a margin of 245 votes proved<sup>39</sup>. On both wings the Free Church/Voluntary alliance appears to have splintered. The moderate Voluntaries supported Ogilvy as the following comparison with their compatriots in Edinburgh, who had backed Adam Black, reveals. Pointing out that Black had won in 1856 while tolerating the Maynooth Grant and that he had been re-elected for Edinburgh, this commentator continued:

'When one of the most conspicuous Voluntaries in Scotland thus declares himself, it is unnecessary to defend from the charge of inconsistency the intelligent and influential section of Voluntaries in Dundee who supported Sir John Ogilvy.'<sup>40</sup>

Another comparison, this time with Leith, was used to hint that some of the Free Church vote had gone to Ogilvy also.

'Another fact is still more remarkable, as showing how little consistency there is in this anti-Maynooth movement. The whole of Scotland does not send to Parliament so able an opponent of the withdrawal of the Maynooth Grant, as the Lord Advocate,

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<sup>38</sup> *Ibid.*, 24.3.1857

<sup>39</sup> The result was Ogilvy 1,092, Armitstead 847.

<sup>40</sup> *Dundee, Perth and Cupar Advertiser*, 31.3.1857

who is not only a Protestant but a Free Churchman and a Free Church elder. and who have carried the Lord Advocate's election in Leith! Mainly the Free Churchmen and Dissenters of the Leith Burghs ...

There are signs of the returning good sense of the people of Scotland; and the result of the contest in Dundee shows that the progress of good sense here is as great as in other parts of the Kingdom.'

Perhaps the charges of bigotry had moved Free Church moderates. Perhaps worries about disturbing the peace of Ireland by tampering with the Maynooth Grant. Perhaps even the interesting argument that Ireland should be rewarded for its loyalty during the recent Crimean War carried some weight.

As an interesting footnote to this contest, and following up an issue raised earlier, it is worth pointing out that Armitstead explicitly tried to use the 'commercial men for commercial constituencies argument' and that having failed to be elected comment was made that constituencies had refused to be enslaved to this dictum<sup>41</sup>.

As the comparisons drawn in Dundee between the contest there and those in Edinburgh and Leith made clear, the elections further south were equally interpreted as triumphs for moderatism on religiously-related issues.

In Edinburgh, discussed in more detail in Chapter 8, the two sitting M.P.s, Charles Cowan and Adam Black, were returned without opposition. What was noticeable here was that Cowan owed his return to a different combination from that which had returned him in 1852 and still more different from that which had originally brought him forward in 1847. The Independent Liberal Committee, which represented the Voluntary/Free Church alliance that had first brought Cowan forward in 1847, tried on this occasion to get him to retire in favour of a renewed Francis Brown Douglas candidacy. Brown Douglas had explained to a meeting of this Committee on 12th March that he had promised not to stand against Cowan after the latter had supported him at the 1856 poll<sup>42</sup>. Cowan refused and on this basis the Committee fell apart. At a meeting on the 20th of March it was reported that there was an "almost entire absence of the Free Church section of the party"<sup>43</sup>. In addition, all those favourable to Black or Cowan remaining were asked to leave the meeting after which a succession of speakers rose to attack Cowan. It was unanimously decided to try to bring forward Lord John Russell, who was attractive to these radicals because of his vote, in the company of

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<sup>41</sup> See the report on one of George Armitstead's meetings in *The Daily Scotsman*, 24.3.1857 and the post election comment on the same issue in the *Dundee, Perth and Cupar Advertiser*, 31.3.1857

<sup>42</sup> *The Scotsman*, 14.3.1857

<sup>43</sup> *The Daily Scotsman*, 21.3.1857

Cobden and Bright, against Palmerston on China. At a meeting on 23rd March Cowan was formally repudiated by what was now the rump of the Independent Committee, basically by a section of the Voluntaries including Duncan McLaren<sup>44</sup>.

Far from damaging Cowan, such a repudiation strengthened his attraction for the party now offering him their support, the Whigs. There is evidence for some difference of opinion amongst the Whigs on this matter. The younger, rank and file members were reported to have approached William Thackeray the novelist to ask him to stand, but the Whig elders, Sir William Gibson Craig especially, were successful in swinging the Whigs behind their erstwhile opponent<sup>45</sup>. Cowan's opposition to Maynooth was now clearly no longer a stumbling block and he became the candidate of the moderate Liberals in Edinburgh. The contradictions inherent in this situation and the irrelevance of the Maynooth question and of religious radicalism to the political manoeuvrings involved were stark:

Last year, it will not be forgotten, Mr. Black, solely, it was alleged, on account of his refusal to vote against Maynooth, was deserted, opposed, and vilified by former "friends". This year, let it be marked, the self-same persons have been doing their utmost to supplant Mr. Cowan, who does vote against Maynooth, by Lord John Russell, who is the most strenuous and influential supporter of Maynooth! Is it possible to conceive a more compendious proof of the fact that the Maynooth clamour is no longer even a bigotry, but has become a mere cloak of hypocrisy and weapon of malignity.<sup>46</sup>

The Voluntary Independents in Edinburgh finding themselves unable to put up their preferred candidate, Brown Douglas, and unable to use Maynooth as a lever against the new candidate of the 'ins' of the City's politics, Charles Cowan, had, in other words, tried using the argument of Cowan's ineffectiveness and low profile as an M.P. to try to bring in their new man, Russell. This was truly standing 1847 on its head. These same people had then argued against the nationally prominent Whig, then T.B. Macaulay, and in favour of the less colourful local man, Cowan. In the event Russell would only seriously have become an option if he had either not stood for or been defeated in the City of London where he was in some difficulty<sup>47</sup>. Neither proved to be the case and the electoral arithmetic precluded bothering to find another candidate anyway, given the success of the Whigs in supporting Cowan and thereby winning away the Free Church electors from the Independents. Finding out that Cowan had really intended to retire and had only been persuaded otherwise by the promise of Whig

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<sup>44</sup> *Ibid.*, 24.3.1857

<sup>45</sup> *The Edinburgh News*, 28.3.1857

<sup>46</sup> *The Daily Scotsman*, 27.3.1857

<sup>47</sup> See John Prest, *Lord John Russell*, London 1972, p. 379

support can only have added fuel to the fire of the Independents' frustration<sup>48</sup>. The failure of the rump Independent Committee, especially given the fact that it had to abandon its 'No-Popery' cry shows that in Edinburgh also the moderates and Whigs were in the ascendant in the Liberal party.

The Dundee and Edinburgh elections were also linked in the attitude taken by candidates towards Palmerston. None of them dared to criticise his foreign policy. It was a positive point to be able to say that they had been in the minority on the China division. The most endangered on this issue, Charles Cowan, found himself under attack for having had to be converted at the last minute out of his opposition to the Government's policy<sup>49</sup>. Armitstead, significantly, as the most radical of the four, said he would have supported the Government on the China vote but also felt it necessary to say that he did not have much confidence in British officials in the Far East<sup>50</sup>.

What is equally, if not more interesting, and this is very different from what happened in the counties, is that Liberal candidates in the burghs, even Whigs like Sir John Ogilvy and Adam Black found it useful to express disappointment with Palmerston on the franchise question. Adam Black, no radical on the franchise, regretted that the Ministry had opposed Locke King's motion to make the English county franchise the same as that in the boroughs<sup>51</sup>. Sir John Ogilvy regretted that Palmerston was not willing to meet the wishes of the country on the subject of Parliamentary Reform and gave his support to the £5 burgh, £10 county franchise of Lord John Russell's 1853/54 Bill<sup>52</sup>. George Armitstead in his address also criticised Palmerston on the same question and marked out a more advanced position on the ballot, which Ogilvy accepted only reluctantly, than his opponent<sup>53</sup>. Again out of step, and the most conservatively positioned of the four, was Charles Cowan, who, unlike Adam Black, was against the introduction of 40-shilling freeholds into Scotland.

Where Palmerston was strong domestically in the Scottish burghs in 1857 was on the question of his ecclesiastical appointments. At the Edinburgh nomination Cowan applauded Palmerston's recent selections for Church of England bishoprics:

'I have reason to know that Lord Palmerston at this moment has derived a large amount of support from parties who were formerly opposed to him just on account

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<sup>48</sup> Revealed in a letter he wrote to Francis Brown Douglas

<sup>49</sup> *The Scottish Press*, 24.3.1857 and 27.3.1857.

<sup>50</sup> *Dundee, Perth and Cupar Advertiser*, 24.3.1857

<sup>51</sup> *The Daily Scotsman*, 26.3.1857

<sup>52</sup> *Ibid.*, 17.3.1857

<sup>53</sup> *Dundee, Perth and Cupar Advertiser*, 24.3.1857

of the admirable manner in which he has acquitted himself in filling up these bishoprics.<sup>54</sup>

The lines between erastian Whigs, advanced Liberals and the hard-line religious party, mostly Voluntary radicals by 1857, in Scottish constituencies had, in other words been blurred by Palmerston. Well might *The Glasgow Sentinel* ask:

'Or to pass to the English Church - after what happened on the hustings of Edinburgh the other day, when one who is both a Presbyterian of the strictest sect [Black], and a Liberal in a very advanced stage [Cowan], came forward to panegyrisé Lord Palmerston on the unimpeachable excellence of his Prelatic appointments - after what Mr. Cowan said, under the very walls where Jenny Geddes threw her stool, need we ask what support would now be given to the Liberal who should move the expulsion of the Bishops from the House of Lords?'<sup>55</sup>

It was acceptable, for instance for Free Churchmen like Cowan, moderate in politics, to salve their religious consciences at the poll by voting for supporters of Palmerston, the supporter in turn of Low Church evangelicals. Such moderate Free Churchmen no longer had, in conscience, to turn to the hard-liners.

In Leith District the Lord Advocate, James Moncreiff, was the beneficiary of the moderate tide. He was opposed by William Miller, a merchant originally from Leith itself<sup>56</sup>, at the head of a heterogeneous coalition of activists on a variety of issues:

'We have had a great many appliances against us. We have had a Forbes Mackenzie section, and a teetotal section, a Dr. Begg section, and a Dr. Harper section - ...'<sup>57</sup>

James Moncreiff's description of the parties opposed to him highlights the shades of difference on these issues. On the drink question, for example, Forbes Mackenzie Act supporters, those in other words supporting the restriction of public house opening hours, were not the same as the teetotalers.

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<sup>54</sup> *The Daily Scotsman*, 28.3.1857

<sup>55</sup> *The Glasgow Sentinel*, 11.4.1857. *The Sentinel* can only have meant that Cowan was 'advanced' in experience.

<sup>56</sup> His address, see *The Scotsman*, 14.3.1857, refers also to his many years abroad, mainly in Russia, where he was Vice-Consul at St. Petersburg - See entry in M. Stenton (ed.), *Who was Who of British Members of Parliament, 1832-1885*, Hassocks 1976.

<sup>57</sup> James Moncreiff after the declaration of the poll. *The Daily Scotsman*, 28.3.1857



Dr. Harper, U.P. minister in North Leith, attacked Moncreiff on the Maynooth question. The shades of difference here provide further evidence that this issue had lost its power by 1857 in favour of a discriminating moderation in the opinions even of Voluntaries. An open letter from 18 members of his own congregation pointed out that Harper had attacked Moncreiff over Maynooth while at the same time professing ignorance of Miller's opinions on the question. These Voluntaries stated that the main point of this election for them was the qualifications of the two candidates, especially given Miller's evasiveness on Maynooth<sup>58</sup>.

The reference to a Dr. Begg section was a reference to those who supported the introduction of the 40-shilling freehold into Scotland, those in other words who were pressing Moncreiff on the franchise issue. As is explained below, Moncreiff was one of the foremost opponents of this particular franchise being brought across the Border. It may also be a reference to the existence of what must have been a small Free Church radical group. As the *Dundee Advertiser* pointed out<sup>59</sup>, Moncreiff was certainly supported by a good number of members of his own church.

There is a case for arguing that the Leith result was not a clear-cut victory for a moderate Liberal, a member of Palmerston's government. *The Scottish Press* saw Moncreiff's victory in the following terms:

The truth is, the Lord Advocate has - and he knows it - small occasion for chuckling over his victory at Leith. Two such victories would prove his ruin. He polled 821 votes, and Mr. Miller 701, and of the 821 Mr. McGregor [Miller's chief supporter] alleges 200 were those of Edinburgh voters, qualified from property, but having no other connection with Leith ...<sup>60</sup>

This claim may be true. What is certainly true is that Conservative voters who had opposed Moncreiff in 1852 now rallied to support him<sup>61</sup>. The significance of the Leith contest for the Liberal party, however, lies in the comparison of these two Liberal candidates. Both were either in favour of, or unwilling to be drawn on, the Maynooth Grant<sup>62</sup>. Miller did not make use of the drink question. He also indicated that he would

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<sup>58</sup> *Ibid.*, 26.3.1857

<sup>59</sup> *Dundee, Perth and Cupar Advertiser*, 31.3.1857: "And who have carried the Lord Advocate's election in Leith! Mainly the Free Churchmen and Dissenters of the Leith burghs, ..."

<sup>60</sup> *The Scottish Press*, 31.3.1857

<sup>61</sup> Omond, G.W.T., *The Lord Advocates of Scotland, Second Series, 1834-1880*, London 1914, pp. 192-193. Moncreiff also stated that he had been offered Conservative support, including that of John Inglis, Dean of the Faculty. See *The Daily Scotsman*, 18.3.1857

<sup>62</sup> Miller used the formula of being opposed to all religious endowments, thereby avoiding a specific position on Maynooth. See report of his Leith meeting, *The Scotsman*, 14.3.1857

support Palmerston. The only real point of difference he had with Moncreiff was in his support for 40-shilling freeholds in Scotland. Both men were in fact moderates on religious issues<sup>63</sup>. Miller was certainly backed by the religious and temperance activists, but this was a case, as the example of Dr. Harper demonstrates, of backing the outsider, despite his specific positions on the issues, against the incumbent moderate. The closeness of the result, if a majority of 120, even allowing for the Edinburgh voters, can be called close, would appear to have been caused more by the anti-Parliament House feeling in the constituency and by the personal determination of the Mr. McGregor referred to above, Miller's friend, to oust Moncreiff<sup>64</sup>. McGregor would appear to have been one of these religiously motivated local politicians, he was certainly anti-Maynooth in a way that his candidate was not<sup>65</sup>. It is also interesting to note that one of his objections to Moncreiff was that on one of the few occasions, or so McGregor claimed, the Lord Advocate was in his constituency he praised Lord Aberdeen and the Duke of Newcastle. In other words some lingering political feeling still existed in the constituency against the men who were thought to have been responsible for the failures of British administration in the Crimea. Moncreiff stood by his former colleagues in a way which reveals that it had been an issue, even if it had faded away by 1857:

' ... and in my speech on that occasion I certainly said some things about Lord Aberdeen and the Duke of Newcastle, things which I believe were perfectly true, but which drew on me some censure from the public press at the time, although the whole country has since come to be of [the] opinion that they were well founded; not that errors had not been committed in the Crimea, not that there had not been mistakes in various Departments, but I thought that the national wrath had been somewhat indiscriminate, and that many men had suffered in character who were entirely undeserving of condemnation.'<sup>66</sup>

Besides campaigning against the Aberdeen ministry, McGregor had more pressing local grievances including, for example, the arrangement whereby Leith docks made a permanent payment to help reduce the City of Edinburgh's debt. Moncreiff was held responsible for the fact that Leith did not buy the docks, reduce its rates and strive to

<sup>63</sup> *The Scottish Guardian* (31.3.1857) even admitted that at previous elections Moncreiff had received the support of anti-Maynooth voters on the grounds of his personal character and public usefulness. It went on lamely to regret the fact that he had not reciprocated on the present occasion.

<sup>64</sup> *The Scotsman*, 14.3.1857. See the reference to the groups opposing Moncreiff as "McGregor's Gathering"

<sup>65</sup> *The Daily Scotsman*, 20.3.1857

<sup>66</sup> *Ibid.*, 18.3.1857, report on the Lord Advocate's meeting at Leith the previous evening.

increase the level of trade. The most pressing local grievance, as indeed it had been in 1852, was the cry of "'No Lord Advocate for Leith!'"<sup>67</sup>

A constituency in which similar evidence of the ascendancy of moderation is found through the identity of views of the candidates on religious issues was Aberdeen. The sitting M.P. since 1852 had been George Thompson, a Free Churchman. He caused some confusion in the city by voting against the Government on the China motion. His address suggests that he was frustrated at the delay to domestic reform caused firstly by the Crimean War and now apparently by one starting with China<sup>68</sup>.

It is possible to place him in that group of burgh Liberals in Scotland who went further than being dissatisfied with Palmerston on the franchise question and remained true to their peace party principles. Certainly his retiring address stated that he had given his vote on Cobden's motion with satisfaction. This was much the same spirit that led *The Edinburgh News*, for instance, to comment in late March, i.e. before the results of the election proved the contrary, that Palmerston fever was abating and that there was disapprobation of anyone defending the Canton massacre<sup>69</sup>.

Thompson retired, certainly partly on account of the alienation among his former supporters caused by his vote, though there were serious efforts on the part of his committee to get him to stand again<sup>70</sup>. This provides further proof that opposition to Palmerston on foreign questions, though a handicap, was not an insuperable hurdle, in the Scottish burghs at least.

After some false starts, two serious candidates were left in the field, John Farley Leith and the defeated Whig candidate of 1847, Col W. H. Sykes. The difference this time was that Leith was supported by the same people who had backed Sykes in 1847, in other words the Whig 'clique'. Their 'excuse' for not switching to Sykes was that they had been pledged to Leith before the former decided to stand<sup>71</sup>. The reality was that Sykes had been brought forward by Aberdeen's 'new clique', the independents of the city. These gentlemen were reported as having decided to support Sykes, not because they liked him, but because he enabled them to defeat "a man who was supported by members of the party over whom they desire to maintain an ascendancy ..."<sup>72</sup>.

In Edinburgh the Independent Liberals had considered the idea of running Lord John Russell and Francis Brown Douglas and had failed to win a share of the representation. In Aberdeen Col. Sykes was supported by a group that was again independent. The

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<sup>67</sup> Omond, G.W.T., *The Lord Advocates of Scotland*, *op. cit.*, p. 192

<sup>68</sup> *The Aberdeen Herald*, 14.3.1857. Thompson specifically deplored the involvement of the country in war and the waste of public money and bloodshed which it entailed.

<sup>69</sup> *The Edinburgh News*, 28.3.1857

<sup>70</sup> *The Scotsman*, 11.3.1857

<sup>71</sup> *The Aberdeen Journal*, 18.3.1857

<sup>72</sup> *The Aberdeen Herald*, 4.4.1857

difference between the two places was that in Aberdeen the independents succeeded. Sykes was returned by 1,035 to 849, a smaller margin of victory than Aberdeen had seen since the Reform Act, but nevertheless a victory. The reason for the success of the Aberdeen independents, as opposed to their Edinburgh counterparts, appears to have been that the Aberdeen variety were predominantly Free Churchman, very strong numerically in the City, and not Voluntaries as in the Capital. The announcement of Leith's candidacy and Thompson's retirement was reported, for instance, to have:

'... sent a good many of the latter gentlemen's ardent friends - particularly Free Churchmen - to the ranks of Col. Sykes. The Dissenters, who think there will be so close a contest that, with their 170 votes, they will be able to turn the election in favour of the man who comes nearest to their views on Church polity, are, it is said, to give their aid to Mr. Leith.'<sup>73</sup>

Col. Sykes, in other words is to be compared more with Charles Cowan than with Francis Brown Douglas. The Voluntaries, now estranged from their Free Church allies, as in Edinburgh, were left in Aberdeen with a choice of two very similar candidates and apparently chose Leith. The Whig/Voluntary combination lost in Aberdeen whereas the Whig/Free Church alliance succeeded in Edinburgh. This was a matter of arithmetic, though again that arithmetic in Aberdeen also suggests the presence on the roll of a large number of new voters, probably as a result of the burgh Registration Act, who may well have needed issues such as the ballot rather than Maynooth addressed. In 1852 1,160 votes were recorded for the two candidates. Five years later this had risen to 1,884, too large a difference to be explained by increased prosperity or voter apathy. What again was significant for the Liberal party was the split between Free Churchmen and Voluntaries and the similar, moderate views of both candidates.

Both supported Palmerston's government, both supported the idea of secular education, both, it could be argued, supported Church establishments, if not endowments. Sykes, indeed, was an Established Church member. He stated his refusal, albeit conditionally, to interfere with the Maynooth Grant<sup>74</sup>. Leith supported an inquiry before the withdrawal of religious grants in Ireland<sup>75</sup>. To return to the *Glasgow Sentinel's* commentary on the election results with which this chapter opened, it makes a mistake in claiming that both candidates pledged themselves against Maynooth, but it does still highlight the fact that the candidate friendlier to the seminary was the one elected:

<sup>73</sup> *The Daily Scotsman*, 25.3.1857

<sup>74</sup> *The Aberdeen Herald*, 21.3.1857. The condition being that if a majority of his constituents expressed a wish for the abolition of the Grant, then he would vote accordingly.

<sup>75</sup> *The Aberdeen Journal*, 18.3.1857

At Aberdeen both candidates were constrained with undisguised reluctance to pledge themselves against the seminary, but of the two the choice of the constituency fell upon the one who committed himself the least deeply, and, who, in committing himself, openly proclaimed that in his heart he still believed to be the endowment to be aright thing.<sup>76</sup>

*The Aberdeen Journal* refers to a Voluntary tone in Leith's address<sup>77</sup> and, indeed, Sykes's making his support for Maynooth conditional was a position adopted clearly out of consideration for the sensibilities of some of his new supporters.

Outside the bigger cities and constituencies like Leith and Paisley that were influenced by them there is more evidence for the claim made by A.J.P. Taylor in his 1951 essay on Palmerston that:

'The general election of 1857 is unique in our history: the only election ever conducted as a simple plebiscite in favour of an individual.'<sup>78</sup>

In the burgh districts and counties the issue of Palmerston played a more central role than in the cities and moderation on religious issues was much less in evidence. An example is provided by Falkirk District, which is discussed more fully in Chapter 6. James Merry, a radical Liberal, stood against George Baird, the Conservative representative of the family that had dominated the District's politics since 1841, and won by 770 to 491, too large a margin to be explained by any of the charges of corruption investigated by the subsequent election petition committee.

Merry marked out a clear position as a supporter of Palmerston abroad and a critic at home. Speaking of his support for the ballot and equal electoral districts, he explained:

'So far as these matters are concerned, I necessarily differ from the views of the present Government, as indicated by recent declarations and votes. But I have no hesitation in saying that this would not have prevented my giving Lord Palmerston's Ministry my hearty support in the late division on the Chinese question; and I may add that I generally have no sympathy either, on the one hand, with the factious dispositions which make such a question the stepping stone to power or, on the other

<sup>76</sup> *The Glasgow Sentinel*, 11.4.1857

<sup>77</sup> *The Aberdeen Journal*, 18.3.1857

<sup>78</sup> A.J.P. Taylor, 'Lord Palmerston', reprinted in *History Today*, vol. 41, 1991, p. 18. Taylor admitted the element of exaggeration in this comment.

hand, with that anti-national spirit which is ever finding wisdom and virtue abroad and only errors at home.<sup>79</sup>

The charges of a lack of patriotism were directed not at his opponent, who some days previously had declared that he could not have supported the vote against Palmerston, but at his brother, James, the retiring M.P., whose pair had been in favour of the vote of censure. As such, therefore, this did not provide a point of dispute in the contest. It is interesting, however, to note that resolutions of support for Palmerston's foreign policy were being passed even at meetings held by George Baird's supporters<sup>80</sup>. *The Scotsman* wryly asked whether, if public feeling had not been so strong on James's position on the China question, George would have objected to it<sup>81</sup>. In other words it was very difficult for the Conservatives to differentiate themselves from the Liberals on this issue without incurring the charge of being less than patriotic.

As his address shows, Merry, like Dalglish, Buchanan, Armitstead and even Adam Black, did criticise Palmerston over electoral Reform. Baird was able to stake out a different position here, but ironically by stating that he would only go as far as Palmerston<sup>82</sup>. In other words, domestically the Conservative Baird positioned himself as a Palmerstonian, against 40-shilling freeholds for example, and in agreement explicitly with the Liberal Lord Advocate's position on franchise reform. Merry, the Liberal, sure of the moderates on the patriotic issue was then left able to claim the support of the more progressive Liberal voters on electoral reform. It is little wonder that Baird lost so heavily.

The Maynooth question did not raise a lot of comment in Falkirk District. Judging by the contests in other smaller burgh constituencies this may explain why Merry, who refused to consider the Grant's abolition in isolation of other endowments, experienced little trouble on the issue running against Baird who called unconditionally for its withdrawal<sup>83</sup>.

Before leaving Falkirk it is interesting to note that in this constituency, notorious for the effort expended by both sides in making sure their people were on the register and in creating votes, the impact of the Burgh Registration Act does not, understandably, appear to have been marked. 1,108 votes were recorded in 1852. In 1857 1,261 were recorded, only 153 more than five years previously.

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<sup>79</sup> *The Falkirk Herald*, 19.3.1857. James Merry's address to the constituency

<sup>80</sup> *Ibid.*

<sup>81</sup> *The Scotsman*, 14.3.1857. The paper went on to suggest that people might be so shocked at this disunity in the Baird family as to return George to Gartsherrie, rather than Parliament, to sort it out.

<sup>82</sup> *The Falkirk Herald*, 19.3.1857

<sup>83</sup> *Ibid.*, 26.3.1857

In Greenock Alexander Murray Dunlop at first reluctantly withdrew, faced with the consequences of his vote against Palmerston<sup>84</sup>. Sir Henry Rawlinson, a Liberal professing to go further than Palmerston on electoral reform, entered the field. Dunlop was saved by the determination of a good number of his constituents to back him again, Rawlinson's refusal to agree to the abolition of the Maynooth Grant in isolation of the other endowments in Ireland may have helped in this case to strengthen their resolve, leaving Rawlinson apparently dependent on the support of a few men round the Provost and at least one prominent Conservative<sup>85</sup>. The important message from Greenock was again the fact that an M.P.'s position vis à vis Palmerston on the China question, even in the case of an otherwise entrenched member like Dunlop<sup>86</sup>, was crucial, though, as with George Thompson in Aberdeen, opposition was not necessarily an insuperable problem. Unlike Aberdeen, the contest in Greenock began and ended with the problem of Dunlop's vote on this issue. Once his constituents had signalled their willingness to live with it, Rawlinson withdrew.

A similar set of circumstances was played out in Stirling Burghs. Sir James Anderson decided to retire and Laurence Oliphant entered the field only to find that Anderson had been persuaded to stand after all. The only real differences between the two were on Palmerston's foreign policy and on Education. Oliphant announced himself as a warm supporter of the Premier's position on China. Anderson's unhappiness at the turn of events in China, though it did not lead him to vote against Palmerston as Dunlop had, was stated explicitly in his address and may well have played a part in his original decision to retire. On Education it is worth noting that Oliphant's support for Moncreiff's bills did not carry him far in this constituency. Sir James Anderson's Voluntary opposition to Moncreiff's 1855 measure, for instance, had done him little harm in Stirling Burghs where the Voluntary element was very strong. The similarity between the two men otherwise extended to Maynooth, which they were strongly against<sup>87</sup>. There was obviously no mileage in Stirling Burghs in coming out as favourable to the Grant! Like Rawlinson Oliphant withdrew rather than go to the poll.

In Dumfries District, the radical William Ewart found himself in trouble because he had been absent from the vote on the China question. His address explained that this was his solution to having been a supporter of Palmerston's government during the difficulties of the Crimean War but to finding himself unable to support that same government's *carte blanche* grant of authority to Sir John Bowring. The explanation was reported to have met with dissatisfaction among many electors<sup>88</sup>. Ewart survived

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<sup>84</sup> *The Scotsman*, 7.3.1857

<sup>85</sup> *The Scotsman*, 14.3.1857 and *The Daily Scotsman*, 16.3 & 18.3.1857

<sup>86</sup> For a summary of Dunlop's career as Greenock's representative see John Donald, *Past Parliamentary Elections in Greenock*, Greenock 1933

<sup>87</sup> *Ibid.*, 17.3 & 18.3.1857

<sup>88</sup> *Dumfries and Galloway Courier*, 10.3.1857

partly because the man who appeared to oppose him, James Hannay, was a Derbyite. He was reported to have won the support of the Mansfield, Buccleuch and Queensberry influences<sup>89</sup>. Like Ewart he condemned the "terrible chastisement" that had been meted out to the Chinese<sup>90</sup>, but then went further in his nomination speech and promised Palmerston support if he would withdraw from the direction of foreign affairs<sup>91</sup>. This provides further evidence that to the Scottish Conservatives Palmerston was, in domestic politics certainly, an attractive leader. Hannay at this point in time, however, did not provide an attractive alternative even for Ewart's disgruntled Liberal supporters and the latter was returned by 506 to 185 votes.

Further evidence of the strength of the Palmerston factor in the smaller Scottish burghs is provided by Wick District. Samuel Laing, the sitting M.P., was one of only three Scottish Liberals to support Cobden's motion. The result in Wick District was a split among his supporters, seen immediately at the meeting held to promote his re-election<sup>92</sup>. These Liberals, apparently the moderate section of Laing's former supporters, put up Lord John Hay, who made the centre-piece of his address his strong support for Palmerston as the saviour of the country from the feebleness displayed in the Crimea<sup>93</sup>. Despite retaining strong support in his native Kirkwall, Laing was forced to retire, much to the regret of radical papers like the *Scottish Press*<sup>94</sup>. Laing was a supporter of the 40-shilling freehold movement. In his place, and with the support of Laing's agents and committees, a Mr. Shaw then went down to defeat by the convincing margin of 272 to 162 votes.

The Wick and Dumfries District contests, do point up a further possible differentiation among the Scottish burghs. Although not the central issue in either case, the victors in these two elections made something out of their opposition to the Maynooth Grant. Lord John Hay was a strong opponent of the Grant and William Ewart especially may have profited from James Hannay's outright defence of the endowment<sup>95</sup>. It appears that outside the cities and the central belt religious moderation does not appear to have made much progress. Greenock, as has been seen, provides another example.

Three other burgh constituencies require brief mention. Ayr and Wigtown Districts because they gave a taste of things to come after the dust of the China question had

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<sup>89</sup> *The Daily Scotsman*, 21.3.1857

<sup>90</sup> *Ibid.*, 17.3.1857

<sup>91</sup> *Ibid.*, 30.3.1857

<sup>92</sup> *Ibid.*, 17.3.1857

<sup>93</sup> *Ibid.*, 21.3.1857

<sup>94</sup> *The Scottish Press*, 31.3.1857

<sup>95</sup> *The Daily Scotsman*, 30.3.1857



settled and St. Andrew's District because it provides a humorous touch and an example of how chameleon-like some politicians could be.

In Ayr District the sitting Liberal M.P., E.H.J. Craufurd was again challenged by Archibald Boyle on the Conservative interest. The matter did not come to a poll, but was significant because of the ground that Boyle chose on this occasion to challenge Craufurd on. Craufurd was opposed for legal reasons to the introduction of 40-shilling freeholds into Scotland and, it was claimed, to Locke King's motion for the equalisation of the county and burgh franchises. Col. Mure, the former member for Renfrewshire, wrote to Boyle's brother and commented on Archibald to the effect that:

He seems to be going pretty well ahead in the march of reform; more I should think than will suit your taste.<sup>96</sup>

Patrick Boyle was not the only one who was in a position not to appreciate his brother's party's interest in electoral reform. The Liberal *Ayrshire Express* tried to show the inconsistencies in the Conservative position as revealed by the statements of the *Ayr Observer*, a Boyle supporter which had attacked Craufurd for being against 40-shilling freeholds in Scotland. The *Express* quoted the *Observer* a few weeks before the dissolution as having condemned the idea of enfranchised 40-shilling freeholders to swamp the surrounding counties as:

'... a style of innovation quite suited to the genius of Dr. Begg and his associates, who, to recover the position they once had, ... would move heaven and earth to turn the country upside down.'<sup>97</sup>

James Begg's role in the 40-shilling freehold movement comes in for discussion later. What is important here is the *Express*'s comment on the *Observer*'s U-turn:

Here our Friend, who has an unenviable facility in blowing hot and cold on the same subject, as occasion requires, sets his own seal of condemnation to the scheme which he is wroth with Mr. Craufurd for regarding in a so-called spirit of apathy!

A week earlier the *Express* had been moved to defend Craufurd against a "specious but fruitless effort" to show that Boyle was in advance of him on Locke King's bill. Boyle was only more advanced than Craufurd in that he was willing to have it discussed in parliament, whereas Craufurd had refused:

<sup>96</sup> Col. W. Mure to Patrick Boyle, 27.3.1857, Glasgow MSS., MS. SWB1/54

<sup>97</sup> *The Ayrshire Express*, 4.4.1857. Quotation from the *Ayr Observer* of 10.2.1857.

'... it is not denied that he [Boyle] would not affirm its principle. Mr. Boyle's wish is that the measure should only be born to die, ...'<sup>98</sup>

The message in all this is that to get the political edge Boyle had turned to the Reform issue and attempted to portray himself as more advanced than Craufurd, whom he portrayed as a cautious Liberal. There was no mileage for Boyle in running against Craufurd on Maynooth. Protection, which had, in terms of limiting the extent of Free Trade, provided some leverage in 1852 was dead. Boyle could not, in the circumstances of 1857, run as an anti-ministerial candidate. Boyle's choice of an issue with which to attack Craufurd shows that not only radical Liberals could make use of it. A Conservative like Boyle, perhaps frustrated with a political climate in which even the patriotic card had become a Liberal monopoly, could turn to it too.

The same message, this time delivered from that opposite, radical side of the political spectrum, that Reform was the coming issue, was delivered by none other than A.H. Layard, who unexpectedly turned up to contest Wigtown Burghs at the last moment. Layard, author of the 1855 House of Commons motion on Administrative Reform had voted against Palmerston on the China question and had been defeated at Aylesbury a week previously. He took his Whig opponent, Sir William Dunbar, to task at the Wigtown nomination, for on the one hand claiming that Palmerston and China were the only questions at issue and, on the other, saying he would vote for Locke King's franchise motion. Layard asked:

'Who opposed and threw that measure out? Lord Palmerston's Government.'<sup>99</sup>

He then went on to pointedly ask whether Dunbar intended to go on with the cry of Palmerston and China for the following seven years. Needless to say Layard presented himself as the people's candidate, a supporter of the ballot and electoral reform. He withdrew, having won the show of hands, seeing no chance of success at the poll.

A humorous touch was added to the 1857 election by the appearance of Francis Brown Douglas in St. Andrew's District to oppose the sitting Liberal, Edward Ellice. Brown Douglas, it will be remembered had opposed Adam Black as the candidate of the Edinburgh Independent Liberals the previous year and had been spoken of as their candidate again until it became clear that he would stick by his promise not to oppose Charles Cowan. There were some squibs as to whether he would stand as a Liberal or a Tory, a reference to his pre-1856 Tory leanings and some reason for wondering, given

<sup>98</sup> *The Ayrshire Express*, 28.3.1857

<sup>99</sup> *Dumfries and Galloway Courier*, 7.4.1857

his anti-Maynoothian zeal in Edinburgh, at why he chose to stand against Ellice, an opponent of the Grant when it was voted on in 1845<sup>100</sup>. His address showed him to be a Liberal, but his support appears to have come from a mixture of Tories and extreme radicals. At Cupar the Tory agents were reported to be dividing their time between Brown Douglas and the Tory candidate for Fife, Lord Loughborough<sup>101</sup>.

Brown Douglas presents the classic case of the ambitious young man in search of a seat, who was unfortunate enough to combine flexibility in meeting the requirements of whichever backers he fell in with with a certain political accident-proneness. He attempted, for instance, to claim a local connection with St. Andrews by stating that he always spent a good summer month there. *The Scotsman* seized on this as a new electioneering concept:

'... surely it is a new idea for a man to found a claim to represent six burghs in Parliament on the fact that he is in the habit of coming to wash himself in their neighbourhood.'<sup>102</sup>

Francis Brown Douglas, finding his hopes frustrated in Edinburgh and trying his luck in St. Andrews, was an extreme symptom, a refugee as it were, from what was happening all over Scotland in elections in the larger burghs in 1857. The Free Church/Voluntary alliance experienced some spectacular reverses. In Edinburgh, Glasgow, Dundee, Aberdeen and Paisley it had either split or been driven from holding the representation altogether. Maynooth, as the *Glasgow Sentinel* said, was no longer the vote winner and 'glue' to the alliance it had been. The Education issue had driven Free Churchmen, in Paisley and Glasgow, to take two prominent examples, to revolt against supporting Voluntary candidates who had blocked Moncreiff's bills. Moderate Whig candidates were often the beneficiaries and had been returned in the place of Voluntaries and Free Churchmen who had held sway for a decade.

Having said this, it is interesting to note that the Whigs of 1857 were not the same as those of 10 years earlier. The 'new-model' Scottish Whigs were of a more entrepreneurial, less 'aristocratic', in the sense of burgher aristocracy, stamp than their predecessors had been. Adam Black was an Edinburgh publisher and bookseller, not, like Sir William Gibson Craig, an estate owner. Walter Buchanan was an East India merchant, not, like John Dennistoun, an extensive estate owner with properties as far flung as Louisiana<sup>103</sup>. Col. Sykes was Chairman of the East India Company and

<sup>100</sup> *The Daily Scotsman*, 19.3.1857

<sup>101</sup> *Ibid.*, 28.3.1857

<sup>102</sup> *Ibid.*, 20.3.1857

<sup>103</sup> See entries in *Memoirs and Portraits of One Hundred Glasgow Men*, Glasgow 1886, vol. 1, pp. 57+58 and 101+102. David Teviotdale in his unpublished

markedly more successful an entrepreneur than his predecessor as Aberdeen M.P., Alexander Bannerman. Both Black and Buchanan had, indeed, been political 'bag-carriers' to their Whig predecessors of the pre-1847 period, serving on their committees and being link-men when they were away in London.

As part of this shift in the balance of power within the Scottish Liberal party some individuals and sections of the Liberal party had lain down with strange bed-fellows in their desire to hold on to influence or to express their dissatisfaction with former allies. The Free Church independents with the Whig Col. Sykes in Aberdeen and Charles Cowan with the Whigs in Edinburgh are two very prominent examples. Francis Brown Douglas's making common cause with the Tories and radicals of St. Andrews District does not look so very strange in this light. Power, the ability to direct the course of the Liberal party, was, in the end, what it was all about and if this meant men like Duncan McLaren considering running a Whig supporter of the Maynooth grant, then so be it!

In the smaller burghs religious moderation was not so evident. This is shown by the survival of Alexander Dunlop in Greenock and of William Ewart in Dumfries District. The near contest in Stirling District and the Lord John Hay's candidacy in Wick District fit in with this conclusion also. What did play a big role in these constituencies was the Palmerston factor. True, in the larger cities, as George Thompson found out, it was a handicap to have opposed the Premier on the China question. There was, however, political room in these city seats for most Liberals to describe themselves as being in advance of Palmerston on electoral reform, even Whig moderates like Adam Black did this, and also for some radicals, those sympathising with the Cobden and Bright school of Liberalism, to criticise him on foreign policy as well. In the smaller burghs this was much less the case, as Samuel Laing, William Ewart and Alexander Murray Dunlop found out to their cost and James Merry in Falkirk District discovered to his benefit.

It can only be a footnote to this strength of Palmerston's appeal in the Scottish burghs, especially the smaller ones, in 1857 to take account of the signs that the coming issue was Reform. Evidence that candidates were using this subject, in a way that had not been the case in 1847 and 1852, to define their political position can be found in large and small burgh constituencies alike. The evidence also suggests that the Burgh Registration Act, and the cleaning up and expansion of burgh registration rolls which it caused, may well have had something to do with this renewed interest in Reform. The ballot as a protection for voters had become, for example, a relevant matter for many more people by 1857.

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thesis, 'Glasgow Parliamentary Constituency, 1832-46', University of Glasgow 1963, develops this argument in some detail. See his Chapter 6, pp. 111-130.

The Palmerston factor in the smaller burghs, but still more in the Scottish counties, had the power that religious moderation and Education had in the bigger burghs to bring about political realignment and in some places changes of loyalty that were sometimes for the Liberal party politically very significant.

Amongst the smaller burghs, the effect of the Palmerston factor has already been noted in Falkirk District. A further unfortunate, from the Liberal point of view, example of this in a burgh seat is provided by Archibald Boyle in Ayr District. In 1857 he came out as a Palmerstonian in his attempt to unseat E.H.J. Craufurd. This prompted comparisons with his conduct at the previous election in 1852:

How can he reconcile his solemn pledges to support the Derby Administration of 1852 with the assurance that he will come to the rescue of the Palmerston Administration of 1857? ...

His conduct in this matter, however, does not belie his antecedents. It may be remembered that the creed of the Derbyite candidates at the last general election conveniently assumed a Free Trade or Protectionist complexion, according to the nature of the constituencies to which they appealed for support. Addressing the electors of a town they went in for Cobden and untaxed food: addressing the electors of a county they were profuse in their protestations that they would relieve the aggrieved agricultural interest. As it was then so is it now. The tactics of the enemy remain unchanged. Mr. Boyle is Palmerstonian in the Burghs. Sir James Fergusson is anti-Palmerstonian in the county.<sup>104</sup>

Boyle's attempt to position himself as a Palmerstonian was not put to the test at the poll. Apart from the other considerations already discussed, the fact that his opponent Craufurd was a strong Liberal supporter of Palmerston certainly played its part<sup>105</sup>. Fergusson's anti-Palmerstonianism in Ayrshire, however, was so tested and while the Conservative candidate publicly defended his vote against the Government on the China question, his Conservative supporters found his position less than attractive. This contest is discussed in greater detail in Chapter 7. What is important here is to notice the split between Fergusson and his Conservative supporters. Fergusson's address noted that:

'I felt no doubt or hesitation in giving my vote in condemnation of the course pursued by the British agents in China.'

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<sup>104</sup> *The Ayrshire Express*, 14.3.1857

<sup>105</sup> *The Scottish Press*, 24.3.1857

and went on to dwell on there being nothing unnatural in a combination between the Derbyites and Peelites in Parliament, as had occurred in this vote, as they had both formerly belonged to the same party<sup>106</sup>. This was probably said as much with the continuing split amongst Derbyites and Peelites in Ayrshire in mind as anything that had happened at Westminster.

This in fact was Fergusson trying to make the best of a political mess. To his uncle, Patrick Boyle, a leading Ayrshire Conservative, he wrote that:

'I am sorry again to have offended your opinions with regard to the China question - and can only say in justification of my reference to it in my last address - that Lord James having made it the chief point in his opposition to me - I was forced to uphold my conduct and in few words the opinion expressed in my last address is the reason of my vote upon it.'<sup>107</sup>

Fergusson's problems were greatly compounded by the Liberals' choice of candidate. Lord James Stuart, long-serving M.P. for Ayr District, a religiously tolerant radical with a large personal following in the county, the party could not have picked a better person to draw together radicals, Peelites, Whigs and mainstream Liberals that had splintered so badly at the 1854 by-election. As Fergusson said, he made support for Palmerston the lynch-pin of his address:

'I think that the nation owes a debt of gratitude to Lord Palmerston for his conduct of the late war. He found matters in confusion, and the country, in consequence, excited and indignant. His energy carried the war through to a successful termination; ...'<sup>108</sup>

The potency of this issue lay not only in its ability to unite the Liberals, but also in its ability to draw the 'Peelite' Conservatives to them and to make Fergusson's natural Conservative supporters less than enthusiastic to vote for him. Amongst the latter, Patrick Boyle's unhappiness has already been noted. Here is another example, from a lady who confessed to being less than keen when it came to the contest between Lord James and Sir James:

'I daresay that you will be surprised to hear that of late, I am rather inclined to support Lord Palmerston. I think he has been much more straightforward than the

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<sup>106</sup> *The Ayr Advertiser*, 19.3.1857

<sup>107</sup> Sir James Fergusson to Patrick Boyle, 11.4.1857, Glasgow MSS., MS. SWB/1/17

<sup>108</sup> *Ayr Advertiser*, 19.3.1857

other party - I was born and bred a Tory, and it appears to me that Lord Palmerston is coming round to my side.'<sup>109</sup>

She then went on to criticise Derby in no uncertain terms.

As Chapter 6 makes clear, Fergusson's hope that the action of certain nationally prominent Peelites would be followed locally was not realised. Rather than Peelite it seems, as discussed in Chapter 3, more appropriate to call these Conservatives 'Independent' by this time. A good example is Col. William Mure, former member for Renfrewshire, who had a vote in Ayrshire. He explained his readiness to vote for Lord James in the following terms:

'I also, I confess, like many other people, feel strongly inclined to support Palmerston's government at the present crisis; and consequently to vote for the man who appeals to me generally as his supporter, rather than one who admits himself to be in the ranks of his most declared adversary.'<sup>110</sup>

The Palmerston factor was not the sole reason for Fergusson's defeat in Ayrshire. The appeal of Stuart and, for example, the Education question, discussed below, also played a part. It was, without doubt, however, the major reason for this significant Liberal victory. Stuart's margin of victory, 1662 to 1458, a majority of 204 votes, contrasted sharply with Fergusson's defeat of Alexander Oswald only three years earlier by the only slightly less impressive margin of 129 votes.

The influence of Lord Palmerston's appeal had a similar effect on the electors in Perthshire, though with less dramatic results. The sitting Conservative, William Stirling, was warned immediately after his vote against Palmerston, as to what mood his constituency was in:

'Here, as throughout the Country in general, the Palmerstonian administration of affairs is considered with an eye of considerable favour, and even the most of the Conservative party in this quarter seem to think that the opponents of Government have rather made a false move in enabling Ministers to go to the Country with such a ground for their appeal as they will now have by representing themselves as the martyrs of a vindictive and factious coalition upon this Chinese question.'<sup>111</sup>

<sup>109</sup> Anne Hamilton to Patrick Boyle, 21.3.1857, Glasgow MSS., MS. SWB/1/45

<sup>110</sup> Col W. Mure to Patrick Boyle, 27.3.1857, Glasgow MSS., MS. SWB/1/54

<sup>111</sup> Andrew Davidson to William Stirling, 11.3.1857, Stirling of Keir MSS., MS. T-SK 29-79/22

Stirling was advised, in the light of these circumstances, to make the most in his address of the occasions when he had given the Government his support and, further, to avoid mentioning the cause of the election:

'... it appears to me that it would be as well to avoid any mention of the cause of dissolution, as the unholy alliance with Cobden, and co. rather sticks in the throats of some parties.'<sup>112</sup>

Lord James Murray, backed by the Breadalbane and Atholl interests, came forward to challenge Stirling. Murray was the Duke of Atholl's brother and neither were natural Whigs, in fact Stirling referred to the Duke as one of the 'chiefs' of the Conservative party in Perthshire. Henry Home Drummond, Stirling's Peelite predecessor as Perthshire's M.P., while admitting to being put in a quandary by Murray's candidacy, suspected that the Duke of Atholl had "walked into a Whig trap with his eyes open"<sup>113</sup>. The motivation for Atholl putting Murray up was Stirling's vote in the China division encouraged by some behind-the-scenes lobbying by the Whig Lord Kinnaird<sup>114</sup>. Likewise Atholl only agreed to withdraw Murray when he received assurances that Stirling would offer no factious opposition to Palmerston's administration. At a 'conference' held at Perth railway station on the 23rd of March to secure Murray's withdrawal the following exchange was reported to have taken place:

*'Duke:* But, after all - who do you expect to get that would be a better Minister than Lord Palmerston - a more conservative minister?

*Stirling:* I don't expect one, I am sorry to say. It is because I believe him to be, in his home policy, desirous to let all alone, that I support him at all.'<sup>115</sup>

Stirling tried to explain his dislike of Palmerston's foreign policy by referring to his actions in the Don Pacifico affair, which Stirling thought discreditable and which Home Drummond had voted against<sup>116</sup>. It was to no avail as Atholl replied that he could hardly remember the question!

<sup>112</sup> John Robertson to William Stirling, 15.3.1857, Stirling of Keir MSS., MS. T-SK 29-79/64

<sup>113</sup> Henry Home Drummond to William Stirling, 19.3.1857, Stirling of Keir MSS., MS. T-SK 29-79/26

<sup>114</sup> *The Daily Scotsman*, 30.3.1857 and W.S. Stirling Crawford to William Stirling, 20.3.1857, Stirling of Keir MSS., MS. T-SK 29-79/21. There were threats to run a candidate against Lord Kinnaird's relative, Arthur Kinnaird, in Perth City, to persuade the former to withdraw his interest in the county.

<sup>115</sup> Notes of a 'Conference' held at Perth on 23.3.1857 on the subject of Lord James Murray's retirement from the contest for Perthshire, 12.4.1857, Stirling of Keir MSS., MS. T-SK 29-79/118

<sup>116</sup> The Don Pacifico affair of 1850 had involved Palmerston, as Foreign Secretary in sending a fleet to blockade Piraeus, the port of Athens, in support of the



Stirling's defence of his position highlights the fact that the very same cautious domestic policy which led many burgh Liberals in Scotland to criticise Palmerston had exactly the opposite effect on county Conservatives. This, together with the attraction of his ecclesiastical appointments for county Conservatives, which has already been discussed, was partly to account for the increased receptiveness of the counties to the Liberal party in the years to come.

In the immediate sense, i.e. the politics of the 1857 election, events in Perthshire show how powerful a potential influence Palmerston was in enabling the Liberals to draw off Tory support or in bringing a sitting Conservative M.P. to change his position. Having explained his opposition to Palmerston's foreign policy, Stirling felt it necessary to say in his address:

'But in voting, like many of his steadiest adherents, against him on the China question, I was far from pronouncing a general condemnation of his government. On the contrary, I desire to record my humble approval of the vigour and judgement with which he carried on the late war and negotiated the peace of Paris; and of the wise caution with which, in dealing with home affairs, he governs the innovating spirit of his party.'<sup>117</sup>

Only so, apparently, could a sitting Conservative who had voted against the Government on China hope to survive unchallenged.

In Argyllshire, Sir A.I. Campbell suffered the same fate as James Fergusson, but without going to the poll. He was replaced by A.S. Finlay, who announced himself a supporter of Palmerston's government. Campbell had voted against Palmerston on the China question and again this proved his undoing<sup>118</sup>. The nature of the constituency cannot have helped him on this sort of issue:

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claims of Don Pacific, a Portuguese Jew who claimed British citizenship on the grounds that he had been born in Gibraltar, whose house had been burnt down by an anti-semitic mob. In the resulting debate in the House of Commons the Conservatives mustered all their forces to criticise not only this action, but Palmerston's foreign policy generally. For a good summary see once again M.E. Chamberlain, *British Foreign Policy in the Age of Palmerston*, London 1980, pp. 64-65

On this occasion, unlike on the China question, the Government won the closing vote. In defending his action to the Duke of Atholl Stirling claimed with some justice that in 1850 "... Lord Palmerston triumphed over nearly the same combination of parties as defeated him on the china question." The difference in 1857 lay in the reaction of the Conservative party in the country.

<sup>117</sup> William Stirling's address to the electors of Perthshire, 17.3.1857, Stirling of Keir MSS., MS. T-SK 29-79/116c

<sup>118</sup> *The Daily Scotsman*, 24.3.1857, described Campbell as having let his party involvements get the better of his own good sense.

The constituency ... is largely made up of Glasgow merchants, who vote in right of their summer residences situated along the Argyllshire coast.<sup>119</sup>

Interestingly Finlay's not being an opponent of the Maynooth Grant, Campbell was, did not hinder his uncontested election<sup>120</sup>. He was certainly also helped by the fact that he was perceived as a conservative-leaning supporter of the Government, indeed the *Glasgow Sentinel*, for example, had difficulty in classifying him as a Liberal<sup>121</sup>. Alexander Smollett wrote that:

I know A.S. Finlay very well. He is quite conservative in his views.

I believe the Whigs and Radicals in Argyllshire would have been very glad if Sir A. Campbell had contested the County, in order that a quarrel might have been thereby established among their opponent, which the Baronets withdrawal has prevented.<sup>122</sup>

In other words, Campbell's withdrawal had been prompted by Finlay's appeal to a good section of the Argyllshire Conservative party in addition to the Liberals.

Bailie Cochrane, the Derbyite member for Lanarkshire, had also voted against Palmerston on the China question. This, together with his opposition to Government policy on trying to help prisoners held by King 'Bomba' of Naples, was to lose him his seat and make him a figure of ridicule for the Liberal press in Scotland. He was opposed by Sir Edward Colebrooke for the Liberals, who expressed support for the Government on China, though he reserved his position on the action of British officials in the Far East<sup>123</sup>.

Cochrane had been elected unopposed only three months earlier and brought to this contested election the handicaps, for a Scottish constituency, of being associated with the Young England movement and the Puseyite wing of the Church of England<sup>124</sup>. The Earl of Home, writing after the election, reported that:

'Mr. Graham, the Duke of Hamilton's Factor, told me, that the Ministers in the County are persuading their Flocks that Mr. B.C. is a Romanist in disguise, and that this alone would destroy all chance of re-election.'<sup>125</sup>

<sup>119</sup> *Ibid.*, 17.3.1857

<sup>120</sup> *The Scottish Guardian*, 27.3.1857

<sup>121</sup> *The Glasgow Sentinel*, 11.4.1857

<sup>122</sup> A. Smollett to Patrick Boyle, 8.4.1857, Glasgow MSS., MS. SWB/1/9?

<sup>123</sup> *The Daily Scotsman*, 25.3.1857

<sup>124</sup> *The Scottish Guardian*, 7.4.1857

<sup>125</sup> The Earl of Home to the Duke of Buccleuch, 7.7.1857, Buccleuch MSS., MS. GD224/1031/18

The support of the Duke of Hamilton, as well as that of Lord Douglas, was a powerful compensating advantage. Such considerations paled, however, under the circumstances of Cochrane's opposition to Palmerston's foreign policy and in his case not only in China, but in Italy as well. Cochrane's argument was that such interference was not wished for by the prisoners and that it only made their condition worse<sup>126</sup>. Colebrooke was able to take a personal line on this latter question, saying that he too had remonstrated with the King of Naples on behalf of his oppressed subjects after visiting the Neapolitan dungeons and he could not understand why Cochrane objected to the Government doing likewise<sup>127</sup>. *The Scotsman* weighed in, describing Cochrane as Lanarkshire's "present member in the Neapolitan interest" and suggesting that Cochrane wanted an Anglo-Neapolitan alliance and the extension of Austrian rule in Italy<sup>128</sup>. Such accusations struck a deep chord in the Liberal and indeed the Scottish mind of the late 1850's. As is discussed below, the independence of Italy and other nations was a subject dear to the heart of many Liberal activists at that time.

Cochrane's frontal attack on Palmerstonian foreign policy, together in his case with his religious affiliation, meant that he could not hold the Conservative party in Lanarkshire together. On his religion, for example, the Earl of Home remarked that:

'Mr. B.C. cunning Dog! - wanted Lucy and me to stand sponsors for his Protestantism. I am not such an ass.'<sup>129</sup>

And, in connection with his trying to make political capital out of the loss of life caused by the British bombardment of Canton, the *North British Daily Mail* remarked:

'The Tories themselves feel that their cause is faltering to its base in this county. However mortifying it may be to his Grace, the plain truth is that the accession of the Duke of Hamilton has given no strength to the Conservative party, but on the contrary, as we hope defection from one party to dominate over another will always do, has only weakened and subverted it.'

In other words, even aristocratic pressure had not been enough to save Cochrane, though even how much of this there was seems questionable in the light of the Earl of Home's position. Conservative weakness redounded to the Liberals' benefit and Colebrooke won by 1233 to 1197.

<sup>126</sup> See Cochrane's address. *The Scotsman*, 14.3.1857

<sup>127</sup> *The North British Daily Mail*, 4.4.1857

<sup>128</sup> *The Daily Scotsman*, 31.3.1857

<sup>129</sup> The Earl of Home to the Duke of Buccleuch, 7.7.1857, Buccleuch MSS., MS. GD224/1031/18

Another victim of his vote against Palmerston was James Johnstone, the sitting Liberal in Clackmannan and Kinross. This is not to say there were not other considerations, Education, discussed below, for instance being one, but being on the 'wrong' side over China was a major immediate factor in Johnstone's eventual withdrawal from the field. His position seems to have been somewhat confused on this issue as only a few weeks before the division he had condemned the Chinese as "a very impudent set of fellows" in need of a sound thrashing<sup>130</sup>. The first in the field was W.P. Adam, Johnstone's defeated opponent in 1851. The draft of Adam's address makes clear that support for Palmerston's government in its China policy was to be the major point of attack<sup>131</sup>. At the wish of Johnstone's opponents Adam, however, withdrew in favour of Lord Melgund<sup>132</sup>. Melgund, heir to the Minto estates, was then allowed to walk the course.

There were exceptions to this Palmerstonian tide in the counties. Perthshire has already been discussed. In Berwickshire Francis Scott, son of the Duke of Buccleuch and standing as a Conservative, was returned over David Robertson, the Liberal, despite having voted against Palmerston. Scott made much of the extra taxation imposed at the end of the Crimean War, but even he portrayed his vote on China as not against the Government, but rather the actions of Bowring. As in Perthshire the Conservative here was quick to qualify his position. In any case, as events in 1859 were to make clear, this was a constituency in which an unusually high degree of landlord pressure was exerted. In counties with any degree of openness, Ayrshire, Lanarkshire and Clackmannan and Kinross, the Palmerston factor was central in deciding the issue. And not only for the Liberals. To take another example, Fife. Lord Loughborough mounted a Conservative challenge there to the sitting Liberal John Fergus. Fergus stressed his support for Palmerston at home and abroad and included mention of his belief that the country was not interested in constitutional changes, in other words electoral reform, at that time. Loughborough qualified his support for the Government by saying that Bowring should have waited for instructions from London<sup>133</sup>. The matter was not taken to a poll and the reason was that, as in Ayrshire and Lanarkshire, Loughborough

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<sup>130</sup> *The Scotsman*, 14.3.1857

<sup>131</sup> Draft address from W.P. Adam to Clackmannan and Kinross, n.d. 1857, Adam of Blair Adam MSS., MS. 4/575, f. 12

<sup>132</sup> Adam himself reported that there was a good deal of old feeling against him in the constituency. See W.P. Adam to Lord Melgund, 10.3.1857, Minto MSS., MS. 12341, ff. 1-2. This may well have been concentrated in the Clackmannan part of the constituency which had opposed him in 1851. Support for Adam was solid in Kinross in 1851 and would have been in 1857. Johnstone appears to have been thoroughly disliked in that part of the constituency. See J. Moncreiff to Lord Melgund, 13.3.1857, Minto MSS., MS. 12341, ff. 5-7

<sup>133</sup> Report on addresses by both candidates to a meeting at Kirkcaldy, *The Daily Scotsman*, 21.3.1857

could not hold the Conservative party in Fife together. Fergus's opponent in 1847, J. Balfour, was reported to be supporting the Liberal and he was not alone:

'... it is understood that Sir Ralph Anstruther, Lord William Douglas, and the others of the chief Conservative proprietors in the county, have resolved on a similar course.'<sup>134</sup>

The suggestion here is that if the Liberal candidate was a Palmerstonian in the true sense, i.e. a moderate in domestic policy, then he might pick up a great deal of Conservative support. A.S. Finlay in Argyllshire was another good example.

The spirit and significance of 1857, in terms of the prospects for the Liberals in the Scottish counties, is brought out very well in Lord Elcho's address to his Haddingtonshire constituency, where he was re-elected unopposed. Elcho, a Peelite, had not been present for the China vote but, in explaining why he would have supported the Government, he made clear the difference Palmerston had made to his political position. Although quoted in another context in Chapter 3, this is such an important statement, it bears citing again:

'... I have remarked in the speeches and conduct of my political friends a spirit of hostility to Lord Palmerston's Government with which I am unable to sympathise, and inasmuch as the term Peelite would now appear to designate a follower of Mr. Gladstone and Mr. Disraeli, it is no longer as a Peelite that I ask for your support, although I still am ... both in feeling and action, a Liberal-Conservative.'<sup>135</sup>

Disraeli, associated, like Cochrane with what was seen as a pro-Papal foreign policy, was not attractive to now-ex-Peelites of the stamp of Lord Elcho<sup>136</sup>. Elcho further specified that he was not attracted by the prospect of a government led by Lord John Russell whom he described as the deserter of Aberdeen<sup>137</sup>. This led him, though not in

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<sup>134</sup> *Ibid.*, 25.3.1857

<sup>135</sup> *Ibid.*

<sup>136</sup> As discussed in Chapter 3, Col. William Mure was of the same opinion. For a discussion of Disraeli's position in the Conservative party and the revolt against him on this area of policy in Palmerston's favour see P.M. Gurowich, 'The Continuation of War by Other Means: Party and Politics, 1855-1865', *The Historical Journal*, vol. 27, 1984, pp. 619-620 and especially footnote 108.

<sup>137</sup> Russell had resigned in January 1855 shortly before the vote on Roebuck's motion for an inquiry into the conduct of the war, thereby weakening the Aberdeen coalition, in which Elcho was a Scottish Lord of the Treasury, just before this crucial test. Elcho also blamed Russell for the Vienna peace proposals to end the Crimean War which would in their final form have allowed both sides to maintain an equal force in the Black Sea. Russell was accused of truckling to the Russians. See John Prest, *Lord John Russell*, London 1972, pp. 370-376

any spirit of resignation, to state that he did not want any change of government. As has been seen, that was the opinion of many Conservatives in the Scottish counties and was a political atmosphere which could only work to the advantage of the Liberal party.

In the shadow of Palmerston's influence other issues did play a role in the Scottish counties in 1857 and did influence the Liberal party there. Maynooth was not the issue it had been. As the *Glasgow Sentinel* pointed out Lord James Stuart in Ayrshire, A.S. Finlay in Argyllshire and Lord Melgund in Clackmannan and Kinross were all at least tolerant of the Grant and were elected. As in the smaller burgh constituencies, however, the picture was not one of universal religious tolerance. In Kirkcudbrightshire, for example, Maynooth was the only real point of difference between two Liberals, James Mackie, the son of the retiring M.P., and his challenger George Maxwell. In a contest which split the Liberal party in the county, he won, partly because he received the Conservative vote, but also because he was against the Maynooth Grant, while Maxwell was not:

'If the majority of the electors of the Stewartry are opposed to the Maynooth Grant it is quite proper that they should send a man to Parliament who is prepared to vote against it; but it is much to be regretted that a subject which rouses the worst feelings of human nature should be agitated in the way, and especially as it can have no practical effect, for no man under the responsibility of office will venture to propose its abolition.'<sup>138</sup>

These sentiments were obviously, however, more suited to a Scottish city constituency than to Kirkcudbrightshire.

A more important issue in the Scottish counties was that of Education. In contrast to the burghs, it was as much *support* for Moncreiff's efforts that could get a candidate in trouble with the electors. Sir James Fergusson in Ayrshire lost Conservative support because, in opposition to his own party, he had been prepared to support the Lord Advocate in abandoning the religious test for parish schoolmasters during Moncreiff's attempt to pass a Parish Schools bill in 1856. This measure, much reduced in scope from its predecessors of 1854 and 1855, had satisfied Fergusson because, for him, it left the management of the parish schools still largely in the hands of the Church of Scotland<sup>139</sup>. Not all his constituents were in agreement. An Ayrshire minister and former supporter wrote in objection that:

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<sup>138</sup> *Dumfries and Galloway Courier*, 7.4.1857

<sup>139</sup> See Fergusson's explanation of his position in *Hansard*, Third Series, vol. 141, 2.6.1856, cols. 886-888

'... the support which he gave to the Lord Advocate's Education Bill, which, if it had passed, would have severed the connection between the church and the Parochial Schools - renders it impossible for me to support Sir James consistently with my convictions and opinions in reference to the subject.'<sup>140</sup>

Another example of this kind is that of James Johnstone, the sitting Liberal who retired from standing again in Clackmannan and Kinross. He also supported Moncreiff's 1856 measure and he also lost support, though from another quarter:

'.... in regard to Mr. Johnstone's political position in this County especially after his recent vote on the Lord Advocate's education Bill which I think will be most damaging to him amongst his U.P. supporters who are very numerous ... Upon the whole the feeling here was ... decidedly against him.'<sup>141</sup>

Such U.P. supporters, concentrated in Clackmannan and Alloa, no doubt objected to his statement that, while he agreed with the general objects of the Bill, he thought it went too far in allowing the appointment of teachers who were not members of the Church of Scotland<sup>142</sup>.

On the other hand the opponents of Moncreiff's education measures also suffered with the electors. A.S. Finlay was noted as a supporter of these Bills in contrast to his ousted predecessor, Sir A.I. Campbell who had opposed them<sup>143</sup>. Bailie Cochrane, with his strong Establishment connections was seen as an obstacle to an Education measure in a way that Sir Edward Colebrooke, his successful Liberal opponent, was not<sup>144</sup>.

In February 1858 Palmerston's government fell, ironically, given the events of the 1857 election, because it was accused of being less than robust in defending the country against French accusations of British involvement in Felice Orsini's attempt on

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<sup>140</sup> The Revd. A. Johnstone to Patrick Boyle, 27.3.1857, Glasgow MSS., MS. SWB/1/43

<sup>141</sup> John McMillane to ?, 10.7.1856, Adam of Blair Adam MSS., MS. 4/575, f.19

<sup>142</sup> *Hansard*, Third Series, vol. 141, 2.6.1856, cols. 893-894. The quotation from the *Glasgow Sentinel* at the start of this chapter is therefore incorrect. Fergusson and Johnstone in fact lost support in Ayrshire and the United Counties respectively because they had *supported* Moncreiff. Perhaps the *Sentinel* was referring to support they lost through opposing Moncreiff's 1855 measure, though in neither case does this seem likely. Opposing this Bill would not have lost Fergusson any Conservative support and reaction amongst Johnstone's U.P. supporters in 1855 would not have been as clear-cut as Mr. McMillane describes.

<sup>143</sup> *The Scottish Guardian*, 27.3.1857

<sup>144</sup> *The North British Daily Mail*, 1.4.1857

the life of Napoleon III<sup>145</sup>. Charles Cowan describes with regret how this was the only occasion on which he felt bound to vote against Palmerston and it is likely that he was not the only Liberal to feel this way<sup>146</sup>. In the majority on the amendment to the Conspiracy to Murder Bill, i.e. against the Government, were no fewer than eleven Scottish Liberals. A further eleven, were, for whatever reason, absent<sup>147</sup>. Of the eleven voting against, some, W.E. Baxter, Robert Dalglish and William Ewart are good examples, had not been enthusiastic Palmerstonians even in 1857, especially when it came to domestic affairs. Lord Melgund may have been joining his brother-in-law, Lord John Russell, in expressing family pique against Palmerston. Others, like Cowan himself, E.H.J. Craufurd and Walter Buchanan probably fall into this category for example, were men who had been elected in 1857 on the religiously moderate, nationalistic tide that Palmerston had symbolised. They, as Cowan said, were very likely moved by that very same nationalistic spirit that in this case Palmerston appeared to have set himself against. To this group can be added independent Liberal Conservatives like Lord Elcho, who also voted against the Government, and perhaps the names of some of those who were absent, Lord John Hay, J.E. Elliot and Lord James Stuart for example. Adam Black was another absentee who described himself as having been moved by the popular feeling and went on:

"I was desirous" he says, "to support Ministers, but I could not make up my mind to appear to be dictated to by a foreign power, and therefore I did what I hardly ever did before - I refrained from voting. I afterwards regretted that I did not support the Ministry; and the next day I met several who had voted against them, and thus were

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<sup>145</sup> Orsini was found to have London contacts and the explosive for the bomb he used in his attempt was discovered to have come from London. The French ambassador requested the Government to put a stop to such activities and the result was the Conspiracy to Murder Bill. During the second reading debate an amendment was moved by Milner-Gibson and John Bright expressing concern at the attempt on Napoleon's life, but regretting that the French ambassador's note had not been answered and his charges rejected. The Government was defeated on this motion and resigned shortly afterwards. See Cowan, *Reminiscences*, *op. cit.*, pp. 233-234, M.E. Chamberlain, *op. cit.*, p.77, and Jasper Ridley, *Lord Palmerston*, London 1970, pp. 479-482.

<sup>146</sup> Charles Cowan, *Reminiscences*, *op. cit.*, pp. 233-234

<sup>147</sup> *Hansard*, Third Series, vol. 148, 19.2.1858, cols. 1843-1848. Those Liberals voting against the Government were: Baxter (Montrose); Buchanan (Glasgow); Cowan (Edinburgh); Craufurd (Ayr); Dalglish (Glasgow); Dunlop (Greenock); Ewart (Dumfries D.); Ewing (Paisley); Hamilton (Falkirk D.); Melgund (Clacks & Kinross) and Sykes (Aberdeen). Those Liberals absent were: Black (Edinburgh); Davie (Haddington D.); Kinnaird (Perth); Anderson (Stirling D.); Hay (Wick D.); Duff Gordon (Banffshire); Traill (Caithness); Fergus (Fife); Elliot (Roxburghshire) and Agnew (Wigtonshire).



instrumental in breaking up the Government, who, if they had known what was to be the result, would have voted the other way"<sup>148</sup>

In the minority were fifteen Scottish Liberals. These were mainly the hard core of the party in the counties and small burghs, Whigs like the Marquess of Stafford, Col. Fergusson and Edward Ellice, together with some of the Palmerstonian intake of 1857, A. S. Finlay and Sir John Ogilvy for example. The Scottish members of the Government remained loyal also. Conspicuously absent was any representative of a large Scottish burgh. Indeed all Palmerston's Scottish Liberal opponents on this occasion were from the burghs, suggestive again that radical doubts about his foreign policy and more general doubts about his electoral reform policy were very widespread in the Scottish burghs.

This, then was the Liberal party in Scotland when Derby took office in 1858 because, he stated, to do otherwise would have signalled the final dissolution of the Conservative party<sup>149</sup>. Whigs and religiously moderate radicals were, with a few exceptions, in the ascendant. In the burghs these Whigs were, however, of a different, less 'aristocratic' stamp from those that had been edged out after 1847 and were rubbing shoulders with radicals who were very ready to mark themselves off from Palmerston on electoral reform. In the counties, by contrast, as a result of the patriotic appeal and domestic conservatism of Palmerston, the Liberals had picked up support on the 'right' from the Conservatives. The issue that the new Derby government chose to try to take the political initiative with, Reform, was to confirm these trends in the Scottish Liberal party and, as a whole, was to play into its hands, hastening the Conservatives in Scotland towards that dissolution which Derby was trying to avoid.

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<sup>148</sup> Alexander Nicholson (ed.), *Memoirs of Adam Black*, Edinburgh 1885, pp. 182-183

<sup>149</sup> Robert Stewart, *The Foundation of the Conservative Party, 1830-1867*, London 1978, p. 319

## CHAPTER 4

**Part II : Issues for the Liberal Party in the Late 1850's,  
Nationalism Abroad and Reform. The 1859 Election.**

1859 is an interesting year in the development of the Liberal party in Scotland. Under the impetus of the Reform issue it saw the reuniting of the party at Westminster under Palmerston's leadership. The election of that year, though basically confirming the verdict of 1857 in Scotland, was deceptively quiet and in the many constituencies where there was no contest there were nevertheless signs of frustration at Palmerstonian and Whig caution, especially on this same Reform issue. 1859 was also, however, a year of European crisis, with a war in Italy and a wave of sympathy for the nationalist aspirations of the people there and elsewhere in Europe. This was accompanied by a fear at home that British involvement was just around the corner and that British security was somehow at stake. It was a year, in other words, which once again favoured the Palmerstonian side to Liberalism in Scotland, as much as it did the Russellite Reform side. 1859 also marks the last point at which it is possible to take stock of the Scottish Liberal party, as reflected by the fortunes of candidates at the polls, before the long tenure of Palmerston's second ministry.

Taking the strand of 1859 as a year of European crisis first, the significance of this for the Scottish Liberal party was that the events leading to war in Italy kept the public mind focused on issues of liberty and freedom, but also of national defence and security. Public opinion in Britain generally, by turns violently anti-French or suspicious of Austria, was apparently only united on the need to keep the country out of any active involvement in the conflict. The belligerence of 1854 had become much more isolationist by 1859<sup>150</sup>. The Volunteer Rifle Movement was a phenomenon that grew out of this situation. Purely defensive in orientation, it was driven by anti-French feeling, a much more powerful force with most people than any pro-Italian sympathy<sup>151</sup>. The evidence suggests that the Scottish response to the call was marked. In Edinburgh alone, for instance, eight companies were formed in 1859, with strong working- and middle-class participation<sup>152</sup>.

Liberals were seen, fairly or not, as being more pro-Italian and supportive of liberty-seeking, nationalist movements on the Continent in general, than their Conservative

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<sup>150</sup> Derek Beales, 'An International Crisis: The Italian Question', in Philip Appleman, William Madden and Michael Wolff (eds.), *1859: Entering an Age of Crisis*, Bloomington 1959, p. 193

<sup>151</sup> Derek Beales, *England and Italy, 1859-1860*, London 1961, pp. 66-67

<sup>152</sup> Robert Grey, *The Labour Aristocracy in Victorian Edinburgh*, Oxford 1976, pp. 102-103

opponents. In the general election campaign of 1859, for instance, Russell and Palmerston both accused the Conservative government in some detail of being pro-Austrian and, though the reality was that Derby and his Foreign Secretary Malmesbury were trying to keep their policy in line with public feeling, there seems little doubt that the charges, in Scotland at least, stuck<sup>153</sup>.

The reverse side of the patriotic, anti-French Volunteer movement in Scotland was the support shown, in Glasgow Radical circles especially, for European revolutionary and nationalist movements. This is especially significant for the Liberal party in that for some Scottish Radical Liberals it provided a bridge between the Chartist activity of the 1830's and 1840's and the movement for Parliamentary Reform in the 1860's. John Macadam, a Glasgow potter and ex-Chartist, was very active in supporting Italian nationalists and in 1857 wrote a pamphlet, *Mazzini vindicated by a sketch of his eventful life and the struggle for Italian Liberty* in which he explained the importance of this movement in support of the opponents of Austrian rule for the Radical tradition. It, he explained:

'... has kept together a nucleus on which to rally, of real active men, who almost to a man will come out ..... [in support of] earnest action for Parliamentary Reform ...'.<sup>154</sup>

This movement gathered funds, received foreign nationalist leaders such as Louis Kossuth who visited Glasgow in late 1858<sup>155</sup>, and even arranged to send volunteers to fight with Garibaldi in 1860<sup>156</sup>.

This movement was also important because it often brought together radicals and Whig moderates on the same platform. Like Reform in the late 1850s, it served to build bridges between different sections of the Scottish Liberal party. Macadam describes movements active in Glasgow in 1857, 1858, and 1859 in the cause of freedom for Hungary and Italy and makes clear that "veteran" (and middle class) reformers, such as Walter Buchanan, Robert Dalglish and the Coats of Paisley, "united with our working men in winning the gratitude of the Italian and Hungarian leaders"<sup>157</sup>.

This interest then in the cause of liberty and constitutional government in Europe helped to keep a coherent extra-Parliamentary radical tradition going when Parliamentary

<sup>153</sup> Derek Beales, *England and Italy, op. cit.*, p. 70

<sup>154</sup> Janet Fyfe (ed.), *Autobiography of John McAdam, (1806-1883)*, SHS Fourth Series vol. 16, Edinburgh 1980, p. xviii

<sup>155</sup> *Ibid.*, p. 118

<sup>156</sup> See Janet Fyfe, 'Scottish volunteers with Garibaldi' *SHR*, vol. 57, 1978, pp. 168-181 and Janet Fyfe, 'Aid to Garibaldi from John McAdam and the City of Glasgow, in Anthony P. Campanella (ed.), *Pages from the Garibaldian Epic*, Sarasota 1984, pp. 69-88

<sup>157</sup> Janet Fyfe (ed.), *Autobiography of John McAdam, op. cit.*, p. 34

Reform was not at the forefront of debate in the early and mid-1850s and it then helped to build bridges between radical and moderate reformers. Many of those who were active in the one were also in the other. To take Glasgow again, for instance, at the meeting of the Glasgow Parliamentary Reform Association on 9th December 1858, Robert Dalglish, who was very active in supporting the Italian cause at this time, was not only one of the promoters of the meeting but also one of those who accepted their goal of manhood suffrage<sup>158</sup>. John McAdam had before the meeting predicted that on this matter:

'... I fear our Middle Class Reformers won't go with us ...'<sup>159</sup>

To the extent that moderates like Walter Buchanan, the City's other M.P. did not join in this demand, McAdam was right, but Dalglish was a middle-class radical, a representative of Glasgow's 'advanced' Liberals. For their part, radicals like McAdam were prepared to move towards the more moderate positions held by people like Buchanan. Buchanan had been in favour of a £5 burgh franchise at the time of the Glasgow by-election of February 1857<sup>160</sup>. On the 21st of December 1858, at about the same time he chaired one of Kossuth's lectures, Buchanan presided at a meeting addressed by John Bright in the city. He may not have been willing to go as far as Bright's household suffrage, but at least Bright's position was providing a meeting point. John McAdam commented that:

'Should we see no better measure than Mr. Bright's, should we not make a merit of our necessity and at once join him even if under protest that we only delay Manhood Suffrage for a time. It would come better now that we are organising, with more grace than when we were weak.'<sup>161</sup>

The 'necessity', if anything was to be achieved under the existing electoral system was to win the co-operation of moderates like Buchanan and if household suffrage was the best they could get, then so be it. The frustration, and therefore the realisation that this was necessary, comes through clearly in McAdam's comment that:

'I hardly think it worth my while even to vote because it is worth nothing in the present Electoral distribution.'<sup>162</sup>

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<sup>158</sup> *Ibid.*, p. 207

<sup>159</sup> J. McAdam to J Cowan, 29.11.1858, in *Ibid*, p. 117

<sup>160</sup> *The Glasgow Herald*, 6.3.1857

<sup>161</sup> J. McAdam to J Cowan, 5.2.1859, *Autobiography of John McAdam, op. cit.*, p. 120

<sup>162</sup> J. McAdam to J Cowan, 29.11.1858, in *ibid.*, pp. 117-118

To add to this frustration, McAdam was in fact having more difficulty with the working men he was trying to help, than with moderate Liberals like Buchanan.

'If the working men would shake themselves out of their apathy we would win easily, but the time we ought to work among the Electors has to be wasted among the lazy hounds, who growl enough, but are too timid, or too indolent, to show their teeth.'<sup>163</sup>

There was one other element in the Reform mix of the late 1850s in Scotland and this was the movement for 40-shilling freeholds to be introduced into Scotland, largely associated with James Begg. Begg's role in the Free Church and especially in the debate over the Education issue has already been discussed. There were parallels between his religious and political analyses, as he saw franchise reform as necessary to bring about social improvements, just as he saw over-centralisation and strict control as the problem within his own Free Church. Begg was an "out" as far as the Free Church was concerned, having been defeated by Robert Candlish, who emerged from the early 1850s on as Chalmers' successor, on the course the Free Church ought to take with respect to Education. In 1855 Begg wrote *Reform in the Free Church*, a pamphlet with a very topical flavour in which he alleged that:

'The Free Church is as completely managed by an oligarchy at the moment, as ever the British Government was; and as a necessary consequence, certain Crimeas and Balaclavas are beginning to startle and alarm some of the other members of the Institution who are capable of thinking, and can dare to think.'<sup>164</sup>

On 40-shilling freeholds the tone was very much the same:

'Let this be applied to Scotland, and it is easy to see the salutary results. Edinburgh would tell powerfully on the election for Mid-Lothian; Paisley and Greenock on that of Renfrew; Glasgow on that of Lanark; Perth, Aberdeen and Dumfries on their respective counties.'<sup>165</sup>

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<sup>163</sup> *Ibid.*

<sup>164</sup> James Begg, *Reform in the Free Church; or, The True origin of our Recent Debates: Being Suggestions Respectfully Addressed to the Members of the Approaching Assembly*, Edinburgh 1855, p. 5

<sup>165</sup> James Begg, *Scotland's Demand for Electoral Justice: or the Forty Shilling Freehold Question Explained*, Edinburgh 1857, p. 8

Begg no doubt had in mind the achievements of the Anti-Corn Law League and the Freehold Land Society in England both of which had used this franchise to create votes<sup>166</sup>. Taking the English analogy he went on to claim that the introduction of this franchise into Scotland would:

' ... probably emancipate at a blow twenty-five of our Scotch counties from mere Whig or Tory aristocratic domination ...'

Nor were Begg's motives wholly political. He saw freeholds as a way of achieving social improvements also. Quoting J.B. Smith, the ex-member for Stirling Burghs and Corn-Law League veteran, he claimed that:

" ... the freehold movement in England is attended with the happiest moral results; men have begun to learn that every pint of beer they swallow is equivalent to a yard of land; and they see how, by a little self-denial, they can obtain a freehold, and become a county voter."

Begg did not hesitate to make a case for Freeholds also in religious terms, pointing out that Scots had known this franchise until an Act of 1681, during the "persecuting reign of Charles II" had "robbed" them of it.

'The smallest Covenanters of Scotland, who proved the truest patriots in the hour of danger were robbed of their 40s. franchise to promote the purposes of ancient Popish tyranny.'<sup>167</sup>

To a Free Churchman reference to the Covenanters had great symbolic meaning and to a Free Churchman like Begg it was a still more attractive comparison because of the nationalist overtones it also held. 40-shilling freeholds was also a case of equality for Scotland.

The Freeholds question was taken up, as has been seen already in 1857, by radical Liberal candidates. Some Liberals, such as Adam Black in Edinburgh, supported the introduction of freeholds, but with a provision that town freeholders were not to be allowed to vote in counties. This, of course, defeated the political point of the movement and was objected to by Begg on the grounds, for example, that:

<sup>166</sup> On this subject see John Prest, *Politics in the Age of Cobden*, London 1977 and on the Freehold Land Society pp. 107 and following.

<sup>167</sup> James Begg, *Scotland's Demand for Electoral Justice*, *op. cit.*, p. 25

'... our aristocracy are not slow to discover the wisdom and propriety of the principle for which we now contend - viz., that cities and burghs are still part of counties - when any tax is to be imposed.'<sup>168</sup>

Other moderates, such as James Moncreiff, objected on the legal basis that it would be difficult to introduce such a qualification into Scotland because of the way land was held north of the Border. This, however, was usually a sign more of moderate political opinions than of anything else.

This in fact was the important point about the 40-shilling freehold issue for the Scottish Liberal party. Like the question of £5 or £6 franchise, household or manhood suffrage, it marked Liberals off from one another as to how advanced they were. As the pressure from the electorate and non-electorate began to make itself felt again on the Reform question, in the late 1850s among radical groups like the Glasgow Parliamentary Reform Association and then more widely as the 1860s wore on, such distinctions became more important, at least in the burghs.

Both the Derby and Russell Reform proposals helped in this process. Derby's 1859 measure, described by Bright as "a Spanish feast - a very little meat and a great deal of table cloth"<sup>169</sup> marked off in Scotland those who were very moderate Whig Liberals<sup>170</sup>. It modestly proposed no across-the-board reduction in the burgh franchise a £5 ownership £10 rental qualification in the counties. Voting against it by supporting Russell's generally framed resolution that something had to be done about really lowering the burgh franchise, helped, with these exceptions, to unite Scottish Liberals, from the moderate to the most 'advanced'.

Russell's measure of 1860, involving most importantly a £6 franchise, helped to define who was really interested in further Reform and who was not. Adam Black, for instance, during the 1859 election campaign had this to say about extending the franchise:

'In the construction of this machine I acknowledge no other right but the right to make it as perfect for its purpose as possible, and that purpose is to produce the greatest amount of happiness to the greatest number. If it was to be injured by the admission of persons in my own position, I could have no right to object to being excluded, seeing that my admission would injuriously affect the right working of the system ..... Now, I have shown that the claim of right cannot be sustained. The

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<sup>168</sup> *Ibid.*, p. 10

<sup>169</sup> Asa Briggs, *Victorian People*, London 1965, p. 230

<sup>170</sup> The following Liberals voted against Lord John Russell's resolution for an extension of the burgh franchise (i.e. in favour of Derby's Bill): Sir T.E. Colebrooke (Lanarkshire) and A.S. Finlay (Argyllshire)

franchise is a duty imposed on certain individuals which they are bound to discharge faithfully for the good of the whole.<sup>171</sup>

In other words, to a moderate Whig-Liberal like Black, the franchise was something to be earned in society, not a birthright. Having voted against the Derby Bill in March 1859, Black took an "independent position" on the Russell Bill of 1860, saying, "I fear, however, I have given great offence to friends whose good opinion I should like to retain"<sup>172</sup>. He voted against the proposed £6 burgh franchise, justifying his position by stating that:

'... the infusion of such large numbers into the burgh constituencies will dilute and lower the entire constituencies, and give an undue preponderance to one class, and that the least educated.'<sup>173</sup>

Black in this way put himself in a very exposed position with regard to the developments in working class political involvement and was, as Chapter 8 explains, rejected at the polls in 1865 partly, there were certainly other factors, as a consequence of continuing to hold these views. This last point was important. Continuing to hold such moderate views was what counted on this issue. Had one acquiesced in the Palmerstonian silence on Reform or not as the case might be?

The 1859 election in Scotland was very quiet as far as contests were concerned. Only 4 in the burghs and the same number in the counties. Despite this, two trends can be seen. Firstly in the counties the Palmerstonian Liberal tide of 1857 rose higher. Secondly, in the burghs the Whig and moderate-Liberal dominance, reestablished in 1857, was maintained, but signs of a loosening of the Whig and moderate lock on Scottish burgh representation can be seen.

In Leith, for example, the sitting Whig, James Moncreiff chose to give up his seat and stand for Edinburgh instead. A contest followed between his radical challenger of 1857, William Miller, and R. A. Macfie, who was backed, as *The North Briton* put it, by "Moncreiff's bleeding rump", in other words the Whigs of Leith<sup>174</sup>. Miller won by the convincing majority of 158<sup>175</sup>. More than one reason was offered for this result. Maynooth seems to have played a role. This issue had been kept more topical in Leith than in other constituencies perhaps because James Moncreiff had not been willing to

<sup>171</sup> *The Scotsman*, 27.4.1859

<sup>172</sup> See Alexander Nicholson (ed.), *Memoirs of Adam Black*, op. cit., p. 202

<sup>173</sup> *Ibid.*, p. 201

<sup>174</sup> *The North Briton*, 16.4.1859

<sup>175</sup> The result was: Miller, 904; Macfie, 746.



call for the abolition of the Grant. His Voluntary and radical opponents had hoped, in 1857, to draw away support from Moncreiff's fellow Free Churchmen. *The Scottish Press*, however, estimated that this moved only 50 or 60 voters in the constituency<sup>176</sup>. More important appears to have been the desire to break the connection between Leith and the office of Lord Advocate, the holder normally sat for Leith, and the role that the Conservatives played in voting for Miller. True Moncreiff had gone, but the Whig Parliament House influence was regarded as a cause temporarily without a head in the constituency<sup>177</sup>. One commentator reported Miller claimed to have ended the connection:

'... of which, wisely or unwisely, many of the electors professed to be heartily tired.'<sup>178</sup>

The Conservatives were rumoured to have struck a deal with Miller to support him in return for his giving the Derby government no 'party' opposition if he was returned<sup>179</sup>. No evidence exists to prove this conclusively, but Miller was absent from the vote which brought Derby down after the election<sup>180</sup>.

Most significant of all for the Liberal party were the comments made on Reform. Macfie stated after the election that he would have supported Russell's scheme of Reform, with a moderate £6 franchise, but that his canvass had shown that would have to be altered to prevent the government, as he put it, passing into the hands of the working classes. He also admitted that his support of the ballot might have cost him support. Rather inconsequently he then expressed surprise at the fact that he had not carried the Radical part of the Liberal party with him<sup>181</sup>.

Miller's canvass presented a very different picture. He was, for example, supported by a meeting of the Leith Reform Association, at which many working men were reported to have been present<sup>182</sup>. In addition, Miller was reported to have been working the constituency since 1857, no doubt a reference to any new voters that had come on to the register since the Burgh Registration Act of 1856 had taken effect<sup>183</sup>. In the two weeks he had had alone in the field, it also appears as if Miller had been able to win over some former opponents.

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<sup>176</sup> *The Scottish Press*, 3.5.1859

<sup>177</sup> On the opposition to the Lord Advocate and the Parliament House influence see also *The North Briton*, 16.4.1859

<sup>178</sup> *The Scottish Press*, 3.5.1859

<sup>179</sup> *The Scotsman*, 30.4.1859

<sup>180</sup> *Ibid.*, 14.6.1859. Miller's action was described as an insult to the Liberal electors.

<sup>181</sup> *Ibid.*, 30.4.1859

<sup>182</sup> *Ibid.*, 26.4.1859

<sup>183</sup> *The Scottish Press*, 3.5.1859

The message from Leith was that a well organised, radical Liberal could win. Leith also showed that unless Whigs were willing to show flexibility on Reform, they put themselves into a position where they were isolated within the Liberal party and unable to rely with any certainty on Conservative assistance. This appears to be the case with Macfie, who fell between two stools. On the one hand he was not advanced enough, with the exception of the ballot. On the other, he tried to back-track from positions such as declaring his support for Russell's Reform proposal because he found that this was losing him support amongst Conservatives whose support he needed for victory.

In the counties in 1859 the Liberals were a little bit more dominant after the election than before. In Berwickshire David Robertson took the county for the first time for the Liberal party since 1832. *The Border Advertiser* saw this as a fight between territorial interests. It drew a comparison with Italy and asked whether if 5 individuals could keep 25 million in check there, were 6 landed proprietors to do the same for the 40,000 inhabitants of Berwickshire<sup>184</sup>. Despite this, the fact that the proprietors in the county were moved so far as to return a Liberal after so long a period of time does indicate a political shift no matter how few were involved.

The contest in Dumbartonshire between P.B. Smollett, successor to Alexander the Free Trade Conservative, and William Bontine was interesting because of what it said about well-to-do Glasgow Whig voters when they were out of town. Smollett won the seat. His victory was mainly attributed to neglect of the register on the part of the Liberals. Besides this, however, one commentator pointed to:

'... a large number of Glasgow Liberals possessing villas or other qualifications in the county ...'<sup>185</sup>

Which indicates that at this time a burgh Whig was not all that far removed from a county Conservative.

Finally with regard to 1859, it is important to notice that a number of comments were made about Liberal party unity. Here is Adam Black again during the 1859 election campaign:

'It is one of the reproaches brought against the Liberal party, and not unjustly, that they are a rope of sand - they have no cohesion ..... The Tory party are a compact well disciplined army. We are made up of different clans and volunteers, every one

<sup>184</sup> *The Border Advertiser*, 6.5.1859. The result was: Robertson, 461; Marjoribanks, 428

<sup>185</sup> *The Scotsman*, 10.5.1859

thinking he has a right to fight for his own hand, sometimes on one side, sometimes on the other. The consequence is, although we are the majority, we are generally beaten, just as a disjointed army, especially if under discordant leaders, is sure to be discomfited by well-disciplined troops, under leaders acting in concert.<sup>186</sup>

A.S. Finlay, who was re-elected for Argyllshire, had the following to say about the vote on Lord John Russell's resolutions which he had voted against:

'Many members on the Liberal side thought as I did but voted with Lord John Russell on the ground that on a great question like this no man should desert his party.'<sup>187</sup>

Samuel Laing, standing again for Wick District, announced his conclusion:

'... that a stable Government can now be formed only out of the Liberal party, manfully confessed former errors in helping to force on needless changes of Ministry and promised that when re-elected he will not always pursue his own crotchets to the endangering of any Government that may have the confidence of the bulk of the party to which he belongs.'<sup>188</sup>

All of these Liberals, after the experience of the second Derby ministry and the Reform Bill it had produced, were in fact registering their concern with the unity of the Liberal party and, certainly in Laing's case, promising to do better.

In this climate the Scottish Liberal party was to receive more impetus towards a secular and Reform-based coherence. The stress must be on the longer term, however. The Scottish Liberals in the 1860s were to include people amongst their M.P.s as diverse as W.P. Adam, the party organiser and of an old Whig family, the Blair Adams; Duncan McLaren in yet another guise as an independent radical; the aristocratic Whig Sir David Dundas; George Anderson, the republican third member for Glasgow returned in 1868; and so on. Even allowing for this, working-class voters were to be faced with non-Liberal alternatives. Lord Elcho, the Haddingtonshire Liberal Conservative, who tried to by-pass the middle class radicals in an attempt to forge links with the working class, most notably in his campaign against the Master and Servant Act, was a very good example. This said, and although diverse, Liberals were now part of the same body which came increasingly to be identified as the Liberal party of Palmerston and then of Russell and Gladstone, in a way which the Liberal party of the 1850's had never been

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<sup>186</sup> Alexander Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 189

<sup>187</sup> *The Scotsman*, 26.4.1859

<sup>188</sup> *Ibid.*, 15.4.1859

so clearly defined. This party was to be seen by the politically active and articulate amongst the working class as the best vehicle to achieve the changes in franchise arrangements, labour laws, and other local issues which were part of their agenda, precisely because of this increased coherence, but also because of the diversity within Liberal ranks. There were, in other words, enough "outs" in the Liberal fold, men like McLaren in Edinburgh and Dalglish in Glasgow, who would be prepared in the decade after 1859 to work with, and harness the support of, working class representatives, mainly in the emerging unions and trades councils. The existence of these "outs" was vital in the process of attaching working class newcomers to the Scottish Liberal party.

## CHAPTER 5

### REFORM AND COUNTY REVOLT. TOWARDS LIBERALISM FOR A LARGER ELECTORATE, 1860-68

1859 has been used as a reference point to draw together the threads of the various developments affecting the Liberal Party in Scotland in the 1850's. By the end of that year the leadership of the Liberal party at Westminster had resolved their differences and together with the most important of Peel's legatees had come together in the second Palmerston administration. Although contemporaries did not give this 'bundle of sticks' long to live, it has come to be seen as a deadening hand on the process of domestic, and especially constitutional progress. There were certainly elements of the 'rest and be thankful' attitude about the Liberalism of the 1860's in Scotland. A look at the self-congratulatory tone of some of the election addresses of the 1865 general election gives a good taste of this strand in Liberal thinking.

There was also, however, an awareness that Palmerston was a bulwark against change which would probably come in one form or another:

'With the decay of that interest [in Continental affairs] the position which Lord Palmerston holds as the popular representative of the foreign policy of England and the popular centre of the temporary union for different sections of politicians, will be one of much less influence among the more extreme of his adherents; and those who attach themselves to Lord Palmerston today, must reckon on taking either Mr. Bright or Lord Derby, into the bargain on the first flush of political excitement.'<sup>1</sup>

Both Bright and Derby were regarded as offering different versions of Reform, so the choice this writer held out was between a future of constitutional progress or revolutionary change, rather than between a continuation of Palmerstonian stability and reform.

Furthermore, there were significant movements in both county and burgh constituencies which affected the Liberal Party. 'Rest and be thankful' was really for those who were secure enough in the political landscape to afford such luxuries. M. E. Grant Duff, member for Elgin District, returned unopposed five times between 1857 and 1880, provides a good example. Writing six years after being first returned, in 1863, he was able to say:

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<sup>1</sup> *Aberdeen Journal*, 9.1.1861

I took a much more active part in the House of Commons this Session than I had ever done previously, speaking on the Endowed Schools, the Oxford Petition for the Relaxation of Subscription, and a great many other subjects.<sup>2</sup>

This hardly showed great activity or political vision, a sense of mission in representing a constituency.

The concern of this chapter is to look rather at the events of the 1860s which moved the coalition of individuals and groups who identified themselves as Liberals. This means examining the ways in which they reshaped themselves in response to these events in the aftermath of the Whig revival of the mid- to late 1850s, in the run-up to the creation of the expanded burgh electorate created by the 1868 Act; and finally particularly examining the first election in which that electorate expressed its opinion at the polls.

In the county seats in this period there were individual seismic changes in allegiance which together amounted to a wearing away of support for the Conservatives as the decade progressed. This should be kept in mind when considering the Conservative 'success' of 1874, which, in the counties at least, was more a case of retaking lost ground. The following table gives some idea of the overall picture in the 1860s<sup>3</sup>. In most cases those who publicly described themselves as 'Liberal-Conservatives' were in reality Conservatives. Any genuine Peelites had by this time entered the Palmerstonian Liberal party or had left politics altogether and if 'Liberal-Conservative' did not mean Conservative, it meant 'Conservative supporter of Palmerston' against his more 'extreme' Liberal supporters.

#### County Election Results 1859-1868<sup>4</sup>

	1859	1865	1868
<b>LIBERAL</b>	15	18	23
<b>CONSERVATIVE</b>	12	10	7
<b>LIB-CONS</b>	3	2	2

<sup>2</sup> M.E. Grant Duff, *Notes from a Diary, 1851-1872*, London 1897, p. 235

<sup>3</sup> This is based on analysis of election addresses and elections reports and J. Vincent & M. Stenton, *McCalmont's Parliamentary Poll Book*, Brighton 1971. See the county results maps in Appendix 2.

<sup>4</sup> Those counted as Liberal-Conservatives in 1859: Lord Elcho (Haddingtonshire), A.E. Lockhart (Selkirkshire), J.J. Hope Johnstone; in 1865 & 1868: Elcho and Peter McLagan (Linlithgowshire). McLagan was elected a Conservative and became a Liberal when in Parliament. He was later a Home Ruler. See obituaries in *The Scotsman* and *The Times*, 3.9.1900.

As can be seen, the number of seats held by Liberals steadily increased during the 1860s. The number that they held without a contest held steady as well. By contrast, the number of Conservatives had fallen markedly by 1868 by which time there were two more county seats available under the redistribution provisions of the 1868 Act (the electorate remained largely unaffected in the counties). More of the Conservative-held seats were, by comparison with 1859 and 1865, being contested by then also.

Consideration of some of the individual Liberal-Conservatives confirms the contention that most of them were either genuine Conservatives or Conservative-leaning. Lord Elcho, the former Peelite Frank Charteris, is a good example of the latter category and is a central figure in any discussion of this period. His involvement with working class leaders like Alexander McDonald, the miners' leader, and George Newton, a secretary of the Glasgow Trades council, especially in their campaign to have the 'Master and Servant' legislation revised, showed him trying to provide an alternative view to the Lib-Lab one of middle- and working-class co-operation against the common feudal enemy. He cannot be counted as a Liberal by any means, though he was equally certainly no orthodox Tory. On the Reform issue he had supported Derby in 1859 but opposed the Liberal Bill of 1866. His election address announced in 1865

'I am still what I have always been, a Liberal Conservative - Liberal in upholding and promoting civil, religious and commercial freedom; Conservative in the defence and maintenance of the Constitution.'<sup>5</sup>

In Dumbartonshire P. B. Smollett fought the 1859 and 1865 elections against a Liberal and represented the Conservative interests in the county in the footsteps of his brother, Alexander Smollett. At the nomination in 1865 he gave the following explanation of his position:

'I have as a rule abstained from taking any active part to remove Lord Palmerston's Administration from power. I have supported the budgets of Mr. Gladstone.'<sup>6</sup>

This was not the most convincing explanation as to why he should have been supported in preference to his Liberal opponent James Stirling, but it does show the weakness of the Conservatives as a party at this time in the Scottish counties. Smollett also gave an indication of how attractive he found the Palmerston government by pointing out that he had not had a chance to redeem his promise of 1859 to vote for a moderate measure of Reform because the Government had withdrawn its 1860 measure amid Liberal opposition:

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<sup>5</sup> *The Scotsman*, 3.7.1865

<sup>6</sup> *The Dumbarton Herald*, 20.7.1865

The Parliament that was assembled to pass a Reform Bill, and for that purpose only, has endured for six years. That Parliament has given Lord Palmerston a large measure of support. Lord Derby declared his disinclination to resume the reins of power unless he had a sure majority; and a great number of the Conservative members ... have given Lord Palmerston's Administration a generous support.<sup>7</sup>

In his address Smollett announced his opposition to Baines' Bill for introducing a £6 burgh franchise and expressed support for the Government in its opposition to the ballot. His moderate Liberal opponent could only differentiate himself from Smollett by saying he would support Baines' Bill and by giving grudging support to the ballot<sup>8</sup>.

Sir M.R. Shaw Stewart the M.P. for Renfrewshire for ten years until 1865, was at that election defeated by a Liberal. *The Scotsman* accused him of being a Disraeli supporter who was trying to pass himself off on his constituents as a Palmerstonian. What concerned *The Scotsman* most was that Shaw Stewart was living off old issues. To his point that he had supported Lord Palmerston in the Crimean War, the paper retorted:

'What has this to do with the matter? Many of the bitterest Tories in the country did the same.'<sup>9</sup>

*The Scotsman* went on to point to more relevant issues raised by Shaw Stewart's opponent, Col. Spiers. These included the abolition of church rates and the admission of dissenters into English universities, both of which Shaw Stewart had opposed.

Why did this movement towards the Liberals take place in the 1860s and what sort of impact did it have on the balance of forces, moderate vs. radical, within the Liberal party in Scotland?

The mainspring of discontent from which the Liberals benefited was the 'revolt' against a good number of the landlords caused by the maintenance and enforcement of the Game Laws and the law of Hypothec. Those Tory candidates who were identified as game-preservers and who were seen to be backsliding on the Hypothec issue suffered at the polls from a clearly identifiable tenant-farmer interest in counties where there was arable farming in particular. The law of Hypothec, which made the landlord a preferential creditor as far as his tenant was concerned, was a more widespread cause of anger for reasons which will be discussed below.

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<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*, 22.7.1865

<sup>9</sup> *The Scotsman*, 6.7.1865



Under the Game Laws animals, such as rabbits, which were harmful to crops if left unchecked, were deemed to be the property of the landlord and not that of anyone renting land. There seems to be evidence for an increased interest in field sports in the 1860's which meant that landlords would have been more concerned to preserve their rights under these laws and therefore of course their potential profit<sup>10</sup>. Even if they were not concerned with directly exploiting this source of income they could extract a double rent from the tenant by letting the shooting rights additionally. Ian Hutchison has identified a loophole in the Scottish Police Act of 1862 which made the crack-down on poaching and interference with the landlord's rights more stringent<sup>11</sup>. Under this gamekeepers could be sworn in as special constables and were allowed then to make searches without the need to apply for a warrant. The system was made even more oppressive by the fact that the landlords were also the local magistrates before whom any offenders were brought. Such a situation was bound to lead to a deterioration in landlord-tenant relations.

Hypothec, as has been mentioned, made the landlord a preferential creditor as far as his tenant was concerned. This meant, in other words that a landlord had absolute security for rent over a tenant's property, his crops and livestock. There were arguments for and against this law, but from a tenant's point of view it did mean that a landlord could set steep rents because he was always certain of being able to extract payment. What probably made Hypothec a more potent issue politically was the case *Allen vs. Burns* in 1864. Under the ruling in this case the landlord was enabled to invoke Hypothec over a tenant's produce even *after* it had been sold to a third party. This brought in more than just the tenants involved in the controversy so far. All the people who serviced the agricultural community, such as grain merchants and livestock dealers, became involved in opposing the law. This can be seen from the positions people took when giving evidence to the Select Committee on Hypothec as analysed by *The North British Agriculturist*<sup>12</sup>. Landlords divided six for the law, two against; factors 27 to three; tenant farmers seven to 31; merchants, auctioneers, bankers, etc. one to 21.

Dr. Hutchison has put forward the argument that opposition to these laws in itself is not enough to explain the revolt against certain candidates in the 1860's. He suggests that, in the case of the Game Laws, they helped protect farmers against damage caused by poachers given that the Scottish law of trespass was so weak. As far as the law of Hypothec was concerned it could equally well be argued that it encouraged landlords to rent out to small farmers and therefore encouraged upward social mobility<sup>13</sup>. It is, moreover, true that both these laws were not new and that there had been complaints

<sup>10</sup> I.G.C. HUTCHISON, *A Political History of Scotland, 1832-1924*, Edinburgh 1986, p. 104

<sup>11</sup> *Ibid.*

<sup>12</sup> 12th April 1865

<sup>13</sup> Hutchison, *op cit.*, p. 105

about them before. Hutchison goes on to suggest that perhaps the reason for this movement was simply a desire to shake off deference and to assert their political independence. It is perhaps possible that, in the wake of the repeal of the Corn Laws, and with the removal therefore of the protection of their income, tenant farmers began to be aware of their separate interests as far as the landlords were concerned and that *The Scotsman* leader writer before the Select Committee on Parliamentary and Municipal Elections was right when he said that the revolt had "a little touch of class in it"<sup>14</sup>.

An anti-laird class consciousness might have developed amongst these tenants who may have felt that they didn't have a social and political position equal to their material and financial, that is tax-paying one. More likely, though, it was connected with their separate economic interests. Their sense of these interests being under threat may have been strengthened by the *Allen vs. Burns* case of 1864 and by the solidarity they experienced with the middle-class merchants and bankers of small Scottish towns, who suddenly felt their trading position threatened by possible Hypothec claims in respect of produce, or other assets, sold to them in an otherwise perfectly legal transaction by tenants unable to pay their rent. This consciousness can be seen in the formation, for instance, of the Chamber of Agriculture in 1864, which was to be very active in discussing farmers' grievances in connection with both Game and Hypothec laws and in the series of meetings held in the wake of this decision<sup>15</sup>.

Because they felt a sense of separate economic interest, the argument that the tenants could avoid being affected by the inclusion of hares and rabbits on the Game List by making a sound tenancy agreement with the landlord in the first place and that Hypothec was a means of ensuring that landlords were willing to rent out to small tenants, as used by the apologists for both laws found no positive echo. The revolt and the sense of grievance on both issues were widespread and blatant. Tenants were protecting their interests as a group while Liberals who had been 'outs' in some counties for decades were exploiting their sense of grievance. The idea of a class revolt, a simple desire to remove the yoke of deference, does not explain why the tenants went back into the Conservative fold in large numbers in 1874 after they had been disappointed by the Liberals' failure to deliver on the issues that concerned them. A separate economic interest and finding political representation willing to articulate it would.

George Hope of Fenton Barns was the most famous representative of the tenant farmer interest. Described by Lord Elcho as "one of my most influential constituents"<sup>16</sup>, he

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<sup>14</sup> 'Select Committee on Parliamentary and Municipal Elections', *P.P.*, 1868-69, (352) VIII, p. 5913

<sup>15</sup> C. Hope, *George Hope of Fenton Barns*, Edinburgh 1881, p. 254

<sup>16</sup> Letter published in *The Scotsman* 17.7.1865 from Lord Elcho to George Hope, 27.6.1865

stood against Elcho in Haddingtonshire in 1865 on a platform which adopted the resolutions of the Chamber of Agriculture on the Game-Laws and which called for the total abolition of Hypothec<sup>17</sup>. The closing paragraph of his address can, indeed, be interpreted as a call to assert political independence in the search for responsive representation:

'Trusting that, for the first time, a practical tenant farmer will be returned to Parliament as a County Member, and that hereafter the great body of Electors will be more duly considered in the nomination of future candidates than they have hitherto been, I am, etc. etc.'<sup>18</sup>

Frustration at not having been listened to comes through clearly. A Mr Shepherd, George Hope's seconder at the nomination, thought that Elcho was entitled to be in Parliament for life for his past services:

'... my only regret is ... that Lord Elcho has adhered with infinitely too much tenacity to the privileges of his class - and has been completely deaf to all remonstrances from the humbler classes to which I belong.'

In standing Hope also probably wanted to avoid being seen as a one-issue candidate. He had to broaden his platform to ensure that he would be taken seriously. The caution he showed in doing this, however, is seen in his explicit identification with Sir H.F. Davie, the M.P. for Haddington Burghs, and his acceptance of the £6 franchise as his position on Reform.

The Liberal party was the gainer here as Hope added to the grievances over the Game-Laws and Hypothec, Liberal positions on the franchise and opposition to endowments for religion which he then called on the tenants to support. *The Scotsman* may have regretted the contest as being one between landlord and tenant over game and Hypothec and not one between Liberal and Tory, but this interpretation misses the point that Hope positioned himself clearly as a Liberal candidate and was careful to remind electors that he had been on the 'right' side with all the major issues since the Reform Bill agitation of the early 30's.

In other parts of Scotland the story was much the same, except that the Liberals often had more success at the polls than in Haddingtonshire. In the wake of the Allen vs. Burns case and of the conclusion of the Select Committee on Hypothec that only small changes in the law were necessary, one farmer in Kincardineshire told the Tory candidate there "Na na, they took guid care to seek [the opinion of] nane o' my

<sup>17</sup> *The Scotsman*, 17.7.1865

<sup>18</sup> *Ibid.*

class'<sup>19</sup>. Other meetings and pamphlets called for the ending of the current injustices by using the franchise. Again, the grievance can be sensed as real and the *solution* is seen as being a resort to electoral defiance.

Kincardineshire, which had been held by the Conservatives since 1832, and unopposed since 1835, was lost in 1865 by the significant majority of 490 to 288. The Liberal candidate, J.D. Nicol, benefited from tenant farmers looking for responsive representation for their interests and fought his campaign on their grievances. According to C. Graham Monro, who appears to have been the agent of the Conservative candidate, Sir Thomas Gladstone, W.E.G.'s elder brother, Nicol was supported by dedicated local farmers, including Gladstone's own tenants:

'We must never lose sight of the fact that Mr. Nicol is the popular candidate, that political capital is being made use of to a large extent of your strictness in regard to Game, and that, above and beyond all, Mr. Nicol has the immense advantage of the most active and energetic assistance of a number of very influential young farmers, who are making his cause their own, are working night and day for him, and have necessarily much more to say with their brother farmers, with whom they are in daily contact both at Kirk and market than any professional man can have.'

To compensate for the Liberals' popular edge, Monro wanted more agents and local committees. Even this, however, could not remedy the great political handicap of Gladstone's interests being different to those of his tenant farmer constituents:

'Our agents are met at every turn, I understand, with the observation that they cannot expect support from others when even your own tenants are against you. ...'<sup>20</sup>

Gladstone was known, therefore, as an excessive game-preserve and even Col. McInray, Gladstone's proposer was sure that:

'The great points upon which this election will turn will be the question of hypothec and the game laws. I admit that it is a mine of wealth which has been well worked by my friend Mr. Dyce Nicol.'<sup>21</sup>

In Stirlingshire the sitting Conservative M.P., Peter Blackburn, was defeated by a Liberal in a seat held by the Tories since 1841 and not contested since that year. Blackburn suffered from the fact that he had helped in the passing of the Night

<sup>19</sup> *North British Agriculturalist*, 5.4.1865

<sup>20</sup> C. Graham Monro to Sir Thomas Gladstone, 16.3.1865, Glynne-Gladstone MSS., MS. 1342

<sup>21</sup> *The Scotsman*, 14.7.1865

Poaching Act in the old parliament<sup>22</sup>. Admiral Erskine, the successful Liberal candidate, brought out clearly the point that although the Game laws were not new, the grievance had been heightened in the years immediately before the election:

'His hon. friend [Blackburn] did not seem to remember, that in 1862, by some inadvertence, hares and rabbits appeared for the first time in Scotland upon the game list. That was a fact, and until they went back to the same state of matters that existed before 1862, a sore would continue to exist that ought to be remedied.'<sup>23</sup>

The momentum of this process of Conservative retreat was kept up by the result of the by-election of 1866 in Aberdeenshire. William Dingwall-Fordyce, a Liberal landowner, was successful in urging the farmers to vote against the Game and Hypothec laws and won the seat.

Aberdeenshire was a traditionally Conservative county, especially as it had remained largely 'Auld Kirk' at the Disruption. The influence of the Gordons had been in doubt as far as the Conservatives were concerned throughout most of the 1850's as a consequence of Lord Aberdeen being a leading supporter of Peel. At the by-election of 1861, held as a result of Lord Aberdeen's death and the elevation of Lord Haddo, the sitting M.P., to the peerage, the situation as far as they were concerned became even more confused. Haddo had sat as a Liberal-Conservative. Absent at the time of the election his relatives made it clear that he would support the Conservative candidate William Leslie. This was no doubt motivated by the Whig, Sir Alexander Bannerman's, pedigree as "a remarkably 'mild' Tory"<sup>24</sup> when he had stood for Elgin Burghs in 1847. It had been difficult to be a 'mild' Tory in that year and Bannerman must, therefore, have been at that time a Protectionist. The new Lord Aberdeen was, therefore, not being as inconsistent as it might, at first sight, appear. He was supporting a Conservative against a Protectionist turncoat. He also clearly took his tenants with him into the Leslie camp. One tenant farmer during a previous contest had given his reasons for voting as he did as follows:

"Well, Sir, I ken very little about your Whig and Tory, but I would like ill that the wives and souters o M-, and the tailors of I- should win the day; troth, gin, they should get the upper han. I verily believe they would na leave poor farmer bodies like me a cock to crawl day, Na, na! I'm a Gordon man."<sup>25</sup>

<sup>22</sup> *Stirling Journal and Advertiser*, 21.7.1865

<sup>23</sup> *The Scotsman*, 17.7.1865

<sup>24</sup> *Aberdeen Journal*, 2.1.1861

<sup>25</sup> *Ibid.*, 9.1.1861

Rather than just deference there is the idea here of identification of interest between the landlord and tenant, a desire to keep out forces that would be less friendly to tenant farmers and to prevent burgh elements from getting the vote. Leslie was clearly opposed to the lowering of the franchise in the burghs, but was prepared to consider the £10 franchise in the counties. At this point also, in 1861, the tenants were prepared to vote in large numbers for a candidate who was opposed to abolition of the Game Laws but was prepared to support a measure to protect the tenants from being injured by Game.

Bannerman withdrew before coming to the poll and in his place one of Aberdeen's brothers, Arthur Gordon, was put up without his active co-operation. This certainly damaged the Gordon interest:

'The union of a portion of the supporters of the Aberdeen interest with the party from whom Col Gordon, had he come forward [the most likely Gordon family member to have stood], would have encountered as determined an opposition as Mr. Leslie met with, has given the Hon. Arthur Gordon's self constituted patrons a force which they would have failed to get otherwise.'<sup>26</sup>

It is possible that the Liberals had been supplemented by a group of Aberdeen supporters not happy with Leslie, perhaps because he was too Conservative.

In 1866 the situation was much clearer with a Liberal advantage to be gained from the sharper sense of grievance which surrounded the Game and Hypothec issues in that year. The Gordon interest supported the Conservative, J.D.H. Elphinstone, but to no avail as the Game and Hypothec issues were at work amongst the tenants. The Liberals were also helped by the use of such Free Church influence as there was in the county and by Whig bank agents. One report quoted a Westminster bank agent as saying "that many a man who will defy the power of his landlord will tremble at the frown of his banker."<sup>27</sup> Interestingly, the Conservative Elphinstone was for the removal of hares and rabbits from the Game List while the Liberal Fordyce wanted tenants to have equal rights with proprietors to game. This brings out the point that the Game Laws were not just a question of the landlords vs. the rest of the county community. Small county towns profited from the Game Laws as autumn sport cut down on the amount of absenteeism. Even amongst the tenants the feeling was not one for abolition but rather for a more equitable distribution of the rights to the game. This was Elphinstone's weakness. Although prepared to deal with the hares and rabbits issue he was not prepared to identify with the tenant-farmer interest and to take up a sympathetic position on the subject of whose property the game was. Observers in Aberdeenshire were clear

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<sup>26</sup> *Ibid.*, 20.2.1861

<sup>27</sup> *Ibid.*, 23.5.1866

that the tenants did form an interest group who found themselves in disagreement with their landlords:

'On this point, whether the farmers wish to rid themselves of four-footed game, or get a share of it, they have the incentive of interest, a common grievance, and the strength of union.'<sup>28</sup>

The 1868 election saw more Tory-held seats fall to Liberal candidates backed by tenant farmer supporters. In both the newly created Ayrshire seats Liberals were returned in the place of the sitting Tory, Sir J. Fergusson. The Game Law and Hypothec controversies seem to have featured in both campaigns<sup>29</sup>.

In Perthshire the Tories suffered a spectacular set-back in the defeat of the sitting M.P., Sir William Stirling-Maxwell, who had been returned unopposed since 1852, in a seat last held by Fox Maule for the Whigs in 1835. The successful Liberal candidate, C. S. Parker was late to enter the contest and fought a campaign mainly based on the Game Laws. Many Conservatives reported to Stirling-Maxwell from all parts of the county that the Game Laws was the only question that mattered with the tenant farmers. Parker additionally made clear that he regarded himself as riding a tide of disaffection with the Conservatives in Scotland:

'People have seen what has been done in Aberdeen, and in the Mearns, and they are anxiously looking to see if the example thus set has been followed. ... Perthshire formerly returned Liberals, but Aberdeen and Kincardine never did; and yet when it came to the point, we beat the Tories in both places by two to one.'<sup>30</sup>

Again, however, this victory was not a single-issue affair. In one area of the county, Dunkeld, where Stirling-Maxwell was not without support, Parker picked up support because a landlord 'out' was with him:

'[This] ... we suppose, is only to be accounted for by a rush of Birnurn voters to the poll - for these, not being on the Dunkeld estates, but on those of Sir William Stewart, a Roman Catholic, and opposed to the Irish Church, would be deterred by no fear of landlord disfavour from recording their votes on the Liberal side.'<sup>31</sup>

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<sup>28</sup> *Ibid.*

<sup>29</sup> See, for example, Mrs. E.H. Perceval, *The Life of Sir David Wedderburn, Bt*, London 1884. p. 99

<sup>30</sup> *The Scotsman*, 7.11.1868

<sup>31</sup> *Dundee Advertiser*, 24.11.1868

The core of Parker's support was in the larger burghs and villages of the eastern part of the county. The Liberals in all these county contests were building out, with tenant-farmer support, from an already established base.

In Midlothian the Earl of Dalkeith also lost his seat. Tenant dissatisfaction played a part, but party feeling was not new to this county either. The irony of linking the Perthshire and Midlothian results was too much for some commentators to resist:

The Duke of Buccleuch [Dalkeith's father] and Sir William Maxwell were on that occasion [the 1867 Edinburgh banquet to Disraeli] Mr. Disraeli's right and left hand men, and they have both had their reward. The intelligence and moral sense of Scotland received a shock on that occasion which the results of the contests in Perthshire and Mid-lothian show has not been forgotten.<sup>32</sup>

In counties which were already Liberal-held, however, the Game and Hypothec issues could make themselves equally felt if the sitting member was felt not to be progressive enough. In Fife there was some dissatisfaction amongst Liberals with Sir Robert Anstruther and opposition was got up to him in the shape of J. Boyd Kinnear from the more radical Liberal elements in 1868. He only survived because of some trimming on the necessary issues and because of Conservative support:

'On the Ballot, on the amendment of the Game Laws, on the Law of Hypothec, and various other questions, Sir Robert's progress has been wonderful. ...

It is understood that Sir Robert Anstruther, besides having the advantage of the influential and most active support of what is known as the Markinch Committee, of a complete organisation of paid agents and canvassers, and of something approaching to a monopoly of conveyances for voters to the poll, was largely indebted yesterday to the votes of the Conservative electors. ... Somehow, they (the conservatives) seem to have respect to his past conduct rather than to his present professions.<sup>33</sup>

The value of money and good organisation is also evident here.

In the counties generally the other factor in the Liberal advance was the 'cleaning up' of the county registers in the wake of the County Voters Act of 1861<sup>34</sup> which resulted in far more realistic registers. In counties where Game and Hypothec were the catalysts for change this provided a source of new support rather than an explicit reason for 'trying again'. In Aberdeenshire, for example, about 1000 feuars had come on to the

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<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*

<sup>34</sup> See Chapter 1



register by 1866, with some village constituencies being doubled and tripled. In Fraserburgh the number of voters increased from 26 to 95 and all were reported as having gone with Fordyce, the Whig<sup>35</sup>.

In Renfrewshire in 1865 Sir M.R. Shaw Stewart, the M.P. for the county since 1855, was convincingly defeated by a Liberal. It was made clear to Stewart during the campaign that the movement against him was not so much opposition to him personally as opposition to the Conservative party. His opponent, Captain Spiers, presented himself as a Liberal and the Game and Hypothec issues seem to have played little part in the campaign. Stewart tried to avoid the charge of being a Conservative partisan by pointing out that he had supported Palmerston in his prosecution of the Crimean war. As *The Scotsman* asked, however:

'What has this to do with the matter? Many of the bitterest Tories in the country did the same.'<sup>36</sup>

Spiers was noted for his support of clear-cut Liberal issues such as the abolition of church-rates and the admission of Dissenters to English Universities, Stewart on the other hand for his voting record of opposition to both.

A great increase in the number on the voters' role was not the crucial factor here either. At the last contest in 1841 1,904 voters had polled. In 1865 1,774 votes were recorded. What may have been happening here, as the raising of the point about the Crimean War suggests, is that the Palmerstonian consensus was already felt to be no longer relevant to the climate of the mid-1860's. Liberal-Conservatives like Stewart were seen as being more Conservative and less Liberal as issues like church-rates, Irish Church disestablishment, reciprocal Free Trade and the lowering of the Franchise had replaced Maynooth, Protection, and lateral Derbyite Reform. Having won convincingly in 1859, P.B. Smollett, another Liberal Conservative finished in a dead heat in 1865 with James Stirling who was for a £6 burgh, and £10 county, franchise and vote by ballot.

The Liberal Party was helped to such success in the Scottish counties in the 1860's therefore by three factors. In terms of issues, tenant discontent over the implementation of the Game Laws and a wider discontent about the law of Hypothec brought them support. As Disraeli put it: "The state of Scotland alone is most serious. All influence appears to have slipped away from its proprietors..." The more representative registers meant that there was an incentive to 'try' the counties again, usually after a long gap without a contest. Finally, the Palmerstonian consensus was coming to an end, brought under pressure by concern at what kind of Reformers would have the upper hand once he had left the scene and by other issues such as Irish Church Disestablishment which

<sup>35</sup> *Aberdeen Journal*, 23.5.1866

<sup>36</sup> *The Scotsman*, 6.7.1865

could only mean the end of any co-operation between Established Church, often Episcopal, county Conservatives and moderate Whig-Liberals. In all this the tenant-farmer interest was central. When their interests diverged from those of the proprietors over the Game issue especially, they moved to support the Liberals and swung important counties to them in the process. As the result of the 1874 election shows, however, the move was not permanent, but rather a conditional support of already established Liberal county forces - Whig landowners, small town shopkeepers, Free Church members, Roman Catholics - which enabled these to make significant political gains in the 1860's. When the Liberals did not deliver what these tenants wanted, they found no trouble in returning to their original allegiance.

In the burghs in the 1860s, in electoral terms, the picture is one of stability and even continuity. This should be set against the background of a huge growth in the size of the electorate as a result of the Reform Act of 1868<sup>37</sup> and a resurgence in national political activity for the first time really since the Chartist agitations of the late 1830's and 1840's on the part of the working classes, as represented by their leaders in trades councils and trades unions. The possibility that the new electors, many of them working class and concerned about issues such as the Master and Servant legislation, the legal position of trades unions and safety at work would upset the balance of the constitution was something that had worried those opposed to further Reform. Some Liberals were worried that the independent working man would emerge to dent their dominance in the burghs. These fears were groundless. The situation was that in 1868, the first election held on the new register, 16 out of the 23 members returned in 1865 under the old £10 franchise were returned again. Many would probably have benefited from being regarded as 'Reformers' of the 1866 to 1868 period. Of the other seven, three did not stand again, one moved to one of the new seats created by the Act, and only three were defeated. Of these three, John Ramsay in Stirling District had only been the member for seven months and was defeated by Henry Campbell who had had a very respectable result earlier in the year and George Loch, the victor in Wick District, was continuing the Liberal tradition set by James, member between 1832 and 1852. Only in 1874 did a few significant changes in the body of Liberal burgh M.P.s take place, with, for instance, the Whig E.P. Bouverie going down after thirty years in Kilmarnock District, having survived an interesting, but confused challenge in 1868, and Sir John Ogilvy being put out in Dundee. As both W.E. Baxter and A.F. Kinnaird, representing radical small town Liberalism and aristocratic Whiggery respectively, commented<sup>38</sup>, the atmosphere at the 1868 election was very similar to those that had

<sup>37</sup> See Chapter 1

<sup>38</sup> Both in letters to W.E. Gladstone, 23.11.68, Gladstone MSS, Add MSS. 44416, ff. 220-1 and 44230, ff. 51-4

gone before and the new working class voters were complimented on their admirable conduct, i.e. similarity to middle-class norms.

What is there to explain this relative continuity in the 1860's in the burgh seats? There was plenty going on. This was the decade when the Scottish National Reform League organised the biggest rally seen in Glasgow since 1832, that of October 1866, to press for franchise reform<sup>39</sup>. The 1868 Reform Act added three burgh seats to the total of 23 in Scotland. Trades unions and trades councils were involved in a series of national issues and in presenting evidence to a number of Royal Commissions which led them to think about what was the best form of political representation to bring about the sort of changes which they wanted.

Trades unions in the 1850s had essentially continued in the tradition of 'moral force' Chartism and had been prepared to cooperate with middle class sympathisers. An example was the attendance of delegates from the trade societies at a meeting in Glasgow in 1852 which resolved to work with the middle-class Reform Association<sup>40</sup>. The main source of concern for working-class representatives at this time, however, was with local political matters, the movement for a Saturday half-day holiday in Edinburgh in the early 1850's for instance. Some interest was shown in pet Radical issues like the Italian independence movement<sup>41</sup>. To co-ordinate union activity trades councils were formed. These were usually established at a time of industrial conflict to campaign for reform of the law of contract and other laws affecting trade unions. Mutual aid amongst workers in a town and support for small unions during trade disputes were also intended<sup>42</sup>. These organisations also provided a far better forum for political discussions than the local branches of trade unions. In this forum four major issues were of great concern to organised labour in the 1860's. Firstly the dubious legal position of strike action. Second, the lack of protection unions had against embezzling officials and their lack of status under the 1855 Friendly Societies Act. Thirdly the fact that the Right to Strike was severely limited by the Master and Servant Law under which workers were liable to criminal proceedings for breach of contract and employers to only civil action. Fourthly, the liability free position of employers for accidents caused at work by the action of another employee<sup>43</sup>. Concern with these issues, and especially in the mid-1860's with the third, the Master and Servant legislation, led labour leaders to seek legislative change, which meant increased contact with the political establishment.

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<sup>39</sup> *The North British Daily Mail*, 17.10.1866

<sup>40</sup> *Glasgow Sentinel*, 13.3.1852

<sup>41</sup> W. Hamish Fraser, 'Trade unions, reform and the election of 1868 in Scotland', *SHR*, vol. 50, 1971, p. 140

<sup>42</sup> D.G. Wright, *Popular Radicalism. The Working-Class Experience, 1780-1880*, Harlow 1988, p. 157

<sup>43</sup> *Ibid.*, p. 158

It should be stressed, however, that the bulk of working people remained non-unionised. Most workers had no time to think of politics, or, if they did, it was probably a sort of 'anti-them' feeling directed at employers or at those in the more established, better-paid craft trades. Scotland at this time was a country on the move. In 1871 Edinburgh and Glasgow had a majority of people in them who had come from elsewhere. In the mid- to late-century period 30%-50% of the populations of Lanarkshire, Dumbartonshire and Renfrewshire, were non-native born<sup>44</sup>. Most of this was internal migration, but nonetheless involved a high degree of social and cultural upheaval and reorientation. Under such circumstances politics was something which was very far away from the struggle of everyday life.

Bearing this in mind, the interest in political activity shown by the leaders of organised labour in connection with the issues listed above, and especially the Master and Servant Law, brought into the open the disagreement over how best to proceed. On the one hand there were those like Alexander McDonald who were prepared to work with anyone to further working-class interests. This led to controversy within labour leadership circles as McDonald, and others in the Glasgow Trades Council became involved with Lord Elcho in their agitation to reform this law.

McDonald represented the miners on the 'Master and Workmen's Acts Amendment Executive Committee' and responded positively to Elcho's interest in the matter and to his Parliamentary motion for an inquiry into the Laws in 1865. He and McDonald had come into contact previously on the same side in the campaign for better mining regulations and especially the Coal Mines' Regulation Act of 1860<sup>45</sup>.

Elcho's attitudes and behaviour fitted in well with the paternalistic tradition which existed amongst Scottish lowland proprietors and especially coalmasters until about the 1860's

'Social harmony in the Lothians finally depended on an additional consideration - the landlords' desire to strengthen their paternal standing in the local community.

In the 1830's and 1840's there emerged a Tory social movement which questioned the benefits of unrestricted private enterprise and gave ideological direction to paternalism. The Conservatives endeavoured to put themselves forward as the party of humanitarian social reform.<sup>46</sup>

Elcho's opposition to Reform in 1866, his siding with the Adullamites, though it made things even harder for McDonald, George Newton, the secretary of the Glasgow

<sup>44</sup> J.F. McCaffrey, 'Patterns of Migration: Scotland 1840s - 1930s', *History Teaching Review Year Book*, vol. 4 (1990), p. 12

<sup>45</sup> Fraser, *op. cit.*, p. 142

<sup>46</sup> John A. Hassan, 'The landed estate, paternalism and the coal industry in Midlothian, 1800-1880', *SHR*, vol. 59, 1980, p. 85

Trades Council, and Alexander Campbell, the Owenite editor of the working-class *Glasgow Sentinel*, was also perfectly consistent with this philosophy and course of action. Elcho believed, and was anxious to prove that a lowering of the franchise was not necessary for the working class to achieve the sort of reforms they wanted.

McDonald's attitude to the Liberal party has been well described by his biographer, Gordon Wilson, trying to recreate his thoughts as he attended the Reform League demonstration of October 1866:

'But, again, when McDonald looked around that day at the Glasgow Reform demonstration, among the Liberals he would see were John Bright of the Manchester School whose adherents, including Richard Cobden, had opposed industrial legislation such as the Mines Act of 1860. He would also have seen James Merry, Liberal M.P. for Falkirk Burghs, whose company Merry and Cunninghame, were the most blatant exploiters of their miners. ... McDonald's attitude to the Reform movement was, therefore, coloured by his experience of personalities and by his priorities for the improvement of the miners' lot.'<sup>47</sup>

Opposed to McDonald and his trades council allies in their approach to involvement with the political establishment were the unionist Lib-Labs who emerged to control the Scottish National Reform League by the spring of 1867. The most prominent individuals were George Jackson, watchmaker secretary of the League, and those such as George Miller of the Amalgamated Society of Engineers and James Stewart of the Masons<sup>48</sup>. These working class leaders were convinced that the best way to achieve their aims was through the Liberal party and by concentrating on the franchise question. In this they were assisted by middle-class Liberal opponents of Elcho. The latter refused in 1865 to accept an invitation to address a trade union meeting in Glasgow which resulted from his motion on the Master and Servant Laws on the grounds that it would play into the hands of "... the McLaren and Bright party and the Odgers [secretary of the London Trades Council] who hate me ..." <sup>49</sup>

What assisted them most, however, was probably the prevailing attitude of mind amongst what contemporaries liked to call 'the elite of the operative classes.' This favoured co-operation with the Liberal party. Reports of election meetings show that Liberal positions on retrenchment, low taxation and church disestablishment enjoyed widespread popular appeal. As John Vincent puts it, Liberalism was the 'domestic morality writ large' of this group in society, with their values of self-help, thrift and maintenance of craft differentials against encroachments from employers and fellow-

<sup>47</sup> Gordon M. Wilson, *Alexander McDonald, Leader of the Miners*, Aberdeen 1982, p. 121

<sup>48</sup> Fraser, *op. cit.*, p.145

<sup>49</sup> Wemyss MSS, letter to John Strachen, 1.8.1865

workers alike. This elite was not interested so much in broad-based collectivism, and therefore did not focus, like McDonald the miner, on Liberalism's connection with the employers and capital. To George Jackson the watchmaker James Merry the ironmaster was not a very immediate or threatening figure.

The continuity in Scottish burgh representation in the 1860's was greatly assisted by the fact that the 'Lib-Labs' won out in this argument. Backed by the weight of the Reform League's organisation and financial resources and based in the trade unions this is not surprising. By September 1867 the Reform League had 50 branches<sup>50</sup> and several thousand members.

Why did the Reform League come down so clearly for co-operation with the existing Liberal establishment in the Scottish burghs? The answer lies most clearly in the situation they faced in Glasgow under the new electoral system. Under the Reform Act of 1868 Glasgow was given three seats but remained a single unit constituency. There were, in other words, no divisions. Each elector under what was called the Minority Clause had two votes, the intention being to give the minority in large city constituencies a better chance of returning one of the members. The minority were, of course, the Conservatives. In order to overcome this hurdle and return three Liberal members two things were necessary. The first was co-operation amongst the various Liberal factions and the second was good organisation. Too many candidates or lack of direction for supporters would spell disaster.

Ostrogorski has described the response of the Liberals in Birmingham to a similar minority clause in operation there which provides a useful example for comparison with what happened in Glasgow.

Their idea was that this [nullifying the effect of the Minority Clause] might perhaps be accomplished by means of an electoral scheme adopted beforehand, but that a formidable organisation would be necessary for the purpose. The old organisation of the Liberal party seemed to them too lax, too feeble. The Registration Societies, the Reform or Liberal Associations which had sprung up since 1832, were groups of subscribers, of amateurs, and were in the hands of traditional leaders incapable of getting at the masses who had just been brought on the political stage by the extension of the franchise.<sup>51</sup>

In Birmingham the Liberal Association came up with a plan to meet this situation:

The Liberal committee formed in consequence selected candidates for all three seats in view of the impending general election [in 1868]. But as each elector could only vote

<sup>50</sup> *Glasgow Sentinel*, 21.9.1867

<sup>51</sup> M. Ostrogorski, *Democracy and the Organisation of Political Parties*, London 1902, p. 161

for two candidates, owing to the minority clause, the committee hit upon the following device: by a preliminary canvass the central committee ascertained the exact number of Liberal electors in each ward and the minimum of votes necessary to obtain the majority at the poll, then distributed the three candidates by twos among the electors of the ward, in such fashion that each candidate would only receive the number of votes strictly necessary to obtain the majority at the poll, and the votes over and above this would be given to one of the two other candidates so that each of them should eventually have a majority. ... The voter who had left the selection of the three candidates to the general committee, was also to renounce the privilege of selecting from among them the two which he preferred. "Vote as you are told" was the password.<sup>52</sup>

Likewise, the situation in Glasgow would have forced the Reform League people to cooperate with the Liberal establishment even if they had wanted to act otherwise because they were interested in seeing the electoral fruits of their labours for Franchise reform. This worked the other way also. Middle-class Liberals and their candidates needed the co-operation of working-class groups. As William Graham in Glasgow pointed out, the personal canvass with all it involved was no longer possible in a constituency like Glasgow<sup>53</sup>. The League, therefore, concentrated on selecting a candidate for what they regarded as the third Glasgow seat. George Anderson was the man they settled on at a Reform League Conference in July 1868. As the *Glasgow Herald* reported it, he was selected for the third seat while at the same time the delegates decided to support the present members<sup>54</sup>. The other two members were William Graham, a Whig, and the radical Robert Dalglish. Dalglish might be expected to draw support from the League because of his radical record but there was opposition to Graham from, among others, Alexander McDonald because he was felt to be out of sympathy with the working classes<sup>55</sup>. What had happened was that the Whigs had been told that their candidate would be supported if they in turn offered support to Anderson as the League candidate. Graham after the poll could therefore wax lyrical about the reliability of the working classes who had helped him to keep his seat:

'But, Sir, the conduct of our working men upon this occasion has been such as to put an end for ever to the impression that the intelligent people of Scotland, search as deeply into their hearts as you may, will be found unfaithful to the principles of political Liberalism. ... The people of Glasgow, its intelligent artisans, have worked with the smoothness and certainty and irresistible power of their great engines - and

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<sup>52</sup> *Ibid.*, p. 162

<sup>53</sup> *The Glasgow Herald*, 1.7.1868

<sup>54</sup> *Glasgow Daily Herald*, 8.7.1868

<sup>55</sup> *North British Daily Mail*, 8.7.1868

by so doing, they have demonstrated here in Glasgow, as our friends in Birmingham have also done, that for the purposes for which the minority clause was intended it was wholly useless.<sup>56</sup>

Although there had clearly been consultation between the Liberals in Glasgow and Birmingham, the system adopted in Glasgow was different from that described above. Anderson said he had wanted to be third:

'And yet it might have happened that I had occupied the first or second place, because by the system of voting always for the two lowest, and by keeping the three balanced during the day in the admirable manner in which it has been done, it was a mere toss-up which of the three should happen to be at the head at the end.'<sup>57</sup>

Although mechanically different, this system did also imply the loss of autonomy for the individual voter.

'It interferes to a large extent with the free choice of the electors, for when influential leaders step into a contest, arrange their followers in droves, and send them to the polling booths with the names of two candidates placed in their mouths, there must be hundreds and perhaps thousands who vote not as they would but as they have been directed. Nobody will believe that the feeling of the Liberal electors of this city with regard to the three gentlemen who have been returned is so very nearly balanced as was represented by the state of the poll yesterday afternoon at four o'clock. Had the constituency been left to give its suffrages without a nicely planned organisation, and without the interference of active guides to the poll, the result would have been very different - not, perhaps, in the loss of a Liberal candidate, but in the position in which the three were placed.'<sup>58</sup>

Both Anderson and Dalglish were explicit in their thanks to the Reform League and Jackson. As Anderson put it:

'As I have been in constant communication with him for months, no one knows better than I do how greatly he has laboured in the good cause of Liberalism. In his gratuitous position as Secretary of the Reform League he has performed a service to the Liberal cause in Glasgow and in many other places besides.'

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<sup>56</sup> *Glasgow Daily Herald*, 18.11.1868, speech at the Hope Street Circus after the declaration of the poll.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*, leading article



Ostrogorski's interpretation has, in its turn, led to argument about whether such a scheme was a radical new departure or whether the Birmingham Liberals "merely systematised political forms and relationships of long standing, incorporated them within a well organised institutional framework, and adapted them to the requirements of an enlarged electorate."<sup>59</sup> The Glasgow election of 1868 shows that the agreement reached between the Liberals and the Reform League involved an alliance between the old and the new. The Whigs round Graham benefited from the organisation and discipline of the new working-class electorate. On the other hand, Anderson had been chosen because he shared the position of his working-class selectors on the education question and on allowing wages to rise freely<sup>60</sup>. As was pointed out above, they shared a common ideology.

Glasgow provides a clear-cut case of where the organised, working-class electorate *had* to cooperate with the Liberals and the smaller middle-class Whig groups had to do the same. Dundee, where a new seat was created by the 1868 Act, and where the electorate was more than quadrupled between 1867 and 1868, from 3,583 to 14,711 voters<sup>61</sup>, provides an example where there was no compunction brought about by a minority clause.

The sitting member, Sir John Ogilvy, was not an Adullamite Whig, but he was a landowning moderate Liberal. He was joined in the field early on by George Armitstead, whom he had beaten eleven years previously. More radical, he was for the ballot, Irish Church disestablishment and further seat redistribution, he announced himself explicitly as a candidate for the new, second seat. These two were joined by H.W. Scott, an avuncular young laird with old Whig ideas, such as opposition to the ballot and Russell's old idea of levelling up endowments in Ireland, and more dangerously by J.A. Guthrie, a radical Episcopal merchant, who also wanted further seat redistribution and supported Gladstone on the Irish Church. Guthrie was suspected of closet-Toryism as he confessed to having voted for a Tory on personal grounds at a previous election for the City of London<sup>62</sup>. What told against him more was the fact that he was seen as the nominee of the publicans and crucially that he did not have the machinery of the organised working-class vote behind him. As in Glasgow, but without the compulsion of the Minority Clause, a deal was struck by which the sitting member, Ogilvy, and the candidate of the working-class voters, Armitstead, were returned together through organised polling.

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<sup>59</sup> Trygve R. Tholfsen, 'The Origins of the Birmingham Caucus', *Historical Journal*, vol. II, 1959, p. 161

<sup>60</sup> I.G.C. Hutchison, 'Glasgow Working-Class Politics', in R.A. Cage, *The Working Class in Glasgow, 1750-1914*, London 1987, pp. 110-111

<sup>61</sup> *Dundee Advertiser*, 11.9.1868

<sup>62</sup> *Ibid.*, 16.6.1868

'... as has been proved in Mr. Guthrie's case, no amount of agency, or of paid canvassing, or of expenditure of money in scurrilous placards, will suffice, if a candidate has not got the sympathy of the people. ...

The elite of the working men of Dundee did thoroughly good, honest work for the People's Candidate. ...

All that is needed is a voluntary organisation to arrange that on polling day effect shall be given to the popular wishes. That organisation on behalf of Mr. Armitstead was most complete. It was also to a great extent applied in the most friendly spirit to secure the return of Sir John Ogilvy.<sup>63</sup>

The discipline of Armitstead's working-class supporters in voting for Ogilvy was not totally matched on the other side, as late in the day Ogilvy's supporters began to plump for him in order to put him top of the poll. The intention of the whole exercise was never in doubt, however:

'This did not, however, affect the voting of Mr. Armitstead's supporters, who seemed most admirably disciplined to vote as recommended by the Committee, so as to secure the return of *two* Liberal candidates instead of one. They never wavered from their allegiance to Mr. Armitstead and Sir John, and by their steady and persistent double vote they placed both the Liberal candidates enormously ahead of the others.'

A candidate who did not secure the support of the Reform League where it chose to put one up and who did not look to cooperate with the Liberal party, but who nevertheless looked to the newly enfranchised working-class electors faced great obstacles.

A clear example is provided by the failure of Alexander McDonald to be able to come to the poll as a 'people's candidate' at Kilmarnock in 1868. Nationally prominent, especially since giving evidence before the Royal Commission on Trade Unions in 1868, he stood on a platform that had much in common with advanced Liberalism. He did not call for further extension of the burgh franchise but did want the county franchise put on the same basis, he wanted equal electoral districts, triennial parliaments and the ballot, and was also for disestablishment of the Irish Church. His union background showed in his calls for a ten-hour act and for the limitation of working hours for trades employing children.

McDonald had however alienated the League:

'Although McDonald had been a prominent speaker at that demonstration [the Glasgow Reform League Demonstration of October 1866], his comments before and

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<sup>63</sup> *Ibid.*, 20.11.1868

since then, particularly criticising John Bright, had antagonised the leaders of the League.'<sup>64</sup>

The League put up its own candidate, Edwin Chadwick, who had been intimately connected with the New Poor Law of 1834 and its implementation in England and was, therefore, not calculated to appeal to the hearts of working-class voters. He did, however, enjoy the financial backing of the League. McDonald, on the other hand, withdrew from the contest before the poll due to insufficient funds. Fraser sums up this case most succinctly:

'Thus the candidature of one whose whole career had been dedicated to the service of the working class was sacrificed on behalf of the author of the new poor law, for the simple reason that McDonald, it was feared, would be too independent of the Liberal Party.'<sup>65</sup>

Or looked at from the point of view of the working-classes themselves:

'It has been proclaimed in loudest voice and in clearest words that the large majority of the working men of Kilmarnock will not condescend to look upon themselves as a class distinct in intelligence and interests from those of the higher classes.'<sup>66</sup>

In other words the continuity did not only apply to the middle-class Liberals, but to the working class as well. They also regarded themselves as Liberal in outlook, as part of the Liberal tradition.

This contest also proved however that the Reform League was vulnerable when it was not working closely with the Liberal Party. Perhaps, unlike in Dundee, it simply did not have the numbers or the organisation to manage the new working-class electorate. Chadwick went on to lose heavily to the sitting Whig Member, E.P. Bouverie<sup>67</sup>. On its own it made the mistake of allowing Chadwick to become associated with the oppressive Permissive Bill, intended to combat the drink trade, and of giving Bouverie the chance to divide the new electors.

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<sup>64</sup> Wilson, *op. cit.*, p.136

<sup>65</sup> Fraser, *op. cit.*, p.155

<sup>66</sup> *The Kilmarnock Standard*, 21.11.1868

<sup>67</sup> In a three-cornered contest Bouverie polled 2,892, Chadwick 1,148 and the Rev. Thompson 999

Hundreds of those who were Mr. Chadwick's supporters were against the Bill, and very many of them began to suspect the man who, at the eleventh hour, became a convert to this new school.<sup>68</sup>

Together with the moderate Liberals and probably a good sprinkling of Tories this was more than enough to put Bouverie top of the poll.

When the dust settled after the electoral battles of 1868 the message seemed clear. Working in conjunction with the Liberal Party, the Reform League had been able to achieve results. Candidates going their own way in search of working-class support and independent of the Liberal party had made very little. This situation explains the picture of surface calm and continuity which the election results themselves create. The examples where change did take place usually involved middle-class advanced Liberals making use of the new electorate to tip the scales against more Whiggish opponents.

This had already happened in Edinburgh before the electorate of 1868 had come into being. In this special case two things acted as catalysts to crystallise discontent with the Whig establishment. One was the lingering influence of the Annuity Tax and the other was the presence of the ambitious Duncan McLaren<sup>69</sup>.

Another example is Stirling Burghs. At a by-election in April 1868 John Ramsay won by a majority of 71 over Henry Campbell who had entered the field late. Ramsay was luke-warm on Irish Church disestablishment and, for example spoke of education not as a way of preparing the working-classes for the use of the franchise, but as a way of enabling those of the working-class who wanted to raise themselves to it<sup>70</sup>. Campbell specifically appealed to the new electorate and referred to the influences which had been pitted against him, county influence, legal influence, and so on, which he expected to be swamped by these new voters.

His confidence was justified.

Mr. Ramsay was the servant of the old Whig clique; but the old Whig clique are not known now. They may employ Mr. Ramsay if they like, but the new electors do not know the Whig clique, and they do not care for Mr. Ramsay, or, for that matter of it, any other man.<sup>71</sup>

At the poll Campbell won by 519 votes. At the by-election in April 1,059 voters had polled whereas in November 3,883 had done so.

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<sup>68</sup> *Kilmarnock Standard*, 21.11.1868

<sup>69</sup> See Chapter 8.

<sup>70</sup> *Stirling Journal and Advertiser*, 1.5.1868

<sup>71</sup> *Ibid.*, 13.11.1868

The period between the formation of the second Palmerston Government and the first election after the Second Reform Act in Scotland was, therefore, a good one for the established Liberal party in Scotland. In the counties they made significant headway against their political enemies, the Conservatives. In the burghs the new electors who came on to the register, either as a result of rising property values and prosperity under the old franchise or as a result of the lowering of voting requirements in 1868, were largely locked into the status quo in its widest sense. This involved either supporting sitting members in return for a 'share' of the representation or being used to settle old scores between Liberals from different parts of the coalition which made up the party. Even this 'share' of the representation which they received was limited in its impact. George Anderson in Glasgow was a gentleman M.P. and his colleague George Armitstead in Dundee a merchant. No working-class M.P.s were elected as Liberals in the 1860s in Scotland.

**PART THREE**

**THE LIBERAL PARTY IN  
INDIVIDUAL CONSTITUENCIES**

## INTRODUCTION

The intention in this section is to look at political activity in three constituencies in greater depth, so as to explore the implications of the chronological chapters more fully. and to discuss the evidence which throws light on the extent to which the Liberals operated as a party at this level. The constituencies which have been chosen are Falkirk Burghs, Ayrshire and Edinburgh.

Falkirk and Ayrshire have been chosen because in each of these constituencies the Conservatives were strong and, therefore, it might be expected that recognisable parties would exist under such competitive circumstances, if at all.

Falkirk offers practically the only opportunity to look at the Liberal party in a burgh constituency where close-run two party politics was a regular feature at election time. The period 1846 to 1859 in particular has been concentrated on, since it was in these years that the struggle was most intense and the constituency drew most attention to itself throughout Scotland and beyond.

Ayrshire was a mixed industrial and agricultural county seat with a very large constituency, about 4,000 voters in the late 1850's, and for that reason more 'open' and less easy to control politically. Because of its size, both in terms of numbers and geographically, it should also provide clear evidence of what party *organisation* at its most developed meant at this time. This constituency has been discussed for the period between 1852 and 1857 when contested elections were the norm and more evidence for political development and movement therefore available.

With regard to Edinburgh, the third constituency chosen, the situation there was different. It did not offer the Conservatives the chance of getting a candidate elected and was, therefore, not the scene of strife between the parties. With control of the representation virtually assured, there was more room for the Liberals to be relaxed about the common enemy and to give their internal divisions more free rein. Edinburgh, a two member, single burgh, constituency, should, therefore, provide a good opportunity to study the interaction between Whig, moderate, and 'advanced' Liberals. An interesting question will be the extent to which ideas of party differed under the circumstances to be found in a seat like Edinburgh as compared with Falkirk or Ayrshire.

## CHAPTER 6

### A BURGH DISTRICT : FALKIRK BURGHS, 1846-1859

This constituency was the 'odd man out' amongst Scottish burghs in this period because it alone returned a Tory, or Peelite, between 1841 and 1857. Plenty will be heard of the 'thralldom' under which the constituency suffered. The Liberal party will be seen here on the defensive in what it regarded as its rightful territory and the compromises reached or the lack of agreement suffered by the various interests within it as a result are worth investigation. The constituency will also provide an insight into the minutiae of Scottish politics at this time, not least because of the election petition, which led to the unseating of the sitting member after the 1857 election.

Really, then, Falkirk was a constituency where 'bogey-man' Toryism, the normally empty threat of a Tory getting in between two feuding Liberals used to stop Liberal infighting, did not apply. In other burghs the idea that the Conservatives might actually get a candidate elected was virtually unthinkable. Not so in Falkirk District. What 'party' meant as a necessity in the face of the common enemy might have been expected to be evident here as in no other Scottish burgh seat at this time.

The Falkirk constituency lay in central Scotland and was composed of five burghs; Falkirk, Airdrie, Hamilton, Lanark, and Linlithgow. A contemporary description of the constituency saw it as follows:

'Let it be kept in mind too, that this district of burghs is principally a mining district. The burgh of Linlithgow is close to the great ironworks and mining establishment of Mr. Wilson of Dundyvan at Kinneil, and the mining establishments of Mr. Caddell of Grange and others. Falkirk lies in the vicinity of the celebrated coal and ironworks of Carron. The extensive coal works of the Duke of Hamilton at Redding and of other mineral proprietors, besides those of the Earl of Dunmore, are within a short distance of the burgh, and all are intimately connected with the trade of the prosperous town of Falkirk. Then comes Airdrie, surrounded with seventy three blast furnaces and extensive collieries which latter not only supply the material for consumption required for the ironworks and other purposes in the neighbourhood, but give warmth to the citizens of Glasgow, and assist to promote the action of most of their steam engines. Then go to Hamilton and its neighbourhood, and there you find the nucleus of extensive coal and iron workings; the fields of coal and ironstone being very large, of great thickness and of the best quality. The proportion of these fields which belongs to His Grace the Duke of Hamilton amounts to 10,000 acres, and the neighbouring proprietors have extensive and valuable portions of this great



mineral basin. Lanark itself, although situated on a whin foundation, is now brought within the influence of mineral enterprise by the Caledonian Railway, which passes close by it, and it is within four miles of the extensive workings of Coltness Iron Company, at Braidwood, and of other proprietors even nearer to it.<sup>1</sup>

Iron was not the only economic mainstay of the constituency, but it was to play a crucial role in the political history of the burghs in this period. Agriculture was also an important sector. Linlithgow and Lanark were county towns and centres of the farming activities in their neighbourhoods therefore, and the estates of the Duke of Hamilton centred on Hamilton Palace also added to the rural influence. Falkirk also had a grain market which, however, by the end of the period was beginning to go into relative decline as farming interests in the immediate area languished<sup>2</sup> and the growing population found employment in the manufacturing sector, based here particularly on light iron castings.

To return, however, to iron. For a large part of this period politics was to be dominated by the struggle between the Liberals and one family, the Bairds of Gartsherrie. This family of iron-masters provided the candidates, the money, and the motive force behind the Conservative interest in the heart of Liberal, industrial Scotland.

'In the midst of these useful works, and the engrossing demands of their colossal business, the Bairds never flagged in the efforts which they constantly made to promote the Conservative cause. The amount which they contributed in this way - in personal exertions, in influence, and in money - it would not be easy to estimate. All the eight brothers were present at the great banquet given in Glasgow, in January, 1837 to Sir Robert Peel; and in the efforts made to place the Conservative party in power, they took a prominent part. Their exertions contributed in an important degree to wrest the county of Lanark, in 1837, from the Duke of Hamilton's party - which had held it from the date of the Reform Bill - and to secure the return of Mr. Lockhart as member.'<sup>3</sup>

The Bairds were the largest employers of labour in Scotland during this period, their company owning, by 1872, 42 blast furnaces with a capacity of 750 tons per day. This amounted to one quarter of the entire production of pig-iron in Scotland and, it was claimed, made them the largest producers in the world<sup>4</sup>. Besides Gartsherrie, they

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<sup>1</sup> *The Glasgow Citizen*, January 1851

<sup>2</sup> *Eighty Years, 1845-1925 The Falkirk Herald*, Falkirk 1925, pp. 7-8

<sup>3</sup> A. McGeorge, *The Bairds of Gartsherrie. Some Notices of their Origin and History*, privately printed, Glasgow 1875, pp. 72-73

<sup>4</sup> J. Stephen Jeans, *Western Worthies. A Gallery of Biographical and Critical Sketches of West of Scotland Celebrities.*, Glasgow 1872, pp. 82-83

owned coal and iron works in other parts of Lanarkshire, in Ayrshire, Stirlingshire, Dumbartonshire, and Cumberland County. At their peak they provided employment for about 10,000 men and boys<sup>5</sup>. In addition to their industrial and mining properties, they invested the profits from their business in the purchase of land in various counties, valued in total at about £2 million<sup>6</sup>. James, for instance, owned, amongst other estates inherited from his brothers who died before him, Cambusdoon in Ayrshire and Knoydart in Inverness-shire. As can be seen, this added up to a colossal industrial and financial power-house. Their politics, which "have always tended towards Conservatism and for the support of the 'good old cause'"<sup>7</sup>, did so partly because of their religious belief and perhaps also because of their social origins. Supporters of the Established Church in Scotland, James, for instance, was described as being,

'conservative to the extent of maintaining unimpaired all the institutions of the Church; but patronage, and other plague spots in her bright and noble constitution, he would utterly abolish.'<sup>8</sup>

With regard to social origin, the family was part of that thrusting group which had risen by dint of their own efforts and entrepreneurial skill from a social background made up of artisans, small merchants, and small farmers<sup>9</sup>. Usually these people 'of less "genteel" lineage'<sup>10</sup> had a different outlook from the older, often also non-aristocratic, landowning, or merchant families who had made up the burgher aristocracy in Glasgow, for instance. New money was as good to them as old and their politics were usually of a more liberal stamp. In the case of the Bairds their background was indeed that of small-scale farming and milling<sup>11</sup>. By the time of James' birth in 1802 his father had risen to be one of the leading members of the Lanarkshire farming community. There the similarity ends, however, as their reaction against genteel Whiggery took the form of Toryism. This was probably closely connected with their attachment to the Established Church. This connection was most obviously to be seen in their quite remarkable munificence. Concerned particularly with the Church's educational activities, James founded in 1871 the 'Baird Lectures' for the defence of orthodox teaching which led to the gift, in 1873, of half a million pounds to the Church to set up the 'Baird Trust'. This was aimed at lessening the spiritual destitution among the

<sup>5</sup> *Dictionary of National Biography*, vol. I, Entry for James Baird, (1802-1876)

<sup>6</sup> *Ibid.*

<sup>7</sup> J. Stephen Jeans, *op. cit.*, p. 84

<sup>8</sup> *Ibid.*, pp. 85-86

<sup>9</sup> David A. Teviotdale, 'Glasgow Parliamentary Constituency, 1832-46', unpublished B. Litt. thesis, University of Glasgow 1963, pp. 119-120

<sup>10</sup> *Ibid.*, p. 121

<sup>11</sup> *DNB*, *op. cit.*

Scottish population largely through church extension projects<sup>12</sup>. James was much concerned with the danger of education becoming secularised and objected to the use of public money for education without religious instruction<sup>13</sup>. It is estimated that he made provision for the education of more than 4,000 children in the West of Scotland.

The Bairds constituted, therefore, a formidable Established Church and Conservative influence in west-central Scotland, including the Falkirk Burghs constituency.

'Besides their influence in the Falkirk Burghs the Messrs Baird can command altogether several hundred votes in the counties of Lanark, Dumbarton, Ayr, Stirling and Renfrew, and also in Glasgow, and in the event of a general election their influence might turn the scale in all these places except the last.'<sup>14</sup>

Airdrie, one of the Burghs, was very close to the Gartsherrie works and the effect of the Baird interest there can be seen in the breakdown of the 1841 result, when William Baird took the seat for the first time<sup>15</sup>:-

	William Baird	William Gillon
Airdrie	138	68
Hamilton	129	111
Lanark	80	77
Falkirk	124	132
Linlithgow	22	45
	484	433
	(355)	(365)

The total figures in brackets represent the result without Airdrie and show that Baird's majority of 51 was largely a product of the family's influence there. Remembering that this was a Conservative year, even marginally in Scotland, it is clear that the Liberal party in the burghs was no push-over for the Bairds.

The rough and tumble of close-run party politics had arrived in Falkirk town, which was always to be the centre of the 'advanced' Liberal interest in the Burghs. One observer, on the Baird side, reported,

<sup>12</sup> *Ibid.*

<sup>13</sup> He presided at a meeting in the City Hall, Glasgow on 20.12.1871, for instance, to recommend, in the period leading up to the passing of the 1872 Act, the continuance of religious instruction in day schools. See Jeans, *op. cit.*, p. 84

<sup>14</sup> J. Leitch to Lord Lincoln, 17.5.1846, Newcastle MSS, MS NeC 12,415

<sup>15</sup> *Stirling Journal and Advertiser*, 9.7.1841

The system of intimidation that has been going on here surpasses everything I have seen in electioneering. Threats by agents for Edinburgh bankers, and utter ruin to electors and their families, prevented many of our men who were pledged, and who are truly Conservatives, from coming to the poll at all, and even, in several cases, they actually voted for our opponent.<sup>16</sup>

He concludes that, if this pressure had not been exerted, then there would have been a majority for the Tories of 20 in Falkirk and goes on to describe the behaviour of the mob, who, he claims, were encouraged by Gillon's Committee:

'On returning from the declaration, within this half-hour, the mob became outrageous; staves, mud, and everything *impressive* were thrown at us, and, I regret to say, that our excellent Member, Mr. Baird, received a heavy blow on the head from a stone, thrown by one of our opponents, which made a large wound. He was obliged to be supported by two of his friends, while the blood was drooping profusely from his head, all the way to the Hotel. Medical men were instantly called, who dressed the wound, and sent him home in his carriage.'<sup>17</sup>

The writer goes on to give some explanation for this excited atmosphere when he says:

'You cannot conceive what an interest this election has created in this part of the country. It has hitherto been thought impossible to put a Conservative in for these burghs.'

The Liberal party, backed up no doubt by those who had an interest in the spectacle and 'fun' of a contested election, was not above reproach in terms of using violence and intimidation.

Various sources make it clear that it was Robert who was the most interested in the day-to-day concern that maintaining the brothers' political position required, but that he could not be as active as the situation demanded. Shortly after the by-election of 1846 J. Leitch, a member of the Conservative General Committee saw the relationship between the brothers in the following terms:

'He [Robert Baird] is far the ablest man of the family and has always led his brothers in political matters. As he is very anxious to keep the Burghs secure to the Conservative party he will exert himself to improve the registry; but at the present

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<sup>16</sup> *Ibid.*, report marked, 'Falkirk, July 2nd'

<sup>17</sup> *Ibid.*

moment he has little control over his brother William who, besides takes no great interest in politics and it is his wish that you would give him a hint to attend to the registration, as his co-operation would be of great advantage.<sup>18</sup>

The 'hint' referred to that the new M.P., Lord Lincoln, should pass on the wishes of one of the Baird brothers to another, shows that lack of sustained interest which resulted in the Bairds being incapable of maintaining a political advantage once they had won it. It seems as if out of the limelight of an electoral contest they did not think the effort worth it in terms of the return it brought them:

'A few years ago they were very zealous Conservatives and always continued adding to their electioneering forces, but for some time past their zeal and activity have very much abated. They neglected entirely the registration of the Burghs ... I have endeavoured to ascertain the causes of this change and I believe the main one to be that they thought they did not possess so much influence with government as they were entitled to expect considering the great sacrifices and exertions they had made on its behalf.'<sup>19</sup>

If they felt this about the Peel's ministry, it did not shake, especially in James' case, their continued loyalty to the Conservative party. More likely the explanation was simply that, without the immediate urgency of an election, the Bairds preferred to concentrate on their business and other interests. Their incentive to be active was probably further reduced as time went on by the knowledge that William would not be standing again. When prodded, however, they could be co-operative:

'My Brother in law has had some communication with the Messrs Baird lately on this subject [an active push at the next registration] and been urging them to get a number of parties in the neighbourhood of Airdrie to purchase property in that Burgh upon which to qualify as Electors and they have promised to make an effort in this way.'<sup>20</sup>

William had certainly not done much to win influence for the Bairds by making the most of life as a parliamentarian and was not known as a good constituency M.P. either:

<sup>18</sup> J. Leitch to Lord Lincoln, 17.5.1846, Newcastle MSS, MS NeC 12,415. Were the brothers in fact not talking to each other?

<sup>19</sup> Ibid.

<sup>20</sup> James Russell (Conservative lawyer in Falkirk) to William Forbes, 27.12.1845, Stirling of Keir and Cawdor MSS, T-SK 29-77/8A

It is very much to be regretted that Mr. Baird should not have countenanced us here [in Linlithgow] in some shape or other for the last three years and I feel very confident that this will have a most prejudicial effect at the next election.<sup>21</sup>

Scottish constituencies, however small, and Linlithgow was very small, did not like to be treated as pocket burghs!

In late 1845 and early 1846 we get an insight into these and other matters from the interest taken in the Burghs by William Stirling, as a potential candidate, and William Forbes the leading figure in the Conservative party in central Scotland at that time. It was well known by this time that William Baird had decided not to stand again. He had received an inquiry from a Mr. Minteith, probably about a possible vacancy, in late 1845 and had written to William Forbes asking for advice as to how he should reply. He explained this to his brother Robert by saying that this had been done:

'... in order that I may shape my answer to suit the views of the party.  
I have determined not again to offer myself and shall be glad to hear your views as to what I should say to Minteith.'<sup>22</sup>

A good party man! Through Robert, William Stirling was, therefore, making enquiries as to the chances of keeping the constituency Conservative. The above report from Linlithgow was received as a result of these inquiries. Robert Baird reported his general impressions to Stirling as follows:

'You will see from the letter [an answer from J. Henderson, the Conservative agent in Hamilton] that the Burghs of Hamilton and Airdrie have been ill attended to by the present member-'<sup>23</sup>

and enclosed Henderson's letter. This was pointed in its assessment of Conservative prospects:

'I am afraid from the spirit that prevails at present we would stand ill - It is true that many of those who voted against at last Election have been struck off but I fear much that what with Free Church and what with the Corn Law Repeal cry this will be much more than counter balanced - Indeed, I am quite aware that not a few of your Brother's [William Baird] supporters at last Election are now Corn Law Repealers - If

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<sup>21</sup> R. Glen (Conservative agent at Linlithgow) to James Russell, 8.1.1846, Ibid., MS T-SK 29-77/13  
<sup>22</sup> William to Robert Baird, 15.12.1845, Baird MSS  
<sup>23</sup> Robert Baird to William Stirling, 21.1.1846, Stirling of Keir and Cawdor MSS, MS T-SK 29-77/3

it be true too, as I have been told, that at the meeting yesterday a letter was read from the Duke of Hamilton announcing his approval of Repeal it may have a bad effect on all any way dependent on the Palace.<sup>24</sup>

Since 1841 William Baird's inattention to the constituency, the split in the Church of Scotland and the sharpening of the agitation over the Corn Law question had all worsened the Conservatives' prospects markedly. The Disruption had apparently caused those Conservatives who had come out into the Free Church to go to the Liberals and the Corn Law question had served to provide a rallying point for the Liberals, Whigs, like the Duke of Hamilton, and others. What worried Henderson most, however, was the state of the register, especially in Airdrie where the Bairds ought to have been most active:

I think the party is much to be blamed for their remissness as I understand that not a single objection was lodged in Airdrie and the Whigs got every claim on ... it is quite clear that if matters are not soon put on a better footing, and the Registrations generally attended to, a conservative candidate need never think of attempting the Burghs again. The other party are straining every nerve to recover their lost ground.<sup>25</sup>

There was obviously a lot of political activity on the Liberal side, backed up by some good organisation. This had been his opinion in 1844. In 1846, in response to William Stirling's enquiries, Henderson was still stressing the effect the neglect of the register in Airdrie had had:

'You are aware I presume how much the parties [i.e. individual supporters] in the different Burghs have neglected our interest. In Airdrie alone the Whig Agent himself admitted to me that at least 40 Tories were qualified but not registered while on the other side great numbers have been enrolled whose qualification would not have stood the test of any objection properly supported and who, once on, cannot easily be got rid of.'<sup>26</sup>

Clearly, the Liberals during the period of the Peel ministry had been more active and organised while the Bairds had allowed things over a period of time to slip.

<sup>24</sup> J. Henderson to R. Baird (enclosed with above), 20.1.1846, Ibid., T-SK 29-77/3A

<sup>25</sup> J. Henderson to R. Baird, 7.9.1844, Baird MSS

<sup>26</sup> J. Henderson to R. Baird (enclosed with above), 20.1.1846, Ibid., T-SK 29-77/3A

The remedy Henderson suggested for this situation emphasises how important he thought registration work was:

However ... if the country gentlemen or other parties to be depended [on] in the neighbourhood of the different Burghs could be prevailed on to purchase small properties in the Burghs affording votes everything might be assured.'

In other words the usual solution for the Conservatives in burgh district seats of bringing county influence to bear through vote creation.

The Liberal party had not had all things their own way, however, thanks to the efforts of other Conservatives apart from the Bairds. J. Henderson, mentioned above, "a very zealous agent and a good tory", had been active at his own expense in preventing things from getting very bad in Hamilton. His report to Robert Baird in 1844 shows that his activity was ongoing and effective in maintaining the Conservative interest in Hamilton. It also shows, by way of a technical detail, that winning registration contests was more a question of objecting to those already on the roll than of making new claims<sup>27</sup>.

A Mr. Sommerville, a saddler at Lanark, had kept up the registrations there, according to Robert Baird entirely at his own expense. Baird went on to complain of the lack of co-operation from the Conservative gentry in the surrounding counties:

'... and if Henderson and Sommerville were getting that assistance which the cause demands from the Gentlemen in the neighbourhood of their respective burghs- they would be independent of the Duke altogether - ...'<sup>28</sup>

The 'Duke' was the Duke of Hamilton, the leading potential Whig influence in the constituency. The Conservatives judged him to be a pivotal figure, even his neutrality being enough to ensure victory in a contest<sup>29</sup>.

In Linlithgow there was deemed to be no slack to be taken up at the registrations as both parties had been active. Falkirk was judged to be in a similar state to that seen in 1841. This was the seat of radical strength in the constituency with, by 1846, a large number of what were called by Francis Steel, Baird's agent there, neutrals, who had not recorded votes before. 256 electors had voted in 1841 in Falkirk. The electoral roll which Steel provided for Forbes showed that there were 345 voters by the beginning of 1846. Allowing for those who did not turn out in 1841, it is a fair assumption that many of these neutrals were new voters. Interestingly he provided a breakdown of those that he recorded as 'Radicals' or 'Conservatives' by occupation. Bakers, for

<sup>27</sup> J. Henderson to R. Baird, 7.9.1844, Baird MSS

<sup>28</sup> R. Baird to William Stirling, *Ibid.*, T-SK 29-77/3

<sup>29</sup> W. Forbes to W. Stirling, 19.12.1845, *Ibid.*, T-SK 29-77/6



instance were Conservative by 2 to 1, as were nearly all the inn-keepers. It is impossible to say anything about income levels, but, from the categories Steel uses, and allowing for the fact that a 'draper' might be the owner of a stall, shop, or factory, it is clear that the electorate was mostly made up of small-town tradesmen and professionals, the middle class of industrial Scotland<sup>30</sup>. It must also be said that Steel underestimated the number of Liberals. He put the number at 130. At the 1846 by-election 184 turned out to vote for the Liberal John Wilson.

William Stirling reached the conclusion on the basis of the calculations he was able to make that it was not worth attempting to contest the Burghs:

I am sorry to have arrived at this result, as it puts it out of the question for me to contest the Burghs, if a Dissolution occur before the next Registration. Even with a Registration success seems very doubtful, and it must mainly depend on the turn the Ministers' new measures may give to party politics.<sup>31</sup>

The last comment was astute as Corn Law repeal did have a direct impact on party politics in Falkirk Burghs. In 1846 the constituency was thrust into the national limelight as a result of this, the most pressing issue of the day. James Baird himself explained the situation as follows:

"At this time an election occurred for a representative of the Falkirk Burghs. This was in consequence of my brother William having agreed to retire in order to give a seat to Lord Lincoln, who was then in Sir Robert Peel's Cabinet, but without a seat. We returned him by a narrow majority"<sup>32</sup>

Lincoln was a prominent supporter of Peel and a later Peelite, a member of the circle of Christ Church men who were to be the soulmates and lifelong friends of Gladstone<sup>33</sup>. Having failed to get elected in both the North and South divisions of Nottinghamshire after his appointment as Chief Secretary for Ireland, largely as a result of his father's influence<sup>34</sup>, Lincoln was adamant that, "I never solicited Mr. Baird to retire in any possible way."<sup>35</sup> It is clear that Baird for his part used the fact that Lincoln required a

<sup>30</sup> Electoral roll enclosed with letter from F. Steel to W. Forbes, 21.1.1846, *Ibid.*, T-SK 29-77/11B

<sup>31</sup> W. Stirling to W. Forbes, 23.1.1846, copy, *Ibid.*, T-SK 29-77/12

<sup>32</sup> A. McGeorge, *The Bairds of Gartsherrie, op. cit.*, p.81

<sup>33</sup> See H.C.G. Matthew, *Gladstone, 1809-1874*, Oxford 1988, pp. 21-22 for details of Lincoln's connections with Gladstone at Oxford.

<sup>34</sup> Gladstone suffered similarly at the Duke's hands in Newark. See, for instance, Richard Shannon, *Gladstone, Vol. 1, 1809-1865*, London 1982, pp. 189-90.

<sup>35</sup> *Glasgow Courier*, 28.4.1846, speech at Airdrie

seat to withdraw with good grace, but those close to Lincoln were cautious about the offer:

'We have been rather puzzled as to Mr. Baird's seat - ... Young came to me but though Mr Baird is confident of your return I declined the responsibility of committing you to stand for these Burghs.'<sup>36</sup>

Baird in his address gave as his reason for resigning the demands of business<sup>37</sup>, but, by Lincoln's account, he only finally resigned after he was assured by certain London intermediaries - probably John Young - that Lincoln would stand as a successor who shared his principles<sup>38</sup>.

Before agreeing to stand, however, Lincoln had made sure of the support of the Hamilton interest, thereby fulfilling one of the conditions for success identified a few months earlier when William Stirling had shown an interest in the seat. Lincoln was married to a daughter of the Duke of Hamilton, traditionally, as has been mentioned, a Whig influence in the constituency. Lincoln put the matter plainly before his father-in-law:

'Mr. Baird the member for the Falkirk Burghs has offered to vacate for me. I know that you have not of late interfered in the Contests of these Burghs, but of course I cannot think of accepting Mr. Baird's offer without first ascertaining whether it would be agreeable to you that I should do so and whether you think it likely that Douglas would not dislike it.

I imagine that in any case I should only hold the seat for the remainder of the Parliament.'<sup>39</sup>

The reply he received was enthusiastic in its encouragement. Hamilton agreed that he had not recently interfered in the contests which had occurred in the seat, thereby showing that the Conservatives had perhaps overestimated his power over the constituency. The appearance of Lincoln was to galvanise the Duke into a more active role. As James Baird explained the situation when trying to get Hamilton's support for his own candidature in 1851:

<sup>36</sup> Sir Robert Peel to Lord Lincoln, 7.4.1846, Newcastle MSS, MS NeC 12,135. Sir John Young was Conservative Chief Whip and therefore channel for such contacts between a local party and a prospective candidate from outside the locality.

<sup>37</sup> *Stirling Journal and Advertiser*, 1.5.1846

<sup>38</sup> Free Trade was probably not meant. Religious considerations may have been meant.

<sup>39</sup> Lincoln to the Duke of Hamilton, 29.3.1846, Hamilton MSS, bundle 902. 'Douglas' is the Marquis of Douglas, another Whig supporter with influence in Falkirk District.

"I reminded his Grace that we had worked together at the last two elections, and I claimed his support; but he told me very plainly that he had been a Whig all his life, except in the case of the candidature of his "poor son-in-law", as he called him, and that that was all over now."<sup>40</sup>

Lincoln's candidacy began a split in the Falkirk Liberal party which was to last as long as he was associated with the seat. The split was, however, not only personal to the Duke of Hamilton and reveals the damaging effect Peelism could have on the sharp edge of Scottish Liberalism at this time.

There was an understanding about who the Liberal candidate was to be in the event of an election. John Wilson of Dundyvan had been the object of a requisition to stand at such a time some months prior to the appearance of Lord Lincoln. Initially he agreed to stand aside in favour of the man who was part of a Ministry bringing in free trade<sup>41</sup>. Some of the Liberals who had signed the requisition, however, resolved to extract a price from Lincoln for their support. At a meeting on the 23rd of April they demanded written pledges to the effect that Lincoln would withdraw if another (i.e. Protectionist) candidate came forward on Baird's resignation and that Lincoln would not stand again, under any circumstances at a general election<sup>42</sup>.

The pledges demanded of the noble Lord resolved themselves into something very like traffic - a positive "written" agreement, or bargain, that, for services to be performed, he should, without opposition, be allowed to become member for the burghs till a general election; and that for certain services received his Lordship should allow, without opposition, another gentleman to take his place.<sup>43</sup>

Who were these requisitionists? They seem to have been from Falkirk itself and in the opinion of the *Glasgow Herald* may have overestimated their own importance.

In the first place, according to the Edinburgh Almanack for 1846, the constituency of Falkirk amounts to 440, and of the whole burghs to 1406; and yet it is only 70 of them who have now loosened the screw<sup>44</sup>

Further it appears that this group of seventy were of the more 'advanced' kind.

<sup>40</sup> A. McGeorge, *The Bairds of Gartsherrie, op. cit.*, p. 87. The description of Lincoln as a "poor son-in-law" refers to the state of his relationship with his wife, Susan, who was regarded as being a wayward partner.

<sup>41</sup> *Glasgow Herald*, 27.4.1846

<sup>42</sup> *Stirling Journal and Advertiser*, 1.5.1846

<sup>43</sup> *Ibid.*

<sup>44</sup> *Glasgow Herald*, 27.4.1846

'The fact seems to be that the ultra-Liberals of Falkirk justly considered Mr. Wilson's Liberalism to be of a deeper shade, and more akin to their own, than the noble Lord's, and accordingly were disposed to give him the preference; yet in order to advance the safety of the Ministerial free-trade measures at present pending in Parliament, were ready to support the Earl of Lincoln, and Mr. Wilson was disposed to retire in his favour provided his Lordship would agree to certain conditions which the party had to propose.'<sup>45</sup>

There was even a group which was not prepared to lend their support to Lincoln under any circumstances. A respectable minority at the meeting was reported as having moved an amendment to the motions laying conditions on Lincoln which stated that they objected to an arrangement which replaced one Conservative with another, especially because William Baird was in any case a supporter of the Government's Free Trade policies<sup>46</sup>.

However, faced with support for the idea of such conditions passed in resolutions, in the end, in three out of the five burghs<sup>47</sup>, Wilson had little choice but to follow the course desired by the bulk of his supporters if he was to keep his party from splitting on both its moderate and 'ultra' wings. As *The Glasgow Herald* put it, he had been placed in a poor position by his friends, as victory at this time against such a prominent free-trade candidate would bring him little in the way of congratulations, and defeat, in the event of a contest, would be very painful<sup>48</sup>. Furthermore, as Lincoln put it himself, even if he were elected, how could this prejudice Wilson's future prospects, as by the time of the next election he (Lincoln) would not have the ground of the all-important 'measures' to stand on<sup>49</sup>?

Lincoln knew he was on strong ground in rejecting the poisoned chalice, especially by appealing to the principles of 1832 in doing so:

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<sup>45</sup> *Stirling Journal and Advertiser*, 1.5.1846

<sup>46</sup> Report of the meeting of John Wilson's requisitionists, 23.4.1846, Newcastle MSS, MS NeC 4653

<sup>47</sup> See speech by Lincoln at Airdrie, *Glasgow Courier*, *op. cit.*, referring to his meeting on 25.4 with Wilson. A meeting at Linlithgow had expressed regret at the condition which required Lincoln to retire if a Protectionist candidate appeared "as the obvious tendency of this arrangement will be to cause the opponents of Lord Lincoln to bring forward a Protectionist, however hopeless his cause may be, and thus defeat the object in view." Such a sentiment was not, judging by press comments, confined to Linlithgow. Report of a meeting of electors held in Linlithgow, 23.4.1846, Newcastle MSS, MS NeC 4,654

<sup>48</sup> 27.4.1846

<sup>49</sup> Speech by Lincoln at Airdrie, *Glasgow Courier*, *op. cit.*

'I had always conceived that the object of the Reform Bill was to put an end to such arrangements; and that the principle of that measure was, that it should be left to every constituency to elect their own member.'

And he drove the message home by attempting to set any possible contest in its national, as well as local context:

'I believe the Protectionist party in these burghs is small, but if I am again defeated by a union of the Protectionist party with a portion of the Free Trade party, I must without exaggerating my own importance, feel that it will be a heavy blow to the Government at this juncture, and might have the effect of retarding these measures for a time.'<sup>50</sup>

Keeping his supporters as united as possible probably therefore induced Wilson to go to the poll. Lincoln was, after all a Conservative, even if a Peelite one. Party considerations took precedence. The result showed that he succeeded in doing so, especially in the Liberal strongholds in the District, Falkirk and Linlithgow<sup>51</sup>.

	Lord Lincoln	John Wilson
Falkirk	106	184
Linlithgow	27	55
Airdrie	112	143
Hamilton	165	44
Lanark	96	69
	506	495

The importance of Hamilton, and therefore of Hamilton Palace support, though exactly to what extent it is not possible to judge, can be seen in the return for that part of the constituency. As John Wilson put it at the declaration of the poll:

'That burgh, which sent me a requisition signed by 109 electors, only recorded yesterday 44 votes in my favour (cries of "shame, bribery").'<sup>52</sup>

<sup>50</sup> *Ibid.*  
<sup>51</sup> *Stirling Journal and Advertiser*, 8.5.1846  
<sup>52</sup> *Glasgow Herald*, 4.5.1846. The Duke of Hamilton's family interest in the matter was referred to by J. Thompson writing to Lincoln after the poll: "I hope the Duke of Hamilton has stood by you in this business and that you owe the seat to his influence. If so I shall rejoice with double joy because the renewal of kind relations with her father, will be the surest means of restoring Lady

Lincoln was in no doubt about who he owed his election to. Writing to the Duke after the poll he thanked him in the following terms:

I feel that I owe my seat in Parliament and consequently the continuance of my public career to your jealous assistance and affectionate interest.<sup>53</sup>

Despite James Baird's assertion looking back in 1851 that "it was due mainly to our influence that Lord Lincoln had been returned" and that "we had paid a portion of his expenses"<sup>54</sup>, it can be seen that their influence in Airdrie had not been as effective for Lincoln as it had been for William Baird in 1841. In addition to the Bairds' neglect of the register, this may have been due to the fact that Wilson, also an iron-master, was best known in Airdrie and probably had some influence there himself<sup>55</sup>.

Baird's claim to have paid a portion of Lincoln's expenses also does not make reference to the fact that this had not been a spontaneous act on the part of the Bairds. The expense of the election had been enormous, an indication of the amount of 'persuasion' that had been used (on both sides):

The parties seem to imagine that having had a Cabinet Minister for a Candidate, extortion is quite lawful - In Hamilton and Airdrie the expenses have been enormous, - the publicans bills are shameful, - and the amount in any one of the towns is large enough for the reasonable expense of an ordinary contest of a simple seat. Between the two there will be at the least £1,400 to pay.<sup>56</sup>

The whole contest seems to have cost the Lincoln camp about £2,500<sup>57</sup>, a very large sum by contemporary standards and too much, as some of his supporters realised for the financially strapped Lord Lincoln. Robert Lamond, Lincoln's Glasgow lawyer, suggested to the Bairds that the Airdrie expenses be taken off Lincoln's hands and was instrumental also in initiating a similar approach to the Duke of Hamilton. He was blunt about his lack of hesitation in approaching the Baird brothers:

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Lincoln to health and happiness." (4.5.1846, Newcastle MSS, MS NeC 4661). Hamilton, in supporting Lincoln, may well also have been motivated by his desire to bring about a family reconciliation.

<sup>53</sup> Lincoln to the Duke of Hamilton, 4.5.1846, Hamilton MSS, bundle 902

<sup>54</sup> A. McGeorge, *The Bairds of Gartsherrie*, *op. cit.*, p.87

<sup>55</sup> *Glasgow Herald*, .5.1846

<sup>56</sup> Robert Lamond (Lincoln's Glasgow agent) to G.B.H. Vernon (Lincoln's representative) 24.6.1846, Newcastle MSS, MS NeC 4,662b

<sup>57</sup> The even greater expense which William Baird had gone to in 1841 is referred to in a letter of Lamond's to Vernon (?) written six days later: "It is no satisfaction to his Lordship to know that Mr. William Baird's election in 1840 [read 1841] cost nearly twice this sum." (Newcastle MSS, MS NeC 4662a)

'... I intend to ask Messrs Baird if they will not relieve Lord Lincoln entirely of the Airdrie expenses. ... by their inattention to the Register they may be said to have been the cause of the whole expense'.<sup>58</sup>

To set against the loss of Hamilton Palace support and judging by the appearances at election meetings, Wilson does seem to have been borne out when he claimed that:

'The chief magistrates of the various burghs were all in favour of him, together with the majority of the councils; ...'<sup>59</sup>

John Wilson could claim partial success, therefore, in keeping his party together. He also received some backing from the newly founded local paper, the *Falkirk Herald*. In summing up the outcome of the contest, it thought, however, that neither the Protectionist nor Liberal parties could draw much comfort from the result. On the Protectionists it commented:

'The former, whilst they themselves pulled for Lord Lincoln on the avowed principle "of two evils choose the less", were undoubtedly taken at a disadvantage, so far as regards doubtful parties - always a large class of a community, - from the anomalous position into which they suddenly found themselves forced as supporters of, and canvassers for, a free trade candidate.'

This party, as Lord Lincoln pointed out, was small in Falkirk Burghs, but nevertheless, with a majority of only 11, an essential part of the coalition that gave Lincoln victory. Their position may have been anomalous but given the choice between staying at home and voting for Lincoln they appear to have chosen the latter.

'It has been a tremendous fight - Wilson has been bribing furiously - but the victory is won - and all our Party (Protectionist included) are delighted and very grateful to me for what I have done.'<sup>60</sup>

The contrast Lincoln drew with what had occurred to the Liberal party stressed that it had not been helped by the Corn Law issue, but held out the hope that its discomfiture might be temporary.

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<sup>58</sup> Robert Lamond to G.B.H. Vernon, 24.6.1846, op cit.

<sup>59</sup> *Stirling Journal and Advertiser*, 1.5.1846

<sup>60</sup> Lincoln to Peel, 1.5.1846, Newcastle MSS, MS NeC 12,157/16

'Their opponents on the other hand may fairly say that the Corn Bill is the great measure of the present Parliament, - that they lost many votes from their usual adherents believing, not without reason, that Lord Lincoln would form the more powerful agent in carrying that measure, - and that besides his Lordship was backed by the influence of the Whig house of Hamilton, which can scarcely be expected to be exerted to the same extent for any other candidate, even supposing unison of political sentiment to exist between them. By boldly going forward to the poll as he did, Mr. Wilson unquestionably has done much towards keeping his party together, and the closeness of the issue of the contest will doubtless lead both parties to vigilant attention to the Registration Court.'<sup>61</sup>

Where, as we have seen, most Scottish contests were decided in advance. The lost voters did not include the element prone to violence, however, as William made clear to Robert Baird:

'There is nothing I dread so much as the violence of Wilson's friends to our voters. The sheriff ought to appoint a substitute for the occasion and go about to see what is going on, which would be of great service to us in the struggle with John.'<sup>62</sup>

In the light of these events, therefore, the Liberal party can fairly be said to have split at its moderate Whig wing. The comment on the 'unison of political sentiment' above suggest that the support of that wing was anyway in question, depending on the 'colour' of the candidate. The Hamiltons and the Whigs could perhaps not have been relied on anyway to support, or at least show any enthusiasm for, another iron-master, John Wilson, who was for a lowering of the franchise, albeit on a property-owning basis, and who roundly condemned the Irish Coercion Bill. The hope of the Liberals lay in the fact that old ties would make it unlikely that the Duke, as the *Falkirk Herald* suggested, would support another Conservative who was not a family member. Hamilton had also come out for Free Trade which made his support for a candidate from amongst the Protectionists very unlikely. Such a hope was, in fact, well-founded as the Duke's response to overtures made to him after Lincoln's success show. Remembering that it was at this time expected that Lincoln would be Falkirk's M.P. only until the following election, it was not surprising that Sir James Stirling tried early on to test the waters to see if Hamilton support had been given to Lincoln on a purely personal basis or whether another Conservative could expect help also. In the summer of 1846 he tried to secure the Duke's support through Lincoln for a bid in Falkirk. Hamilton's reply made clear the strength of party feeling, even in a man like himself,

<sup>61</sup> *Falkirk Herald*, 14.5.1846

<sup>62</sup> William to Robert Baird, 1846 (n.d.), Baird MSS



who had not been politically active by his own admission for some time before Lincoln asked for his assistance:

'You know I have been a party man for these forty years, I am a party man still, altho' I may chuse to make an exception (let those blame me who like it) in favour of my son in law - ...'<sup>63</sup>

Circumstances were easier for Lord Lincoln at the ensuing General Election in 1847. For one thing the Bairds had been galvanised into making an effort with the registrations. William Sommerville in congratulating Robert Baird on the results of the registrations in Airdrie in 1846 commented:

'... the claims must surely have been allowed to run terribly in arrears, when so many come on in one year. We have never allowed a single qualified claim to stand out here [Lanark], consequently can have no such numbers as you can show.'<sup>64</sup>

Sommerville reported the following year that the 'Whigs' had lodged no claims in Lanark to the Conservatives 12. The contest of 1846, probably because of the course taken by the Duke of Hamilton appears to have left the Liberal party, as distinct from the Hamilton interest, in Lanark and Hamilton rather moribund<sup>65</sup>. The Conservatives here, however, and Lincoln's presence seems to have pushed the split over Free Trade into the background, were pushing ahead and thinking even beyond the coming general election. Sommerville in a letter written shortly before his account of the 1847 registrations described a source of untapped potential support:

'... there are a good many connected with John Stephenson and Co. here , contractors for the Caledonian [Railway Co.] who would make excellent voters and I am sure the slightest hint from headquarters would make that all right; but supposing they would not be in time for the present election, if any change of Ministry took place [resulting in a by-election], it would be of immense advantage to his Lordship to be strengthened at the Registrations -'<sup>66</sup>

Lincoln's intentions were not clear for some time. As late as June 1847, William Forbes reported to Robert Baird that he had been unable to get a decision out of Lincoln as to whether he would stand again<sup>67</sup>. Lincoln made it clear to Robert Lamond at the

<sup>63</sup> Duke of Hamilton to Lord Lincoln, 10.7.1846, Newcastle MSS, MS NeC 12,391

<sup>64</sup> W. Sommerville to R. Baird, 29.7.1846, Baird MSS

<sup>65</sup> Ibid., 21.7.1847

<sup>66</sup> Ibid., 10.7.1847

<sup>67</sup> W. Forbes to Robert Baird, June 1847, Baird MSS

same time that, while he did not want to make way for a Protectionist, he wanted to wait to see what John Wilson's intentions were and if pressed would have to say no to standing at that point<sup>68</sup>. By July Lincoln had found out that Wilson did not intend to come forward to oppose him<sup>69</sup>. It is again clear that he would also not have stood without the Duke of Hamilton's support. A letter from the Duke in early July which clarified the position was enough to enable him to write immediately to the Bairds and Lamond saying he would stand<sup>70</sup>.

Instead of being opposed by a man with local influence such as John Wilson, therefore, Lincoln was eventually opposed by a man who was equally an outsider:

'... when none of the gentlemen in their neighbourhood would come forward in opposition to him, ... they had to send up a deputation to London to obtain a candidate from Mr. Fox Maule.'<sup>71</sup>

William Sprott Boyd, a director of the East India Company, the Liberal standard-bearer, was seen as being,

'... ultra-Liberal in principles, and there is reason to believe starts under the auspices of Ministers, who can have no predilections for the Earl of Lincoln, a supporter of Sir Robert Peel.'<sup>72</sup>

The reference to Fox Maule and the Ministers tie together. Despite the common interest in Free Trade, it had been under Peel's administration that the Claim of Right had been rejected and the Maynooth Grant increased. Fox Maule, a Free Churchman, would no doubt have been moved by such considerations.

Who the movers were here can be guessed at from William Sprott Boyd's radical political beliefs and the result of the following contest. He was probably most staunchly supported by the same 'ultras' who had backed Wilson in 1846, as is suggested by his programme, advocating a considerable extension of the suffrage and by his wish for a separation of church and state, despite the fact that he was an Episcopalian. He attempted to attack Lincoln at his weakest point by stressing his (Sprott Boyd's) opposition to endowment for religious sects, in other words taking an anti-Maynooth line. Making the Maynooth Grant a permanent endowment had been a measure of Peel's. Interestingly he also tried to claim that the banking crisis of a few months

<sup>68</sup> Lincoln to Lamond, 11.6.1847, Baird MSS

<sup>69</sup> His address makes it clear that Wilson's decision was a factor in persuading him to come forward and that he did have reservations about standing against Wilson again. *Stirling Journal and Advertiser*, 30.7.1847

<sup>70</sup> Lincoln to the Duke of Hamilton, 5.7.1847, Hamilton MSS, bundle 277

<sup>71</sup> Lord Lincoln at the nomination, *Stirling Journal and Advertiser*, 6.8.1847

<sup>72</sup> *Stirling Journal and Advertiser*, 30.7.1847

previous to the election had been due to the 1844 Bank Charter Act, another one of the central pieces of legislation from Peel's 1841-46 Ministry. Now that the Corn Laws had been repealed it was more open to Sprott Boyd than it had been to Wilson to attack Lincoln for being a Peelite. Lincoln himself thought that the contest would turn on his position on the Maynooth Grant. His position was honest on Maynooth, refusing to pander to populist opinion and asserting his support for the increase. He said that he was for it as long as Ireland was convinced of its necessity<sup>73</sup>. His description of his chances in the contest show that he was confident in spite of much influence being used against him:

'I am sure of success in spite of opium money and Roman Catholic landowners. I have had to work like a slave since I came down but I will give Fox Maule's nominee a good drubbing. If all goes on *fairly* I shall win by 150, but money may of course *reduce* this majority.'<sup>74</sup>

'Opium' may have been a reference to the concessions extracted from the Chinese under the Treaty of Nanking in 1842 which included the payment of British merchants' claims for compensation for opium seized at Canton three years previously<sup>75</sup>. Lincoln was, in other words, being attacked for a piece of what was regarded as immoral Peelite foreign policy and that, ironically, by a director of the East India Company. Sprott Boyd tried to counter the claims that there was very little difference between the candidates, that they were both for free-trade and religious toleration, for instance, by pointing out that the difference was one of that between a Liberal and a Tory. He was, in other words, trying to sharpen up the distinctions between the parties, in order, like Wilson before him, to hold the Liberals together at a time when the political battle lines were confused by the split in Conservative ranks nationally and the Liberal party locally. The more 'advanced' Liberals in putting up Sprott Boyd had less success in terms of numbers than John Wilson had done, but nevertheless they did what they could to keep the flame of Liberalism, as opposed to Liberal Conservatism, burning under circumstances in which they found themselves deserted by moderate, Whig, erstwhile supporters of the Liberal cause<sup>76</sup>.

<sup>73</sup> *Stirling Journal and Advertiser*, 6.8.1846

<sup>74</sup> Lincoln to F. R. Bonham, 30.7.1847, Newcastle MSS, MS NeC 11,873

<sup>75</sup> Sir L. Woodward, *The Age of Reform, 1815-1870*, Oxford 1962, p. 297

<sup>76</sup> *Stirling Journal and Advertiser*, 6.8.1847. The figures in brackets show the changes over 1846.

	Lord Lincoln	William Sprott Boyd
Falkirk	121 (+15)	180 (-4)
Linlithgow	29 (+2)	49 (-6)
Airdrie	148 (+36)	126 (-17)
Hamilton	141 (-25)	69 (+25)
Lanark	83 (-13)	67 (-2)
	522 (+15)	491 (-4)

Lincoln, with a majority of 31, again benefited from a standing start at Hamilton, though a less convincing one than a year before, and this time recorded a very much better result at Airdrie. The Bairds' efforts to improve their position on the register had borne fruit and there was no adverse effect from the local 'pull' of John Wilson this time round. The Maynooth question could not move influence such as this, but may well have been responsible, together with the fact that the Corn Law issue was no longer so central, for the slightly poorer showing in Hamilton. It may simply have been that at a general election some voters at Hamilton returned to their normal party allegiance. This result does suggest that perhaps Lincoln overestimated the importance of the Duke of Hamilton's support. In 1841 William Baird got 129 votes at Hamilton. Lincoln's 141 in 1847 is not that many more. William Sommerville's efforts in Lanark do not seem to have paid off there either. Lincoln got 13 votes *less* than in 1846 and Boyd only two less than Wilson. As can be seen, Falkirk and Linlithgow remained the bedrock of Liberal support in the constituency, though the Conservatives had had some success at vote creation in the former.

Bribery probably played a role in those burghs where the figures do not match the evidence of Conservative activity. Lincoln certainly thought so. In a letter to Peel, written from Hamilton, he linked bribery with his position on Maynooth:

I have had a tremendous contest. The opium money has been poured out freely and bribery, treating, and every other Electioneering trick the order of the day.-

The Free Kirk and all the dissenting Ministers have been most active against me and denounced the pains of Hell on Sunday last in their Chapels against those who voted for a Friend of the Papists.

This Comitent Party tho' opposing payment to Roman Catholic Priests saw no sin in payment to R. Catholic voters. There are about 20 of the latter in these Burghs and 16 of them were bribed to vote for my opponent.

I have had to work night and day.<sup>77</sup>

The role of the Free Church and Voluntary ministers in supporting the Liberal comes through clearly, as does the part played by the Maynooth question.

It may also be that in 1846 the Liberal split and confusion over which Free Trade candidate to support had masked Conservative weakness caused by inattention to the registers. By 1847, when the Liberals had a clearer choice presented to them, between a Liberal and a Peelite, the Conservatives, according to this explanation, had had time to make good their lack of registration activity. The net result, so this argument would run, was an improvement where registration work had been most intense, i.e. in Airdrie, and otherwise little change. Both explanations probably have some truth in them.

Money certainly played a big role in this contest too and discussion over who was to be responsible for bankrolling Lord Lincoln shows that Sir James Stirling was not to be alone in hoping that the circumstances of 1846 could be turned to more permanent advantage for the Conservatives.

Robert Lamond, the Glasgow lawyer acting for Lincoln, had again made the suggestion to Mr. Leighton, acting on behalf of Hamilton Palace, that something should be done to relieve Lincoln of the burden of the once again very high expense of the election. In a letter to James Baird Lamond elaborated:

I had made a suggestion to him that some of the influential parties connected with the Burghs should do something to relieve Lord Lincoln from the enormous expense of the last election, especially considering the heavy expense (above £2400) he had so very lately defrayed. Mr. Leighton now says that he thinks if the gentlemen connected with Airdrie (and you know to whom he alludes) would undertake the settlement of the Airdrie claims, he could manage to get a settlement of those in Hamilton. Lord Lincoln would thus have only about from £900 to £1000 to pay out - and to him in present circumstances this is enough. Such an arrangement would strengthen the partys' claims on one another for any future occasion.<sup>78</sup>

Lamond's original suggestion, made in the summer of 1846, seems not to have been fully implemented. The suggestion was, however, carried out from the Duke of Hamilton's side as the £530 paid to Lamond in the Estate accounts show<sup>79</sup>.

<sup>77</sup> Lord Lincoln to Sir Robert Peel, 3.8.1847, Peel MSS., Add. MS. 40481, ff. 414-415

<sup>78</sup> Robert Lamond to James Baird, 1.12.1847, Baird MSS

<sup>79</sup> Factory Accounts of the Hamilton estates, vol. 23, 1847, Branch 23rd. It is not possible to say how much of this expenditure was for the 1846 as opposed to the 1847 contest.

It is clear also from the last comment that Lamond at least had an eye "for the main chance". His idea and this was very probably shared by other Conservative supporters of Lincoln, was to draw the Whigs round Hamilton into a new coalition. Lamond may only have been motivated by the financial well-being of his client and may have been trying to tempt the Bairds into giving Lincoln assistance using this prospect. Whatever the explanation, he assumed that the Bairds wanted the same thing:

'... I know your good feeling so well that you will rather be glad than otherwise to have an opportunity of making a handsome arrangement with the party in Hamilton of the kind I have referred to.'

He was not far off the mark in his assumption. Passing Lamond's letter on to his brother Robert, James commented:

'As far as I am concerned I have no objection to the arrangement he proposes. ... Some understanding as to future contests must be gone into with his Lordship and the Hamilton folks if the arrangement takes place.'<sup>80</sup>

The Conservative split over Corn Law repeal was seen by James Baird, and no doubt by some other Conservatives in Falkirk District, as giving the Bairds the opportunity to build a lasting coalition with moderate Whigs in order to give them more certain control of the representation. Baird's pique, quoted above, over having paid a part of Lincoln's election expenses and not having the favour returned to him in 1851 suggests that he did indeed place hope in the idea Lamond had aired. As has been seen, any such hope of a permanent shift of allegiance on the part of the Duke of Hamilton was likely to be misplaced.

The circumstances surrounding the next trial of strength between the parties in Falkirk Burghs in 1851 at the outset appeared to favour more the core of Liberal party support, which had maintained itself against the general blurring of party lines nationally in the mid-1840's.

James Baird, the new Liberal Conservative candidate, gave his view of the reintegration of the Hamilton interest into the constituency's Liberal party:

"In the fall of the year 1850 the Duke of Newcastle having died, his son, Lord Lincoln, was called to the House of Lords, and this occasioned a vacancy in the

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<sup>80</sup> Was James suggesting a future arrangement by which the Bairds and Hamilton would have alternated in their control of the representation? Or was the idea that the Bairds would retain control as long as the M.P. was a Free Trader? This would certainly have saved money on fighting close contests.

Falkirk Burghs. The election took place in February, 1851, and I stood as a candidate in the Conservative interest, against Mr. Loch, the Commissioner of the Duke of Sutherland. The contest was a very severe one, as the Duke of Hamilton, who had supported his son-in-law, Lord Lincoln, now returned to his former allegiance, and gave all his influence to the Whig party ... The whole Whig influence of Scotland was, I may say, brought to bear on this election, as well as the influence of the Government. The long period, too, that elapsed between the death of the Duke of Newcastle and the day of the election added to the severity of the struggle; ..."81

Baird describes here the most important features of the by-election which followed Lincoln's move to the Lords. George Loch had good Whig connections through his father, M.P. for Wick District from 1832 to '52, and from his work with his father in the auditorship of the Sutherland, Carlisle and Ellesmere estates. Although some papers warned the electors against paying any attention to meaningless party cries:

'On the one hand they will be told that Mr. Loch is a Ministerial Whig, and on the other, that Mr. Baird is a thorough Tory.'<sup>82</sup>

there seems little doubt that Loch was portrayed as a Ministerial carpetbagger by some Conservatives in the constituency and by outside commentators:

'Mr. George Loch is an official Whig nominee, bound neck and heel to the Ministry ...'<sup>83</sup>

For the Liberals, Loch's all-important contribution was that he continued the process of healing the wounds caused by the events of 1846. George Loch's candidacy won back the support of the Duke of Hamilton to the Liberal cause, despite the fact that the Duke had had hopes for his nephew Thomas Murray<sup>84</sup>. Hamilton was applied to by Lord John Russell and by Loch's father, James, amongst others and left in no doubt what the wishes of the Whig government were in the matter. Moncton Stewart at the Admiralty tried to bring influence to bear through the Duchess of Somerset by writing to her in the following terms:

'I feel very unwilling to obtrude myself on the Duke but it occurs to me that you might venture to communicate with his Grace on the subject, and let him know how

<sup>81</sup> A. McGeorge, *The Bairds of Gartsherrie, op. cit.*, p. 87

<sup>82</sup> *Falkirk Herald*, 23.1.1851

<sup>83</sup> *Glasgow Constitutional*, 22.1.1851

<sup>84</sup> Scribbled note by the Duke on a letter from Thomas A. Murray to his "uncle", 15.1.1851, Hamilton MSS, bundle 757

anxious the members of Lord John Russell's Government are that Mr. Loch shall succeed - as for myself, I will frankly own to you that I should heartily rejoice in the defeat of Forbes of Callander's political influence in these Boroughs and shall feel very thankful if the Duke of Hamilton should be disposed to lend his powerful aid thereto.<sup>85</sup>

There is no mention by Stewart of the Baird influence here. The reason probably lies in the fact that Forbes was a well known Scottish Protectionist who, as M.P. for Stirlingshire, had a profile in London political society which the Bairds lacked. What is also noticeable is that the Whigs were bringing influence to bear for 'one of their own' in a way for which there is no evidence in the cases of Sprott Boyd and John Wilson. The inquiry of this same John Wilson of Dundyvan, the Liberal candidate in 1846, asking whom he should vote for on this occasion showed that the duke was not regarded by other Liberals as lost to the cause<sup>86</sup>.

One of the discussion points of this election, amongst commentators at least, seems to have been how to define 'party' and how the difference between the candidates expressed this. The *Caledonian Mercury* agreed, for instance, that:

'It appears to us that at the present time, when, with the exception of Protection, which has been virtually abandoned as hopeless by its most strenuous supporters, there is no question of importance at issue between the two great parties in the country; ...'

It went on to warn, however, that:

'The principles of Liberalism and Conservatism are irreconcilable; and however the garb of their respective followers may chance now and then to bear a resemblance to each other, they will remain antagonists through all time.'<sup>87</sup>

and later that:

'Let not the electors of Falkirk be deceived, or fancy their trust and its exercise a small matter, or be lulled to sleep by the assurance that parties and politics are at an end, and that the real practical view for them to take, is to elect their old friend and neighbour Mr. Baird.'<sup>88</sup>

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<sup>85</sup> Moncton Stewart to the Duchess of Somerset, 7.1.1851, Hamilton MSS, bundle 757

<sup>86</sup> John Wilson to the Duke of Hamilton, 14.1.1851, Ibid.

<sup>87</sup> *Caledonian Mercury*, 20.1.1851

<sup>88</sup> *Ibid.*, 27.1.1851



Party, according to these comments, was still well established despite the apparent lack of an issue.

There was also some discussion in the immediate post-Peel period about who had the strongest claim to the mantle of Reform. From the Conservative point of view, in a constituency like Falkirk it was important to stake a claim based on Peel's legacy:

'Of Sir Robert Peel and Sir Robert's policy, Mr. Baird has always been a steady supporter; while of Lord John Russell, Mr. George Loch is the follower of a follower.'

Loch was also attacked for being connected with a side of Whig landlordism which struck a particular chord at this time in central Scottish towns. Baird's supporters could point out that Loch was connected:

'... with those peculiar reforms in Sutherlandshire, by which whole districts of peasants were ejected, and a signal of eviction sounded throughout the Highlands, of which we are reaping the bitter fruits to the present day.'<sup>89</sup>

Loch, on the other hand, was seen in an "Address of the Committee of the Liberal Association of Falkirk ..." to the independent electors as a man who,

'belongs as unmistakably to the Reform or Liberal Party, - the Party to which we are indebted for the Franchise we are about to exercise, ...'<sup>90</sup>

A letter was published in which Loch gave his views on the extension of the franchise. He was for a £5 burgh franchise and was described, therefore, as holding views of "that mixed Conservative and Liberal cast by which the Whig principle is distinguished."<sup>91</sup>

He further laid claim, however, in his address, to being a supporter of the school of reform which had effected the social and political improvements of the previous 20 years. The *Falkirk Herald* may have had a point in saying "that no party has at present a cry worth raising"<sup>92</sup>, but that did not mean that 'party' did not exist. 'When in doubt raise the issue of who had been on the right side in 1832', would seem to be the political message here.

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<sup>89</sup> *Glasgow Constitutional*, 22.1.1851

<sup>90</sup> *Falkirk Herald*, 6.2.1851

<sup>91</sup> *Ibid.*, 30.1.1851

<sup>92</sup> *Ibid.*, 23.1.1851

'There is one unmistakable reply to all this querulous catalogue: - Mr Loch belongs to the party which carried the Reform Bill itself, in opposition to that other party which Mr. Baird adopts; - which extorted the modern Magna Charta of Britain from the unwilling hands of a discomfited oligarchy; and but for which, we should have heard nothing of reform, political or commercial until the thunder of the barricades had found an echo in our land. ...

The very fact of the Tory party, or what has come in place of it, thinking it necessary now, in order to success, to rest their claims upon *reform*, is itself one of the highest triumphs of which Liberalism can boast.<sup>93</sup>

Conservatism was still being associated here with feudalism and anti-Reform reaction. Peel himself was, as he had been in 1847, a target for attack. Since Baird claimed to be a follower of Peel, Loch at a meeting with electors in Falkirk, set out to attack Baird by attacking Peel's record. He reminded his audience of Peel's opposition to Reform and his acceptance of it after 1832 only when victory had been won. He saw Peel as only having granted "fiscal and commercial reforms" as he had been "compelled by the feelings of the country strongly expressed" and concluded that, as with Peel, so with Baird also, "the liberality to which he laid claim would only be forced from him by a pressure from without."<sup>94</sup>

These, then, were the candidates and some of the issues, or issue-substitutes, in this contest. In terms of votes, however, it was again influence, more than issues, that again counted for most:

'To begin with Airdrie, the largest constituency in the district, it is quite certain that the influence of Mr. Baird will there procure for him an overwhelming majority, sufficient to counterbalance small majorities for his opponent in two or three of the other burghs.'<sup>95</sup>

There were some reservations generally because of the increase in the number of voters since the previous election, but a Baird majority at Airdrie was to be reckoned with. Falkirk and Linlithgow again being regarded as safe for Loch, it was felt that the contest would be decided in Hamilton and Lanark. Here the support of the Hamilton interest would be crucial and, as has been described, it was forthcoming. "... it will be seen that in both burghs Mr. Loch is warmly and publicly supported by his Grace's agents."<sup>96</sup>

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<sup>93</sup> *Caledonian Mercury*, 27.1.1851

<sup>94</sup> *Ibid.*, report of meeting held at Falkirk on 4.2.1851

<sup>95</sup> *Falkirk Herald*, 30.1.1851

<sup>96</sup> *Ibid.*

In addition to trying to keep party lines as clearly drawn as possible and to avoid having their clothes stolen by Peelites, or Liberal, Conservatism, as Sprott Boyd in 1847 and now Loch tried to do, the Liberals, when faced by a strong Conservative challenge in a burgh seat, could not afford the luxury of indulging the differences which existed amongst themselves. Liberals were pressed together by necessity with the knowledge that they had not won a contest in Falkirk since 1837. As the Committee of the Liberal Association of Falkirk, mentioned above, put it:

To those on the other hand who differ from Mr. Loch, who go further, especially in questions of Constitutional Reform, than he is prepared to go, we would say, *merge* all differences upon what may be viewed as minor; because not immediately practical points; *support* the Candidate who goes so far in the direction of which you approve; - especially, as the length to which he goes is the extremity of what is likely to be at present attainable; and upon Liberals of all shades we would impress the vital importance of *union* and *concentration*. Let no one bank or remain neutral in the expectation that he may have an opportunity at a future Election of recording his vote for a Candidate of whose opinions he may more thoroughly approve ...<sup>97</sup>

Arguments which were to be used with frequency to attack the Whigs elsewhere at the general election of the following year had no place here and, if they were raised, tended to be raised by outside commentators. These included the fact that Loch represented a Whig government which had established diplomatic relations with Rome, had recently had dealings with Cardinal Wiseman, and continued to endow the Roman Catholic College at Maynooth. From the point of view of 'advanced', secular Liberals, the fact that Loch said he would support neither household, nor universal suffrage, and defended the link between Church and State and the Game Laws<sup>98</sup>, made little difference as they had nowhere else to go except to a Conservative candidate, who would resist, for instance, the introduction of a national system of secular education<sup>99</sup> and was described by *The Scotsman* as an eleventh hour convert to Free Trade<sup>100</sup>. The results of the poll showed that local clout was what, however, in the end mattered<sup>101</sup>.

<sup>97</sup> *Falkirk Herald*, 6.2.1851. Address to "independent electors".

<sup>98</sup> Loch at Falkirk, 4.2.1851. *Falkirk Herald*, 6.2.1851

<sup>99</sup> Baird at Falkirk, 31.1.1851. *Ibid*.

<sup>100</sup> *The Scotsman*, 12.2.1851. The paper also pointed out that Baird's proposer on nomination day was the "untamed and irrational" Protectionist, William Forbes of Callander.

<sup>101</sup> *Falkirk Herald*, 20.2.1851

	George Loch	James Baird
Falkirk	168	114
Linlithgow	45	33
Airdrie	127	280
Hamilton	133	75
Lanark	71	97
	544	599

Loch clearly received the benefits of Ducal support in Hamilton. Baird's majorities at Airdrie and, to a lesser extent, at Lanark made the outcome, however, certain. The efforts of the Bairs in the later 1840's to improve the state of the register in their favour were still paying off and the outcome at Lanark may have been the result of William Sommerville's inventiveness there. This certainty as it emerged early on polling day in these two burghs, together with the report of a smaller than expected majority for Loch in Linlithgow,

'... seems to have swayed many of the Hamilton voters to give him their support.'<sup>102</sup>

And here, perhaps, lies a clue to the voting behaviour of more than a few in such a constituency. Baird in his speech at the declaration of the poll, responding to accusations from Loch that he had broken the law to win, claimed the support of 280 "of the shopkeepers of Airdrie". It would seem that voters were often not brought to the poll by their sense of deference, but more perhaps by their sense of hard-headed self-interest. Who, after all, shopped in the shops of Airdrie but Bairs and Baird employees? This, alongside attention to the register, may explain the fact that in 1846, even with Baird support, Lincoln had been unable to get a majority at Airdrie against the other local man, iron-master John Wilson, whereas a year later he could against the London-based Spratt Boyd.

It probably was, in the light of the previous ten years' experience, sensible to reach the following conclusion about the prospects for a successful Liberal candidacy in Falkirk Burghs:

'We understand that in the meantime there is no intention of contesting the next election with Mr. Baird and indeed, after the uniform failure which has attended the

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<sup>102</sup> *Ibid.*

liberal candidates in the last four elections, it is not likely that any gentleman would risk the unequal strife.<sup>103</sup>

Having striven to keep the Liberal interest together at a time when the opposition could be claimed to be the benign defender of Free Trade, Lord Lincoln, and later when both he and Baird could more openly be attacked as defenders of the flawed Peel record in office, the Liberals of Falkirk were, however, in no mood to give up in the face of the Bairs, for whom they appear to have developed something approaching folk hatred.

Various factors seemed to have contributed to the downfall of the Baird control of the Burghs in the years up till the defeat of George Baird in 1857. One was probably the same lack of attention to the register which had so nearly proved the undoing of the Conservatives in 1846. A second was the growing reputation of the constituency as a by-word for corruption, a more dangerous practice after the passing of the Corrupt Practices Act in 1854. Thirdly, the Burgh Registration Act of 1856, which made registration more automatic, may well have helped to clean up the roll somewhat and was partly the cause of the increase in the numbers voting by 1857. In a usually close-run constituency even such a modest increase as 153 more voters going to the poll would be important. Fourthly, there seems to have been a reaction against the personal ascendancy of the Bairs with a resulting split in the Conservative party in the constituency.

In 1852 the Liberals put up James Anderson, a London Q.C. of Scottish upbringing. There is evidence that the Liberals thought that perhaps an eleventh hour, unexpected candidacy might have more success than a long drawn out contest. Anderson appeared only a few days before polling. His opposition to the anti-Maynooth agitation, it was hoped, would attract a few more Roman Catholic voters. It was also hoped that the Liberals had gained on the basis of registrations and removals at Airdrie<sup>104</sup>. In the event all of these expectations were confounded. Most Roman Catholic votes went unexpectedly to the anti-Maynooth candidate, Baird. This probably shows that these voters took the realistic view that Baird was unlikely to get the chance to indulge his prejudices against the Grant and voted on the basis of other considerations. Either that or bribery or persuasion had been used. The Baird majority at Airdrie was even more massive than that of the previous year, as the breakdown of the result of the polling shows:

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<sup>103</sup> *Ibid.*

<sup>104</sup> *Ibid.*, 15.7.1852

	James Anderson	James Baird
Falkirk	171	111
Linlithgow	52	28
Airdrie	106	272
Hamilton	142	64
Lanark	58	104
	529	579

Anderson was reported as benefiting from changes to the register only in Falkirk and Linlithgow, and, as the figures show, these benefits were very slight. Again the influence of Hamilton Palace would appear to have been denied to Baird.

Baird shook off the mantle of Peel somewhat at this election by coming out for reciprocity in trade. His address in 1851 had made no mention of Free Trade but he had during the canvass that year described himself explicitly as a follower of Peel and called for other countries to reduce their tariffs<sup>105</sup>. In 1852 he stood by his promise to vote against any attempt to reintroduce a duty on corn, but there was no reference to Peel and he made an open call for other countries to be induced into changing their policy. His address on this occasion mentioned his hope that those interests which were suffering might be relieved without reversing recent legislation. This was the well known formula used by erstwhile Protectionists for promising benefits to agriculture<sup>106</sup>.

The use of large sums of money to influence voters was, as has been described, a feature of every election during this period. During the inquiries he made about the constituency in late 1845 and early 1846, William Stirling had received the following reply to his enquiries about the strength of the parties in Airdrie from Robert Baird who had asked his brother William:

'... he says that he thinks one third of them [the voters] will be staunch tories, one third of them violent radicals and the other third will vote for the best paymaster or canvasser - that is they can be managed - not having any decided opinions of their own.'<sup>107</sup>

The sums of money which could be involved ran, as has been seen, into thousands of pounds for each candidate. A lot of it seems to have gone into straightforward bribery

<sup>105</sup> Meeting at Falkirk on 31.1.1851. *Ibid.*, 6.2.1851

<sup>106</sup> *Ibid.*, 8.7.1852

<sup>107</sup> Robert Baird to William Stirling, 20.1.1846, Stirling of Keir and Cawdor MSS, T-SK 29-77/2

or into publicans' pockets as a result of treating. R. Lamond after going through the bills and expense accounts for the 1846 contest concluded:

'On inquiry I learn that the large sum under name 'Committee Rooms' in Lanark is really inclusive of money used. ... The same remark is applicable to a few items in Airdrie and Hamilton, but there the largest expenditure was in the open public houses and open too after the election was over, ...'<sup>108</sup>

In 1852 James Anderson made a stand in favour of what *The Scotsman* called "purity of election"<sup>109</sup>. The 1851 contest had apparently been particularly bad, bad enough for James Baird to express regret at the 1852 nomination for the scenes witnessed at the previous year's election<sup>110</sup>. Anderson at the declaration of the poll described a situation which had changed little since William Baird had offered his impressions of the situation in Airdrie in 1846:

'I do not say, remember, that all the corruption is on one side, but what I say is, that there is a class of voters open to corruption, and that something must be done to stop such a state of things.'

He went on to attribute his defeat in large part to the truck system. Under truck an employee was paid in goods instead of money, or more likely in money on the understanding that goods would then be bought from the employer. This opened up possibilities for influence to be exerted on employees, important in a constituency with large iron and coal workings. Anderson gave credit to Baird for his stated opposition to truck, but still claimed that truck:

'... has interfered with my success on this occasion, especially in Airdrie ... in Airdrie I repeat that that system has acted most prejudicially on my return.'<sup>111</sup>

In 1857 the constituency's reputation for corruption was to catch up with it. James Baird described the events of that year as follows:

'I remained in Parliament till 1857, when another election took place. By this time I was tired of the work, and my brother George was proposed against Mr. Merry. He

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<sup>108</sup> R. Lamond to G.B.H. Vernon, 30.6.1846, Newcastle MSS, MS NeC 4,662a

<sup>109</sup> *The Scotsman*, 16.7.1852

<sup>110</sup> *Falkirk Herald*, 15.7.1852

<sup>111</sup> Speech made by James Anderson after the declaration of the poll on 14.7.1852. *Ibid.*

lost by a considerable majority; but Mr. Forbes of Callander having petitioned against his return, Mr Merry was thrown out on the ground of bribery.<sup>112</sup>

Before carrying on the discussion of corruption in the constituency, and looking at Forbes' petition and its consequences, it is necessary to examine the contest itself. James Baird, just like his brother William before him, had not taken to Westminster. His plain manner of speaking and abrasive style had contributed to make him feel out of place<sup>113</sup>. There was the feeling amongst Baird opponents that it was an insult to try and pass the seat on to a third of the brothers, a feeling which was described as being:

'... immensely aggravated by the liberty taken with the common sense of the electors, in 'our Geordie' gravely asserting that if he had been in Parliament, he would not have voted like 'our Jamie'.<sup>114</sup>

This was a reference to George Baird's claim that he would have supported the Palmerston Ministry on the China question, unlike his brother James who had paired off to the Government's disadvantage in the division. Taking such a position may have been an aggravation but it did make good political sense in the election atmosphere which prevailed in 1857 in Scotland. As has been seen in Chapter 3, being for Palmerston was a litmus test in that year of acceptability. Perhaps sensing the direction the tide was running in Scotland at this point, George Baird explicitly tried to differentiate himself from his brothers by adhering to their principles but at the same time adding "with the difference that in some respects he might be a shade more Liberal"<sup>115</sup>. Baird was Liberal enough to come out for a £5 franchise, but said he would oppose Locke King's motion for the assimilation of the county and burgh franchises and Dr. Begg on the question of introducing the 40s. freehold qualification into Scotland.

His opponent was James Merry, also an iron master with considerable local influence, who came forward on 'advanced' Liberal principles including support for the Ballot, equal electoral districts, a 40s. freehold qualification, and an educational system without tests. Merry, while careful to express support for Palmerston's foreign policy established his 'advanced' credentials by explicitly stating his differences with the Government on these issues<sup>116</sup>.

<sup>112</sup> A. McGeorge, *The Bairds of Gartsherrie, op cit.*, p. 88

<sup>113</sup> For a short biography of James Baird see A. Slaven and S. Checkland (eds.), *Dictionary of Scottish Business Biography, 1860-1960*, vol. 1, Aberdeen 1986, pp. 21-23

<sup>114</sup> *The Scotsman*, 23.3.1857

<sup>115</sup> Meeting of George Baird's supporters, *Falkirk Herald*, 12.3.1857

<sup>116</sup> James Merry's Address to the Falkirk Burghs. *Ibid.*



Merry was the candidate of the radical element in the Burghs. An ex-provost of Lanark was put forward as a candidate by the townspeople there and was acting as Chairman of the Liberal Central Committee (central to all the burghs). At a meeting in Glasgow it would seem that he and Provost Adam of Falkirk, the centre of 'advanced' Liberalism in the constituency, agreed to support a Merry candidacy. The clinching factor, which a report of this meeting mentions, seems to have been that reports from the various burghs were favourable to Merry standing "and especially in Airdrie, the stronghold of the Baird brothers"<sup>117</sup>. This was the meeting at which Liberal unity was finally assured, undivided support for Merry being explicitly mentioned and the announcement of the agreement reached coming from the Central Committee's side. *The Glasgow Herald* reported that this Committee had approached Melgund, Crum Ewing and others. On the subject of Merry's coming forward it commented:

'We may state that the committee already referred to had no hand in bringing Mr Merry forward. They do not repudiate him, but he is not the man of their choice.'<sup>118</sup>

This comment suggests that there had been a lack of unity. The potential for disunity between the 'advanced' Radical Liberals, concentrated in Falkirk itself, and the more moderate Liberals in the other, and especially more rural, burghs, like Lanark, Linlithgow and Hamilton, was there according to *The Glasgow Herald*. The aim of these moderates seems at one point to have been to get a Mr. Miller of Millfield to stand, who was mentioned in terms of his attractiveness to moderate Conservatives.

At this time this was good politics in Falkirk Burghs. There is some evidence for a split in the ranks of Conservatives at this election. It was claimed to be a well known fact that negotiations had taken place between anti-Baird Conservatives and Liberals in order to try and find someone who was acceptable to both<sup>119</sup>. In Lanark at two meetings of electors resolutions were passed stating that George Baird was an unsuitable candidate and that he should withdraw. Merry himself addressed the second adjourned session. The chairman on these occasions was John Sommerville who was responsible for writing to Baird to pass on the wishes of the Lanark electors. Very probably this was the same John Sommerville who had been so active in the 1840's attending, at his own expense, to the Conservative registrations in this burgh<sup>120</sup>.

Merry was also helped by resistance to the attempt by the Hamilton Palace interest to prevent his election. Merry's advanced ideas were apparently too much for the Duke's Commissioner, if not for the Duke himself to bear. This came to light because of a

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<sup>117</sup> Notice from the Chairman of the Liberal Central Committee. *Ibid.*, 19.3.1857

<sup>118</sup> *The Glasgow Herald*, 20.3.1857

<sup>119</sup> *Falkirk Herald*, 23.7.1857

<sup>120</sup> *Ibid.*, 26.3.1857

counter petition on the part of some Hamilton electors got up in response to a complaint lodged about the legality of Merry's return.

'As a set-off to the protest lodged by Mr. Baird's agent, the electors of Hamilton have agreed to send a petition to the House of Commons praying for an investigation into the nature of the influence brought to bear upon the electors in favour of Mr. Baird by Mr. Robert Graham, commissioner to his Grace the Duke of Hamilton.'<sup>121</sup>

It was expected that this petition would have about 1,500 to 2,000 signatures on it. The result of the polling shows the effect of these two movements on the outcomes at Hamilton and Lanark, in both of which burghs Merry won convincingly:

	James Merry	George Baird
Falkirk	201	87
Linlithgow	77	27
Airdrie	212	195
Hamilton	182	114
Lanark	98	68
	770	491

In 1851 George Loch, with active Hamilton support, had won convincingly in Hamilton burgh, whereas in 1857, with Palace opposition, James Merry had just as convincingly won. The margin for James Baird at Lanark in 1852 had been two to one. Five years later Merry had turned this round to a majority of 30, the first time among the elections analysed here that the Liberal had taken Lanark. What stands out equally starkly, though, is the fact that the Bairds had failed to carry Airdrie, their power base in the constituency. A factor in this, and it has already been mentioned that the Liberals were counting on this, was certainly the fact that Merry was also a local iron and coal master, second only in terms of the extent of his business interests to the Bairds<sup>122</sup>. It is significant that the only other occasion on which the Bairds failed to win in this burgh was in 1846 when Lincoln's opponent had been ironmaster Wilson, who also could make use of his local pull. *The Scotsman* on this occasion was able to comment aptly:

'Seriously the worst that can be said of Mr. Merry is that, in some respects, he too nearly resembles the various Messrs Baird. If it were not sufficient to reply that, in

<sup>121</sup> *Ibid.*, 16.4.1857

<sup>122</sup> For this and a short biography of Merry, see Slaven and Checkland, *Business Biographies, op cit.*, pp. 52-54

all the other respects, he is their superior, there would still be the reply derivable from the homeopathic principle - Like cures like.<sup>123</sup>

Inattention to the register and/or the effect of the 1856 Registration Act probably also contributed to making the Airdrie voters' roll more open than it had been in the late 40's and early 50's.

An unquantifiable factor working in Merry's favour was the personal element in this contest which apparently damaged the Conservatives' position. This probably took the form of tiredness with the Bairds as a whole, especially after two members of the family had failed to take to life as M.P.s, and amongst some erstwhile Baird supporters, discontent with George Baird in particular as a candidate. The split in their ranks, especially in Lanark, has already been discussed. *The Scotsman* captured the sense of the occasion for the Bairds' opponents in its comment on the outcome of the election:

'The Bairds are numbered with the Bourbons. No revolution was ever so overwhelmingly, we might almost say so ludicrously complete, as that which yesterday reduced the throne of Gartsherrie to coke and cinders.'<sup>124</sup>

Equally unquantifiable was the extent to which the corruption referred to earlier helped secure Merry's victory. As with the fall of most dynasties, Bourbon or otherwise, they do not go without creating some turbulence around them. There is no doubt that the successful attempt to have Merry's return declared void, on the basis of bribery and treating, by the election petition examined in July 1857 was politically motivated. One of the petitioners was William Forbes of Callander, already mentioned as a leading Scottish Conservative. It may also have been motivated by Conservative pique. Given Merry's majority of 279, this was not a case of an election which had been close and perhaps turned by bribery. Both parties had long used the methods, examples of which were brought to light in the evidence examined by Sir John Pakington's committee<sup>125</sup>. What was different this time was the effect of the provisions of the Corrupt Practices Act of 1854. Merry was deemed by the committee not to have appointed an agent for election expenses as required by the Act and only to have paid £1,611 8s 5d of his £2,436 15s 7d election expenses through the auditor appointed under the Act. The fact that his election expenses were so enormous speaks for itself in proving that bribery and treating must have taken place. Merry's counsel in fact gave up the struggle before

<sup>123</sup> *The Scotsman*, 23.3.1857

<sup>124</sup> *Ibid.*, 1.4.1857

<sup>125</sup> Minutes of Evidence taken before the Select Committee on the Falkirk Election Petition, *P.P.*, 1857 (Session 2), vol. VI, 447-576

all the evidence had been heard<sup>126</sup>. The Committee declared itself satisfied that bribery had taken place, but not that it had been carried out with Merry's knowledge. Examples of the sort of activities that had, or were claimed to have, taken place included giving voters money to vote for Merry<sup>127</sup>, entertaining them to food and drink, and applying pressure to Thomas Wyse, a farmer near Falkirk, who had applied for a loan at the National Bank of Scotland. Provost Adam of Falkirk, who canvassed Wyse with Merry, was the local agent for the Bank. There was little surprise at the decision and the suspicion, certainly well founded, that, as at previous contests, much more had gone on that had not come to light:

'It would be a curious subject of inquiry to ascertain how much in all of the same kind of loose and unblushing corruption has been practised in these burghs. The contest was between rivals in trade and rivals in wealth. The constituencies have not shown much nicety or scrupulousness, and there was no lack of money in the contest.'<sup>128</sup>

With the benefit of hindsight it was possible to say that such activity had been unnecessary but at the time of the poll there was a feeling of incredulity on the part of the Liberals at their success. It was claimed as an excuse for Merry's supporters in Airdrie and Lanark that they believed the only way to overcome the influence of the Bairds in these places was to use in turn the tactics they had used to secure success in past elections. In view of the results of the previous 16 years this was a very reasonable opinion. It was also no doubt a factor in the reversal of the Bairds' position even in their Airdrie stronghold.

The sequel to Merry's unseating was the unopposed return of Captain Hamilton of Dalzell, a moderate Liberal, with the support of James Merry. Hamilton was obviously a stopgap and after a brief lonely struggle was dropped in 1859 at the next general election when Merry was again returned, this time unopposed. The Conservatives in Falkirk District had given up trying to control the representation. The Bairds had probably decided they were not going to spend any more money or effort on trying to control the constituency.

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<sup>126</sup> *Ibid.*, proceedings on 20.7.1857

<sup>127</sup> *Ibid.*, proceedings on 17.7.1857. This was the strongest piece of evidence against Merry involving one Patrick Quigley, a merchant/pedlar in silks and cloths, who had been summoned to Lanark by letter and given £10 to vote for the Liberal. He also testified that he had received food free of charge at the Commercial Inn in the town.

<sup>128</sup> *Glasgow Herald*, 22.7.1857. It is worth saying that the examples of corruption uncovered by the committee were not particularly heinous.

What can be said about the Liberal party in this constituency? Firstly, and most simply, that it existed. Despite the confusion caused by the arrival of a Free Trade Conservative, Lord Lincoln, in 1846, there was an identifiable Liberal party in the Burghs. The surprising thing is that Free Trade and the Conservative split nationally actually threatened the Liberal party locally in Falkirk. The influence of Hamilton Palace was lost to it, albeit on personal rather than political grounds, and had moderate Liberals, like John Wilson himself, sacrificed their own interests and supported Lincoln, they risked splitting the party through the hostility of radical Liberals to such a course of action. James Baird's quasi-Conservatism of a liberal hue did not muddy the waters much either. Most Liberals were never in any doubt in his case that they were facing a Conservative and that it was their job to try and get their own man elected in his place. The difficulty in finding a candidate, in 1852 in particular, was probably due more to the fear on the part of those asked of the expense and rough and tumble to which they might be exposing themselves, than to any worry that the Falkirk Liberal party was not a viable political vehicle. Even in the case of the Duke of Hamilton, as has been seen, his desertion of the Liberal cause was due to personal loyalty to his son-in-law. When Lincoln resigned the seat in 1851 the Duke returned to his former allegiance, describing himself as "a party man".

The second conclusion that can be reached is that, if the Liberal party existed it existed in the form of a loose coalition. Loose in the sense that there were different interests within it such as the Whig landowners, like the Duke of Hamilton and the Marquis of Douglas, the radicals of Falkirk, and the moderate small-town Liberals, like those of Linlithgow, who were more prepared to accept Lincoln on a temporary basis in 1846 than their Falkirk compatriots. Where it was less loose was in terms of organisation. The party was organised, not surprisingly, round the different burghs. At this level there was a committee of local worthies. The evidence brought before the Election Petition Committee in 1857 revealed that the Committee in Lanark had been composed of 10 people, including the Provost, eight present or previous town councillors or bailies and a local doctor<sup>129</sup>. The Committee in Falkirk in 1857, in a defence of its particular reputation against the bribery charges brought against the whole constituency Liberal party, was described as:

'... the best drilled, the most intelligent, and probably the most active committee in the country. Their labour was a labour of love, and it was remarked at the time that their activity was so great as almost to make professional agents a superfluity if not a positive hindrance.'<sup>130</sup>

<sup>129</sup> Minutes of Evidence taken before the Select Committee on the Falkirk Election Petition, *P.P.*, 1857 (Session 2), vol. VI, 447-576, proceedings on 18.7.1857

<sup>130</sup> *Falkirk Herald*, 23.7.1857

The tradition of willing involvement, of being the popular party, was not something that the Conservatives enjoyed. Robert Glen, their agent in Linlithgow wrote to Robert Baird in 1842 to complain about the expense of the registrations which he had had to bear himself:

Here perhaps the expense may be heavier than in other places, because we have unfortunately few on our side who can be of service in the Registration Court, so zealous as to attend free of charge - ...<sup>131</sup>

Co-ordination between these various Liberal committees was achieved by holding meetings of delegates, usually in Glasgow<sup>132</sup>. In 1859, with both Hamilton and Merry having announced their intention to stand, a meeting of such delegates was held in the Victoria Hotel in Glasgow, to decide whether Merry or Hamilton was to be favoured. Their decision was reported as being unanimous in the following terms:

It may be said that because Mr. Merry was the first to rescue the burghs from Tory influence, he has a 'claim' upon us; ...<sup>133</sup>

Beyond this level there were contacts to the national leaders of the party, as can be seen in the case of Loch's candidacy in 1851 and in the search by the Liberal Central Committee for a candidate in 1857, when, for example, Lord Melgund was regarded as a candidate.

Finally, it can be said that a development did occur during this period. In the mid-1840's the loss of the Duke of Hamilton's support and the weight of Baird money meant that the Liberal party was fighting an uphill battle and losing. By 1857 against Hamilton influence and with the help of stricter rules covering electioneering practice, it was able to carry an 'advanced' candidate, James Merry. Certainly his own local influence and financial clout helped, but it is surely insufficient to explain the size of his majority. Nor does the Bairds' apparent lack of interest in maintaining their position once they had achieved it explain the fact that by 1859 they did not even bother to contest the seat. The Liberal party had become more broadly based in Falkirk by the late 1850's, able to win without some of its rich landowning supporters and confident enough to drop an M.P. like Hamilton in favour of someone with more radical ideas like James Merry. A larger electorate, and to what extent is not clear, a cleaned up register were very likely to have been factors in this process.

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<sup>131</sup> Robert Glen to Robert Baird, 13.12.1842, Baird MSS

<sup>132</sup> This was the Central Committee in 1857

<sup>133</sup> *Falkirk Herald*, 14.4.1859

## CHAPTER 7

### A COUNTY CONSTITUENCY : AYRSHIRE

Ayrshire in the south-west of Scotland was a large constituency by contemporary Scottish standards. With an area of over 1,000 square miles it was large geographically. It was a big constituency in terms of numbers also. Between 1801 and 1851 the population increased from 84,306 to 189,286<sup>1</sup>. The county was noted for the number of its middling and small class of proprietors. This was reflected in the electoral roll. According to a Return of 1852 it had 3,802 electors on the register of 1850, of whom 1,659 were £10 owners, or life-tenants, and 1,999 were £50 tenants<sup>2</sup>. 52.5% of the electors were, in total, tenants. One might expect influence to be an important factor in such a constituency but, given the number of 'ten pounders', there had to be a good degree of openness and genuine political opinion in any voting as well. When Ayrshire is compared to other large counties, such as Aberdeenshire or Perthshire, for example, it is clear that it was likely to be more open. 79% of Aberdeenshire's 4,022 electors were tenants, according to the same Return, and 65.5% of Perthshire's 4,938. The 'cleaning up' of the register under the County Voter's Act resulted in far fewer being struck off the register in Ayrshire than in other counties of a comparable size, which again suggests that the electorate in Ayrshire was more open and 'genuine' than most. According to a Return of 1863, 775 were struck off in Ayrshire in 1862, or 17% of those that had been on it in 1861, compared with 2,952, or 45.5% in Aberdeenshire and 740, or 21%, in Perthshire which, although less marked a difference, is still 21% of a constituency that was 1,049 electors, or 23%, smaller than Ayrshire by 1861.

In terms of its economy the county was mixed at this time. Agriculture was a very large sector, with more than half of the land area under cultivation and a 'programme' of improvements, mostly drainage, being encouraged by landlords such as the Duke of Portland. Several million drainage tiles were noted as being manufactured annually. Industry, more concentrated in north Ayrshire where most of its towns lay, was also well developed: wool and carpets in Kilmarnock and Stewarton; cotton at Catrine, on the River Ayr and in Beith; pig and bar iron at Muirkirk and coal mining and snuff boxes at Old Cumnock and Mauchline. Ayrshire's iron industry was the second largest in Scotland after Lanarkshire's.

After the 1832 Reform Act the constituency had returned a Liberal until 1839, when Lord Kelburne, later the Earl of Glasgow, took the seat for the Conservatives. The

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<sup>1</sup> These and other details are taken from James Hooper Dawson's *Abridged Statistical History of Scotland*, Edinburgh and London 1855

<sup>2</sup> 'Return of the number of Electors in every County and Division of a county in Scotland, according to the Register of Electors in 1850, ...', *P.P.*, 1852, vol. XLII, p. 13

voting figures show a landslide victory for the Reformers in 1832 followed by a slow but steady recovery in Conservative fortunes in the 1830's until their victory in 1839.

1832	R.A. Oswald Col. Wm. Blair	Lib Con	2,152 324	86.9% 13.1%
1835 (Jan)	R.A. Oswald	Lib	Uncontested	
1835 (Jul)	Capt. J. Dunlop Sir J. Cathcart	Lib Con	1,435 829	63.4% 36.6%
1837	Capt J. Dunlop Visct Kelburne	Lib Con	1,559 1,370	53.2% 46.8%
1839	Visct Kelburne J. Campbell H. Craig	Con Lib Lib	1,758 1,296 46	56.7% 41.8% 1.5%

Attention to the annual registrations probably brought this about. This Conservative control of the Register is the most likely explanation for the Liberals' failure to put up a fight in 1841 or at the by-election caused by Lord Kelburne's succession to the peerage in 1843.

His successor as M.P. was his protégé, Alexander Oswald who, like his patron, supported Corn Law Repeal. The split in the Conservative party over this issue was significant in Ayrshire. Initially Lord Eglinton, the leading Conservative grandee in Ayrshire, in assessing their chances of challenging Oswald in 1847, claimed that despite 'desertions' the Protectionists' were still very strong. He also counted on the personal unpopularity of Oswald to help their cause in any potential contest. What held Eglinton back was the fear of splitting the Conservative vote and letting a Whig in and he, therefore, suggested putting the following proposal to Oswald:

"We will not, if we can help it, be represented by a Peelite, We leave out the question of Protection because that is shelved for the present, but we ask you to acknowledge Lord Stanley as your leader - If you will not do this, we will oppose you."<sup>3</sup>

The aim was clearly to prevent the split in Conservative ranks going any deeper than necessary and, already in early 1847, such an aim came before the Protectionist creed which had forced men like Eglinton to repudiate Peel. Eglinton stressed this four months later shortly before the 1847 election and also offered a more realistic assessment of the Protectionists' chances of challenging Oswald:

<sup>3</sup> Lord Eglinton to Patrick Boyle, 8.1.1847, Glasgow MSS., MS. SWB/4/65



The general feeling among the Conservative party here is that it will be very unwise to oppose any of the moderate adherents of Sir Robert Peel, who would be likely to join our party hereafter, not only because the effect of doing so would be then bringing in the Whig, but because it is quite clear that we are not strong enough to do much good without some assistance.<sup>4</sup>

Oswald showed the strength of his position by refusing, in negotiations with Eglinton and Lord Ailsa, to acknowledge Derby as his leader. These Conservatives still, however, despite their clear lack of enthusiasm for Oswald, shied clear of a contest. Eglinton was left to pin his hopes on a Peelite split which he hoped would lead to a reunited and strengthened Conservative party. His description of how this might happen shows once again his concern for unity and his vitriol against Peel:

'I think there is every probability of a split among the Peelites, in which case a section would join us and the section, consisting of Graham, Lincoln, etc. would join the Whigs - I hope it may be so, as we shall then get rid of the danger of a divided Conservative Party, and be all united under one who is not made of the same slippery materials as Peel.'

Eglinton draws attention here to the importance of the Peelite/Free Trade Conservative group for the future of Ayrshire politics, Liberal as well as Conservative, in the more open political situation of the late 1840's and 1850's which resulted from the Conservative split.

Oswald withdrew before the general election of 1852 for reasons he explained in his address to the constituency when he went on to try his luck at Weymouth instead. He claimed he had been kicked out for voting against the Ecclesiastical Titles Bill in 1851, which was too much for Eglinton and his followers to stomach. In Oswald's opinion:

'... the object of this attack was to get up a cry in Ayrshire and to get in, not a protestant, but a protectionist member for that county; ...<sup>5</sup>

The extreme anti-Catholic atmosphere in Britain in the early 1850's was a compound of anxiety about the domestic threat of Papal aggression in the form of the Vatican's decision to restore the territorial hierarchy in England and of indignation at the support the Papacy was thought to be giving to despotic Continental powers, France and

<sup>4</sup> Lord Eglinton to Patrick Boyle, 9.5.1847, Glasgow MSS., MS. SWB/4/66

<sup>5</sup> *Ayr Advertiser*, 27.5.1852, taken from the *Dorset County Chronicle*, 13.5.1852

Austria in particular. As has been discussed in Chapters 2 and 3, the positions of politicians on the Ecclesiastical Titles Bill and the Maynooth Grant were to be the tests of their acceptability for many, Liberal and Conservative, in the early 1850's. Oswald's withdrawal shows that by his clumsy handling of the Ecclesiastical Titles Bill issue - he denied in Parliament that the County had spoken out on the matter - he had probably managed to alienate potential Liberal supporters and at the same time give Eglinton and the Protectionists, who had been working the register to recover their position, the cover they needed to break their impatient tolerance and repudiate him<sup>6</sup>.

Apart from Oswald, there still existed in 1851 the desire among Ayrshire Conservatives to bring about some kind of reconciliation. J.D. Boswell, one of Oswald's agents expressed this in a letter to Eglinton's representative, C.D. Gairdner:

It is a pity that the conservative party in this County should be divided and broken up, by which means after a great expenditure of money, a whig will probably be returned and it would be very desirable if some arrangement could be made for the party all to coalesce on one Conservative candidate, who would be returned without a contest.<sup>7</sup>

The man the Conservatives found to put up in his place, Col. J. Hunter Blair, found himself in that all too familiar position for Conservatives in the early 1850's, of not wanting to swim against the obvious free trade tide of the times, and yet not wanting to reject out of hand the Protectionist heritage and, of course, the residual support that went with it. As was noted:

He declared that he never has approved of the fiscal changes begun by the late Sir Robert Peel to the extent to which they have been carried, but he left the electors quite in the dark as to how far his approval of them goes.<sup>8</sup>

Taking such a line meant that he was not able to fulfil Boswell's wish. Free Trade Conservatives were not taken in by such prevarication. As Blair himself reported during some early canvassing:

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<sup>6</sup> Evidence that the Conservatives had been working to recover their position on the Register is provided, for instance, by correspondence relating to the expense of the 1852 contest. Reference is made by one agent to having received £500 in November 1851 for use in the Registrations. J.D. Boswell to C.D. Gairdner (acting for the Earl of Eglinton), 31.12.1852, Eglinton MSS., MS. GD 3/5/49

<sup>7</sup> J. D. Boswell to C.D. Gairdner, 9.6.1851, Eglinton MSS., MS. GD 3/5/45

<sup>8</sup> *Ayr Advertiser*, 6.5.1852

'My application to Lord Glasgow was unfavourable. I saw him in London before he went north, and [he] told me that he would never support a candidate, who would vote for any measure that would put a protective duty on Corn.'<sup>9</sup>

Lord Glasgow's response showed that the division in the Ayrshire Conservative party was not based on any drawing power that Oswald may have had. Blair's application came after Oswald had announced his intention of retiring. Rather it was a deep-seated division initiated by Corn Law Repeal<sup>10</sup>.

Blair apparently did, however, see advantages in such a position in his approach to other groups in the constituency:

The gallant Col. coquettes with the shipping interest after the same style (as with the farmers). In their case, however, there are real legislative burdens to contend against and to be removed; but not a word of these! Hopes are held out to them of a return to the Navigation Laws, or the concession of an equivalent, either of which is as impractical as a renewal of corn duties.'<sup>11</sup>

As in Greenock, Glasgow and other constituencies in 1852, the shipping interest provided fruitful ground for any candidate looking for support who was prepared to appear reluctant about Free Trade.

Until about a week before the nomination it looked as if Blair was going to be able to walk the course. Rumours of the appearance of a Free Trade candidate had clearly circulated and calls for one to be found had been made:

'We have received intimations from several parts of the County that if one delegate from each parish were to meet at Ayr, it would be quite practicable to make arrangements to contest the County with little, if any, expense to the Free Trade Candidate. Indeed, in some parishes the initiatory step has been taken.'<sup>12</sup>

*The Scotsman*, in its analysis of the contest, mentioned the fact that the registrations had been neglected for nine years as one probable reason for the anti-Protectionists', Liberals' and Free Trade Tories' hesitancy in putting forward a candidate<sup>13</sup>. However, the very fact that both the Liberals and the Peelites were interested in keeping Blair out probably led to some doubt about who would be able to unite these groups best. It is,

<sup>9</sup> J. Hunter Blair to ?, 26.6.1851, Eglinton MSS., MS. GD 3/5/45

<sup>10</sup> Such loyalty to principles did not extend to agents. J.D. Boswell, referred to above, had been Oswald's agent before being taken on by the Blair camp.

<sup>11</sup> *Ayr Advertiser*, 6.5.1852

<sup>12</sup> *Ibid.*, 20.5.1852

<sup>13</sup> *Ibid.*, 29.7.1852, taken from *The Scotsman*

therefore, not surprising that someone was 'brought in' from outside who had the authority probably to still local jealousies and to rally the anti-Protectionists round their strongest issue, defence of Free Trade. 'Brought in' because the candidate, the prominent Peelite Edward Cardwell, never actually turned up in the constituency.

Cardwell's nomination provides evidence that his candidacy was supported by a coalition of Liberals and Peelites. Oswald himself, who had been defeated at Weymouth, proposed Cardwell and the Whig-Liberal candidate of 1839, James Campbell of Craigie, the leading Ayrshire Liberal, seconded him.

Oswald introduced him in the following terms:

He was one of those in 1846, who, like myself, dared to be called Janissaries and renegades; and he was one of the ninety to whom the people of England owe the prosperity on which the Derby Government presumes to try your patience.<sup>14</sup>

There was no doubt that Blair's supporters were more incensed by Oswald's support of Cardwell than by the help provided by the traditional Liberal enemy. This feeling extended beyond the constituency as the Conservative *Glasgow Constitutional* made clear in an article comparing Free Trade Conservative figures in the West of Scotland:

Let us state, nevertheless, that the speeches of Messrs Smollett and Mure were very different from the speech of Mr. Oswald at Ayr, and of Mr. Stuart Wortley at Bute. they were temperate interpretations of sentiments honestly entertained, and not adulterated by false sentiment or a meretricious taste; nor do we believe that any genuine Conservative, though not agreeing with these gentlemen in all things, regrets that they have been both returned to the new Parliament.<sup>15</sup>

It is interesting to note that Oswald was put in the same category as Wortley, who also changed sides more than once and was later to serve in the first Palmerston administration. Smollett in Dumbartonshire and Mure in Renfrewshire were said to be of a different stamp, neither being Peelites, but rather independent Conservatives who were for Free Trade<sup>16</sup>. Of neither could it be said that they were supported by 'an anomalous and unnatural alliance of Chartists, Radicals and Peelites, ...'<sup>17</sup> because

<sup>14</sup> *Ibid.*, 15.7.1852

<sup>15</sup> *Ayr Observer*, 20.7.1852, taken from *Glasgow Constitutional* of same date.

<sup>16</sup> Alexander Smollett was M.P. for Dumbartonshire from 1841 until he retired in 1859. Col. William Mure was likewise M.P. for Renfrewshire from 1846 until 1855. Other evidence suggests that Col. Mure was in fact more of a Peelite than a Free Trade Conservative.

<sup>17</sup> *The Kilmarnock Journal*, 22.7.1852, explaining the course taken by several county gentlemen in trying to get the Peelite returned

Smollett and Mure *were* the Conservative candidates in their respective counties and managed to avoid being outflanked by a Protectionist challenge.

The notice announcing Cardwell's nomination had, in addition, been signed by John Bell of Enterkine, a stalwart Liberal agent in Ayr. One Andrew Smith, writing of the three gentlemen who had signed Cardwell's address, saw them in the following, plainly Liberal, terms:

'The first, Mr Campbell of Craigie, may be considered the Patriarch of the Ayrshire Liberals, is a man of unimpeachable character and of considerable landed property; the second is Mr. Kennedy, the eminent Banker in Ayr, one of the best financiers and most able political economists in Scotland; and the last is Mr. Enterkine, a large landed proprietor, and a zealous and improving farmer.'<sup>18</sup>

Col. F. Hamilton, a consistent figure in Ayrshire Conservative circles in the 1850's and Blair's proposer at the nomination, naturally put it in a less favourable way:

'I see something like a collusion here to-day - men supporting Mr. Cardwell who upon no point but one agree with him, and that point is the duty on corn, which is already settled.'<sup>19</sup>

The Conservatives may have claimed that the question was settled but that did not stop anti-Protectionists using the issue as a rallying point. Oswald, referring to Cardwell's rejection as a candidate at Liverpool earlier in the month, explained it in the following way:

'It is true he has been rejected by Liverpool. But by whom? By the West India interest, who want to make your sugar dear - by the shipping interest who want to make your tonnage (dear?)- by the Lancashire squires, who want for their own purposes, like the Ayrshire lairds, to make our bread dear.'<sup>20</sup>

In the crowd at the nomination there appeared a board with a small loaf of bread labelled 'Protection Loaf' and a large loaf labelled 'Free Trade Loaf' fixed on to it. The duplicity of Lord Derby over Free Trade was commented on by a placard and newspaper advertisement offering, "£1,000 Reward! - Stolen or Strayed, Lord Derby's Principles. Apply to Col. Hunter Blair."<sup>21</sup> The question for Free Traders was:

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<sup>18</sup> *Ayr Advertiser*, 15.7.1852

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

'Vote for Cardwell.  
The Big or Wee Loaf.  
That is the Question!'<sup>22</sup>

Campbell of Craigie, in seconding Cardwell, responded to the taunt that people had now come together who were not in the habit of acting in unison in the following terms:

'Why, we have not, on one side or the other, shrunk from our principles; but we have agreed as to the paramount necessity of uniting all our efforts on one great question for the security of the people. We have agreed upon the question of Free Trade; and we lay aside for the present all minor differences to carry it.'<sup>23</sup>

For Campbell, interestingly, this was a temporary alliance at this time, solely based on the question of Free Trade, which was no doubt for him the most powerful weapon to hand with which to take the county back from his Protectionist neighbours. For Whigs like Campbell the split in the Conservative ranks represented a political opportunity, a setback for the other side in the permanent struggle for political control.

There existed, therefore, a situation in which the Conservatives were reluctant to use the Corn Law issue openly because they thought it would lose them support, or because they realised it was settled, as Col. Hamilton pointed out. Derby, himself, after all, had said he was willing to follow the decision of the country on the matter, a clear case of leading from behind. The Liberals and the Peelites, on the other hand, were all too keen to use Free Trade as a means of building bridges to each other. Oswald, perhaps because of his family's Reforming background, does not provide a typical example of Free Trade Conservative thinking. Part of his speech on the hustings does, however, describe well the predicament such Conservatives found themselves in in 1852 and does show how some of them at least had begun to see the future. Responding to the argument that Derby's was the only Government that was possible at that time, he quoted as the reason:

'It is because the opposition to that government is broken into fragments. It is because that opposition numbers Whigs, Peelites, Radicals, and I know not what number of nondescrip[ts] besides. I have stood as long as I could in the unenviable position of a Peelite, and it is like sitting between two stools. I shall tell you what I think is indispensably necessary for this country. It is that the Liberal Conservatives should drop their name of Conservatives at once and frankly, as I do now - and endeavour to form throughout the country a Liberal party which shall expel from

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<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

power that party which I believe has not the approval of the great majority of this country ...<sup>24</sup>

One swallow, it is true, does not make a summer, but there is an indication here that some Peelites were thinking in terms of a more permanent arrangement than just the formation of a temporary anti-Protectionist alliance.

The Conservative response to the rallying call of 'Free Trade in Danger' was to use the 'Popery' issue. Campbell of Craigie at the declaration of the poll put it as follows:

'Just see how they proceeded. I went round the county to address the electors in four different places on Monday. Tarbolton was one of them. At Tarbolton I met an hon. gentleman, Mr Cooper of Failford, who boldly came forward and questioned Mr. Cardwell's Protestantism. Well I had an opportunity of answering him, ... But when I went further on, to Ochiltree, I was not met there in an open stand-up fight. I found that two of Col. Blair's small men had been round the country before me, and with their small talk had poisoned the ears of the farmers. I could not answer them. I also discovered, stuck up on the cross at Ochiltree, a paper stating that Mr. Cardwell, in his contest at Liverpool, had been supplied with funds by the Roman Catholic Archbishop of Dublin, and was backed by the whole force of the Roman Catholic Church'<sup>25</sup>

The familiar appeal to prejudice and bigotry was in this case made more potent by the fact that the candidate was personally unknown to most of the constituency. Seven years later the author of the 'paper' Campbell found at Ochiltree was still boasting of his success in smearing Cardwell for receiving Catholic support in Liverpool:

'I wish I could make as successful a bill as I did you recollect in 1852 about Cardwell and the Catholic support he got in Liverpool.'<sup>26</sup>

Confirmation of the effectiveness of this tactic can be had from the letter of 'A Tenant Farmer' written after the contest:

'What then induced you to reject such a man as Mr. Cardwell? It was not the question of protection or free trade. We heard little of it during the struggle of Monday, Tuesday, and Wednesday. The electors of Ayrshire are too enlightened to believe that

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<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

<sup>26</sup> Reginald Craufurd to Patrick Boyle, 13.4.1859, Glasgow MSS., MS. SWB/4/97

the people of this country are likely to be ruined by the possession of too much food. And the farmers know that if prices continue to be low, rents must correspond; ... There was no question of civil freedom, or a concession of popular rights by a gradual extension of the franchise. On this, and the all-important subject of educating the people, the multitudinous bills issued by Col. Blair's party, and which almost covered every street corner, toll-bar, and public pump in the county, contained nothing.'

'Free Trade in Danger' was something that rang hollow in the ears of this writer therefore as a serious possibility. He went on to ask:

'What then was the great handle which the Derbyites used to effect their purpose? ... It was by working dextrously and unscrupulously upon the fervid Protestant feeling of the people of Ayrshire, and by calumniating Mr. Cardwell in his absence.'

The question put to the electors was then summed up as:

"Cardwell and the Pope, or Blair and the Queen"<sup>27</sup>

In other words, the Conservatives, when faced with a coalition of their former colleagues and Liberals, responded by concentrating on Cardwell's supposed connection with Puseyite and, by extension, Catholic elements. Maynooth was, of course, the test issue. Blair said he would vote for the withdrawal of the Maynooth endowment and specifically against any other endowment of the Roman Catholic religion by the state. Oswald's arguments on the hustings that Cardwell stood for civil and religious liberty, for Roman Catholics and dissenters, for England and Ireland, alike, did not have the same impact that such points were to have only a few years later in the aftermath of the Crimean War. Rather in 1852 Cardwell could easily be portrayed as cast in the same mould as Oswald, in other words soft on Popery.

The detailed results of the poll show that despite Cardwell's late start, his absence from the actual contest, and the Conservative black propaganda machine, the Free Trade alliance had come very close to taking the seat.

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<sup>27</sup> *Ayr Advertiser*, 29.7.1852



Polling Place	Cardwell	Blair	Majorities for Cardwell	Majorities for Blair
Colmonell	33	48		15
Girvan	75	39	36	
Maybole	79	109		30
Ayr	93	169		76
Old Cumnock	138	49	89	
Mauchline	117	112	5	
Galston	95	230		135
Stewarton	127	103	24	
Beith	80	133		53
Dalry	105	79	26	
West Kilbride	151	109	42	
Kilwinning	107	121		14
<b>Totals</b>	<b>1,200</b>	<b>1,301</b>	<b>222</b>	<b>323</b>

Number who voted: 2,501

Majority for Blair: 101

The polling places are listed generally from south to north and this breakdown shows what a patchwork of results the various districts offered up. More 'industrial' areas such as Stewarton and Old Cumnock did show majorities for Cardwell, but the narrowness of his majority at Mauchline and the size of the majority for Blair at Galston certainly had more to do with territorial influence than with the nature of the local economy. One of the deciding factors in 1852 may have been that Blair appears to have kept at least the unwilling support of the Duke of Portland. His factor, George Kelk, wrote to Eglinton's representative, C.D. Gairdner, in the following terms:

'I have this morning sent off messages to appraise the Duke of Portland's Tenants that they are likely to be required to give their votes for a County Member on Tuesday next - which I sincerely hope may not be the case.'<sup>28</sup>

Interestingly George Kelk was also J.A. Campbell's proposer for the Kilmarnock Burghs. Campbell was a Free Trade, independent Conservative, who tried to differentiate himself from E.P. Bouverie, the sitting member, by claiming that his opposition to Maynooth was based on its being a pernicious error, in other words by

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<sup>28</sup> George Kelk to C.D. Gairdner, 15.7.1852, Eglinton MSS., MS. GD 3/5/49

stressing his extreme Protestantism<sup>29</sup>. Bouverie, it should be noted, had voted against increasing the Grant when it originally came up in 1845. Whether Kelk was acting here on his own or as the Duke of Portland's representative is not clear, but his appearance for a man like Campbell would tie in with his apparent reluctance to support Blair against Cardwell. It is likely that Campbell's Protestant credentials swung Kelk his way in Kilmarnock, whereas Cardwell's tainted reputation may well have held Kelk back in the County.

The evidence from this contest gives a picture of a changing political situation in which the Free Trade issue was the dividing line. Not because it was still open, but because it had been absorbed with Reform as a litmus test of political inclination. Changing also in the sense that the Conservative dominance established by 1839 had been broken. The county was now 'open' politically again and the Liberals could look to a new source of potential support in the Free Trade Conservatives. One Conservative agent gives a clear picture of how demanding the contest had been for the former dominant Conservative interest. Complaining of the level of election expenses he wrote:

'It never was contemplated that a person like Mr. Cardwell would be brought forward, on whom all shades of politicians coalesced, against Col. Blair's party. The Election was only won by the greatest exertion and by securing all the horses and carriages in the County. In former elections the fight was over on the first day but in this case the excitement and struggle was if possible greater on the second day.'<sup>30</sup>

Attempts were made by both sides to win the support of groups of voters in the constituency using 'cries' or, in other words, appeals to people's prejudices. The religious cry was used by the Conservatives. It could be used much more specifically than has been already seen. Take, for instance, the letter sent by Blair to every clergyman in the county, which came into the hands of *The Scotsman*. This pointed out, as has already been explained, that Cardwell had been turned out in Liverpool because of the support he gave to Roman Catholics in Parliament and that he had opposed the Act of the previous year condemning the pretensions of the Pope. It went on:

'I hope, therefore, that you will not think I am going beyond my duty in asking you to use your influence with the electors of this country, to induce them to adhere to their Protestant professions, ...'<sup>31</sup>

<sup>29</sup> *The Kilmarnock Journal*, 15.7.1852

<sup>30</sup> J.D. Boswell to C.D. Gairdner, 31.12.1852, Eglinton MSS., MS. GD3/5/49

<sup>31</sup> *Ayr Advertiser*, 29.7.1852, taken from *The Scotsman*

The Free Trade cry was used by the Liberals and their Peelite allies. The Andrew Smith who had described the signatories of Cardwell's address went on in his letter to the electors of Ayrshire to concentrate on the important tenant farmer group, saying that the object of the landlords in trying to reimpose the corn duty was to raise rent:

The Tory party claim to be "The Farmers' friends". Now, Gentlemen, when I am really a friend to any one, I am willing to make some sacrifice for the good of that person. I do not suppose that my 'friendship' consists in a Dick Turpin alliance for the robbery of a third party, on the condition that we divide the booty, and that *my friend* should, as proof of his *friendship*, resign the large portion to me; this is precisely the sort of friendship which the landlords, who bawl for Protection, have towards you; if you will assist them in robbing your fellow men, they will give you the privilege of *friends*, and permit you to pay them *Higher Rents*; ...<sup>32</sup>

In other words consumers of food were to be 'robbed' and tenants were to pay higher rents so that they could share in this arrangement. As has been mentioned, this sort of appeal was weakened greatly by the obvious lack of serious Conservative intent at national level to actually restore Protection.

Liberals and Conservatives in the County were organised in the sense that they took their cue from a group of leading gentlemen, who formed a committee to support their candidate, which met pretty well continuously throughout the campaign. The organisational nature of the Cardwell campaign, for example, is shown by the holding of a meeting of his leading supporters immediately after the declaration of the poll, on 22nd July 1852. At this meeting a committee was formed to receive contributions towards meeting the expenses of the recent contest. The impression, significantly, from the lengthy list of members, including Oswald, Campbell, future candidate Lord James Stuart, and E.H.J. Craufurd, M.P., is one of the net being flung as widely as possible and of people responding to the call to give to what had been a failed campaign. Interestingly, this same committee was given responsibility at the same meeting for attending to voter registration, a clear indication that it was intended to be more than a temporary body.

In the opinion of some, however, including the Earl of Eglinton, the alliance that had supported Cardwell was nothing more than a rope of sand. The unexpected contest of 1854 was to provide further evidence for this point of view, as will be seen. Eglinton also still believed, even after the 1852 contest, in a form of Conservative reunion:

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<sup>32</sup> *Ibid.*, 15.7.1852

'My own impression is that, with such an array against us of Peelites, Whigs, Radicals, and nondescripts, and so many large interests neutral, it is wonderful that the battle was won at all, and there is no doubt the attempt was artfully concocted and they stole a march upon us - ... I cannot believe that such a combination as we have seen at this Election can long exist and I have great hopes that we shall welcome back some of our lost sheep.

Oswald is gone from us forever, and joy be with him, but I cannot bring myself to despair of Cathcart, Glasgow, etc. who must feel disquieted with Oswald's acts and speeches, and with the company they found themselves in.'<sup>33</sup>

It is interesting to note how well the idea of party being a community of like minds, of like people, shines through here. Oswald, by calling for Free Trade Conservatives to go all the way and join the Liberals had moved too far outside the circle of sympathy. Macadam Cathcart and Lord Glasgow, however, were still seen by Eglinton as party men. The mid-nineteenth century party was just as much a coalition as its more recent manifestations, just rather less disciplined and more flexible.

To others in the Conservative camp the 1852 contest had rather hardened divisions. Ferrier Hamilton was one of these. He felt it would be long before this election was forgotten and complained of the lack of gentlemanly conduct which had been displayed:

'I should be unwilling to think the party who have acted throughout so unscrupulously will receive further countenance from Lord Glasgow, but they appear to have dragged Cathcart so completely through the mire that I for one should not be sorry to see him follow Oswald's example and throw off the mask. It is not from our opponents that we have to fear but from our supporters.'<sup>34</sup>

A letter from 'A Reformer' after the 1852 contest had called for the services of Cardwell to be secured for the next election as the man best able to unite the different sections of the Liberal Party. The lesson of the recent contest was:

'... that the different sections of the Liberal party must give up acting on their extreme views if it be really desired to conquer Toryism, ...'

And the motive for continued union was that:

<sup>33</sup> Eglinton to Patrick Boyle, 24.7.1852, Glasgow MSS., MS. SWB 3/16

<sup>34</sup> F. Hamilton to Patrick Boyle, 3.8.1852, Glasgow MSS., MS. SWB 3/15

' ... it redounds to the credit of all the parties - to the Candidate, as well as to the several sections of the Liberal party; who may be fairly represented by Mr Macadam Cathcart as a Liberal Conservative - by Mr. Campbell as a Whig - and by Mr. Rigby Wason as a Radical Conservative.'<sup>35</sup>

Perhaps because they were divided and therefore had to struggle there is evidence that the Conservatives felt the need to make a considerable effort to strengthen their position in Ayrshire in the years after 1852. This comes out in expressions of frustration at what they could not do:

' ... I think it is very wise, not to interfere with the registration of the Glasgow property. I have not seen him for some time and when I do I never touch politics, though we are always very good friends'<sup>36</sup>

as well as in injunctions as to what needed to be done:

'It is clear that unless the registrations are properly attended to that the County may as well be given up at once; this can only be done by employing a good many district agents and these agents must of course be paid for their work, but I do not see how the registration expenses should amount to any very extravagant sum'<sup>37</sup>

It is clear that in a county like Ayrshire keeping the registers up to date required some degree of organisation and financial support.

The death of Hunter Blair in action at Inkerman in November 1854 led the *Ayr Advertiser*, in similar vein, to see the forthcoming by-election as calling:

' ... for that unanimity in the Liberal camp which is so important to the success of any great party. It is the sinking of individual differences that has of late mainly contributed to the success of Derbyite principles at our County Elections in Ayrshire. A divided party is a rope of sand.'<sup>38</sup>

The candidate chosen was Alexander Oswald, the former Peelite M.P.. The account of his selection by a Dr. Graham both reveals the lack of unanimity on this choice, and the development of party organisation.

<sup>35</sup> *Ayr Advertiser*, 29.7.1852

<sup>36</sup> J. Hunter Blair to P. Boyle, 17.7.1854, Glasgow MSS., MS. SWB 4/19

<sup>37</sup> Andrew Scott to P. Boyle, 10.2.1854, Glasgow MSS., MS. SWB 4/45

<sup>38</sup> *Ayr Advertiser*, 30.11.1854

Dr. Graham describes how he had been appointed some time previously as the convenor of the Liberals for the district of Girvan, Kirkoswald and Dailly. When the Liberals of Ayr met on 28th November 1854 to choose Oswald he described the selection procedure as follows:

'On the vote being taken, 11 voted for Lord James Stuart, 15 for Mr. Oswald, and 11 declined voting. He (Dr. Graham) then stated that he was one of those who had declined voting, having no authority from the electors as to whom he should vote for; but added that, seeing the majority were in favour of Mr. Oswald, he would support their decision.'<sup>39</sup>

Stuart had been the M.P. for Ayr Burghs for 18 years between 1834 and his retiral in 1852 and commanded a lot of respect in the county. His views on the franchise and the Ballot, for example, as will be seen below, had made him more radical than the Whig Campbell. Oswald's victory was far from unanimous, especially when the large number of 'don't knows' are taken into account.

In terms of organisation it thus seems that, from naming a committee to look after the registrations in 1852, the Liberals had moved on to appoint local convenors. This is the inference from men like Graham having been appointed "some time ago". It is also clear that the selection of a candidate was left to the Liberal committee meeting in the head burgh, Ayr. Since Dr. Graham was clearly present as a delegate the inference is that he and the others present all represented different parts of the constituency.

The Tory candidate was probably a risky attempt to play the war card. Sir James Fergusson was young, a friend of Blair's and on active service in the Crimea from where he issued his address. This document was clearer on his acceptance of Free Trade than had been the case with Blair in 1852, but there was the same pledge to oppose the endowment of Roman Catholic seminaries. In other words, the same religious handle was available. Fergusson also enjoyed the advantage that the alliance it was meant to split did not have the advantage of someone with Cardwell's national authority this time.

Even Oswald's Liberal supporters did not attempt to cover over his 'heretical' past. J. Fullarton, in an address of 4 December, put it as follows:

'I, in common with you, felt grieved during that *quasi* period which came over Reform in past years, when I had to witness for a moment the sad bewilderment of a scion of the trusty house of Auchincruive (Oswald's and traditionally Reforming),

<sup>39</sup> *Ibid.*, in report of the Meeting of Ayrshire Electors held at the Town-Hall at Girvan on 29.11.1854, at which Graham reported back on the Ayr meeting of the previous day

seduced by the false blandishments of aristocratic deceits, drawn into the ranks of the systematic opponents of all progress and improvement. What then? At the worst, young Mr. Oswald went never one step further, in this mighty error, than to place himself firmly by the side of Sir Robert Peel ...<sup>40</sup>

The first indication of a split came on the same day with a meeting of the Liberal electors of the parishes of Colmonell and Ballantrae held at Girvan. At this meeting a resolution was unanimously adopted regretting Oswald's decision to stand in the Liberal interest:

'... although he is fully aware that such conduct will inevitably cause disunion, and therefore defeat to that Party which he has joined as a professed friend.'<sup>41</sup>

Furthermore, this meeting regretted that the Liberal Committee at Ayr had not decided for Lord James Stuart.

A leading member of this revolt against the Oswald candidacy was Rigby Wason, who had been secretary to the meeting at Girvan on the 4th of December. In a notice to "The Reformers of the County of Ayr" he stood by his assertion that Oswald, at the meeting in Ayr on 28th November,:

"... had addressed the Meeting, the effect of which was that he would persist in standing as a Candidate whether the Electors wished him to do so or not, and whatever might be the consequences to the Liberal Party."<sup>42</sup>

Wason went on to admit that his inclination was to vote Tory in order to keep Oswald out.

'If any considerable section of the Liberal Party vote for Mr. Oswald, his defeat, and that is certain, will of course be the defeat of Liberal principles; but if they withhold their support, then his defeat will be merely the defeat of an individual and his agents, and not that of the Liberal Party.'<sup>43</sup>

The description of Wason above, as a "Radical Conservative", was misplaced in its use of the label 'Conservative'. Wason and those who supported him were in rebellion against the Whig-Liberal compromise with the Peelites, as is shown by a letter from

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40 *Ibid.*, 7.12.1854

41 *Ibid.*, report of meeting

42 *Ibid.*, 14.12.1854

43 *Ibid.*

him to a Mr. Goudie, an Ayr lawyer, published as part of an exchange of correspondence:

"Those who act with me (in opposing Oswald) "deprecate dividing the Liberal interest" as much as you do, but we are not to be entrapped with words; for we know "that the letter killeth, but the spirit keepeth alive". Having succeeded in driving Lord James Stuart from the field, Mr. Oswald has by such act divided the Liberal interest, and we are not so silly as to assist in rewarding him for such conduct, merely because he therefore happens to be the only candidate nominally on the Liberal interest.

Should we do this, some of the influential proprietors who have lately joined the Liberal ranks - the Duke of Portland, Earl of Glasgow, Mr. Macadam Cathcart, and others - might at another election insist upon our accepting even a more objectionable candidate than Mr. Oswald; and not only ask us to vote for him under the pretence of 'not dividing the Liberal interest' or that 'it was our duty to keep out a Tory' but to be thankful that the threat of Lord Camelford to nominate his servant as a candidate was not inflicted upon us.

We have already shown by our warm support of Mr. Cardwell that we are ready and willing to 'sink minor differences of opinion', and that we do not expect liberal neophytes to adapt all our political views, but, on the other hand, we have a right to require from them that they will not attempt to obtrude upon us a candidate so offensive as Mr. Oswald, and if they insist upon doing so; we tell them plainly, that they had better return to the Tory camp until they have learned the primary elements of liberal principles.<sup>44</sup>

The "influential proprietors" mentioned were all Peelites, who of course might be expected to bring valuable tenant support to the Liberal cause. Feelings on the part of Wason, therefore, ran deep enough to risk nullifying this new support, and, as the comparison with Cardwell shows, are partly to be explained by an objection to Oswald personally.

This, however, was not the whole cause of Wason's group's rebellion. In a letter "To the Reformers of Ayrshire"<sup>45</sup> he detailed his objections to Oswald, which he saw as part of the process of their (the Reformers') political principles being trodden underfoot. He listed four objections to Oswald: 1. That he had deserted the principles of his family and been returned as a Tory. 2. That he had misrepresented the opinions of his constituents on the Ecclesiastical Titles Bill. (There was some dispute because Oswald claimed that he had said there had been no meeting *on* the subject in Ayrshire, whereas his opponents claimed he had said there had been no meeting *in* Ayrshire - by

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<sup>44</sup> *Ibid.*, 21.12.1854

<sup>45</sup> *Ibid.*



implication *including* discussion of the subject.) 3. That he had insulted the Liberal Party by saying he would stand whether the committee wanted him to or not. 4. That he had driven Lord James Stuart from the field. Wason continued the letter by saying of Oswald that:

'Such is the man whom the Peelites - headed by the Earl of Glasgow, and Col. Macadam - are resolved to inflict upon you as your Representative. They may be acting with perfect consistency, for, as bigoted Tories, they paid him for his first apostasy by selecting him as their Tory Candidate; and now they seek to reward him for his second apostasy by returning him as the Liberal Representative.

And probably these quondam Tories were not unwilling to put upon their old antagonist, Lord James Stuart, a personal interest; but you will take care to tell these possessors of broad acres, that, although they may drive their tenants to the poll, as oxen to the shambles, at one election for a Tory, at a second for a Liberal, and now for a Nondescript, and hereafter for their Butler if they choose, they can neither drive nor wheedle you out of your principles.'

There was, then, a power struggle going on inside the Ayrshire Liberal party as to which direction it should take, moderate or radical. Wason and the radical-Liberals resented the Peelite newcomers having such an impact on the Ayrshire Liberal party as to steer it away from the radical direction which Lord James Stuart represented. Wason called on Liberal electors to vote against Oswald as abstention, in his view, was not enough. In an off print version of the letter quoted from above to Mr. Goudie in Ayr, Wason concludes as follows:

'We believe it to be our duty to do everything in our power to prevent the Reformers of this County being subjected to the political degradation of being represented by Mr. Oswald, and therefore we will vote for Sir James Fergusson.'<sup>46</sup>

It is clear from Wason's list of objections that, in addition to anger that Stuart, their preferred candidate, had been denied the Liberal candidacy, the Conservative taunts about Oswald's supposed connection with Roman Catholicism had provided another stick for his Liberal opponents to beat him with. Oswald attempted to defuse the issue, with some success in that it was not as pivotal as it had been with Cardwell, by saying that he approved of the Commission of Inquiry into the Maynooth Grant<sup>47</sup>. On the 9th of December at Galston, Oswald said that the original grant had been a mistake and that he would vote against it, were it to have been proposed at that time. He went on to

<sup>46</sup> Printed correspondence between Mr. Goudie and Mr. Wason, letter of 18.12.1854, Glasgow MSS., MS. SWB/4/185

<sup>47</sup> *Ayr Advertiser*, 30.11.1854, Oswald's Election Address

point out, however, that, with the country at war, this was not the time to stir up religious animosities, especially with nearly all of the 30,000 Irish garrison withdrawn to fight in the Crimea<sup>48</sup>. He used the war as a counter-argument again in his speech on nomination day, when he pointed out that there were Roman Catholics dying for their country in the Crimea and by referring to a letter from a Catholic Sister of Mercy who was treating British wounded.

All this, however, was not to prevent the Liberal split depriving him of victory. The anger against the Peelites on the part of Wason's group from Colmonell and Ballantrae, can be seen in the breakdown of the results of the poll held on 28th December 1854<sup>49</sup>.

Polling Place	Oswald	Fergusson	Majorities for Oswald	Majorities for Ferg.
Colmonell	5	87		72
Girvan	66	81		15
Maybole	88	126		38
Ayr	133	171		38
Cumnock	128	114	14	
Mauchline	135	130	5	
Galston	162	220		58
Stewarton	140	121	19	
Beith	88	143		55
Dalry	149	71	78	
West Kilbride	160	122	38	
Kilwinning	117	124		7
<b>Totals</b>	<b>1,381</b>	<b>1,510</b>	<b>154</b>	<b>283</b>

Number who voted: 2,891

Majority for Fergusson: 129

Fergusson's biggest local majority was precisely in the place where this group came from, at Colmonell. Blair had managed a majority of only 15 here in 1852. The effects of the split may well have affected the results in other areas also. The south of the county voted solidly for Fergusson, which Blair had not achieved. Cardwell had won at Girvan by 36 votes in 1852 and had enjoyed a substantially larger majority at Ayr.

<sup>48</sup> *Ibid.*, 14.12.1854

<sup>49</sup> *Ibid.*, 28.12.1854

It should be stressed that this was a Liberal *split*, and that Oswald was supported by the majority of Liberals in the county. At Kilmarnock on 15th December, Oswald read out a letter of support from Lord James Stuart for his campaign<sup>50</sup>. At the nomination on 26th December he was accompanied on to the hustings by such Liberal county stalwarts as James Campbell of Craigie, Bell of Enterkine, who proposed him, E.H.J. Craufurd, M.P., and Captain Fullarton of Overtoun, who seconded him.

In such a closely run constituency, however, even a small-scale split could make a big difference. This one is doubly significant as it reveals the divisions within the Liberal party caused by the arrival of the Peelites, their rejection, in other words, by Liberals of a more radical stamp who saw them as "possessors of broad acres". The objection, as the experience of the Cardwell candidacy indicates, was not to their move into the Liberal camp on grounds of principle as such, but rather to their assuming a leading role. The point in Wason's list of objections about not being able to forgive Oswald for rejecting the traditions of his family and the declaration, at the meeting of Liberal electors of Colmonell and Ballantrae parishes on 4th December, that they could not forget that this desertion of family principles had caused the defeat of the Liberal party when he himself was returned as a Tory, shows that old local sores and scores ran deep. As additional support they were welcome, but, to a section of Liberals, as feudal *leaders* of the Liberal camp, driving their tenants to the poll like oxen, they were not.

The *Ayr Advertiser* in its post mortem on the contest concluded:

'That there were superior organisation and arrangements on the part of the Tories, the result clearly proves. It shews what union and harmonious action can do against superior force divided and disorganised.'

The theme of a lack of organisation was hammered home by the paper in its account of its own reporting experiences during the campaign:

'The calculations of support on both sides were, we believe, at fault; but certainly most so on the Liberal side, and indeed this absence of organisation and arrangements continued throughout the Polling; so that, when we went to press at One o'clock, we had to rely chiefly on a return posted up by Sir James Fergusson's Committee, and it too proved erroneous.'

The paper concluded with:

'A word to the Liberal party. They have sustained an unexpected defeat, chiefly from want of organisation and discipline, without which no party can prosper, and unless

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<sup>50</sup> *Ibid.*, 21.12.1854

great improvement is made, defeat will be as certain on the next election as on this. The Tory party are better disciplined, perfectly unscrupulous in argument and assertion, and on this occasion had the benefit of some good cries ...

The Popery cry no doubt exercised a very considerable influence; and division among the Liberal ranks further weakened a party that cannot afford to be disunited. There need be no difficulty in gaining the County by the liberal interest if preparations are made in time, and if the party act as one man. It is not in the heat of an election that the work is to be done. It should be done *now*.<sup>51</sup>

More unity and a more developed organisation, therefore, was the message.

It is interesting that at this time the war did not play a significant role as an issue. The argument that Fergusson was on active service in a war which was expected, at the end of 1854, to go on for years, and that therefore a vote for Fergusson was really one to disfranchise the county, did not get in the way of his election. The performance of the Peelite Aberdeen government was not used against Oswald, who had pledged himself to support it, by his Liberal detractors. An indication of the opinions to be expressed on the subject of the war in the future, however, can be gleaned from an editorial on the collapse of the Aberdeen Cabinet:

'Lord Aberdeen has resigned, and the country is well quit of a quiet old gentleman unsuited to the times. The Czar, we daresay, will be very sorry at his fall; indeed he will be the Chief Mourner over the departed Cabinet. And if the wishes of the country are consulted, a new grief is in store for him and for other despotic Powers, in the selection of Lord Palmerston to carry on the War.'<sup>52</sup>

These themes, together with the circumstances of the next election in 1857, were to provide the glue to bring the Ayrshire Liberal party together. In Lord James Stuart, they also had a candidate with impeccable Reforming and Liberal credentials, who could unite those groups which had found it impossible to work together in 1854. Finally, the Conservative party itself was not united in 1857 as the following post-election comment makes clear:

'If the Conservative party would only take an example from the opposite party and drop all minor differences Sir James will be sure to carry the County next time in spite of Kelk, Bolland and Co..<sup>53</sup>

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<sup>51</sup> *Ibid.*, 4.1.1855

<sup>52</sup> *Ibid.*, 1.2.1855

<sup>53</sup> Andrew Scott to P. Boyle, 21.4.1857, Glasgow MSS., MS. SWB/1/3

The Liberals had the good fortune to be on the 'right' side of the issue of the 1857 election. As explained in Chapter 3, Palmerston's use of his defeat on the China question in the House of Commons to call an election wrongfooted the Conservatives and landed them in the position of being seen, as elsewhere in the country, as the unpatriotic party. One Conservative wrote that:

'... there seems such a mania for Palmerston at present, that one cannot count on many of those who were hitherto the staunchest of our party and particularly among commercial men ...'<sup>54</sup>

The reference to 'commercial men' shows that the echo of 'the right man in the right place', of Palmerston's effectiveness in appealing to the spirit of mid-1850s reform along business principles, had reached Ayrshire also.

Gratitude to Palmerston for 'winning' the war was a constant theme throughout the election. For instance at the close of the meeting held to declare the results of the poll, at the suggestion of Oswald, the crowd "gave three cheers for 'the Queen and Lord Palmerston'"<sup>55</sup>. What was serious for the Conservatives was that such a feeling extended to their own supporters.

'I must own that it is not to be wondered at that many of our party should have lost their former zeal for it when they see how Lord Derby and his colleagues allowed their judgements to be warped by their personal and party interests in the concluding proceedings of the last parliament: not to mention the satisfactory manner in which Lord Palmerston has conducted our affairs since he has had the direction of them.'<sup>56</sup>

Lord James Stuart's address made the most of this situation. Having expressed support for Palmerston's sanction of the acts of the British officials on the spot in Canton, went on to say:

'I think that the nation owes a debt of gratitude to Lord Palmerston for his conduct of the late war. He found matters in confusion, and the country, in consequence, excited and indignant. His energy carried the war through to a successful termination; and aided by Lord Clarendon, restored to us the blessings of peace.'<sup>57</sup>

<sup>54</sup> J. Ross jun. to P. Boyle, 28.3.1857, Glasgow MSS., MS. SWB/1/68

<sup>55</sup> *Ibid.*, 9.4.1857

<sup>56</sup> Sir Charles Lamb to P. Boyle, 27.3.1857, Glasgow MSS., MS. SWB/1/23. Lamb was explaining why he was not coming to Ayrshire to vote.

<sup>57</sup> *Ayr Advertiser*, 19.3.1857, Lord James Stuart's Address to the Electors of Ayrshire, 16.3.1857

The contrasting point of view offered by Sir James Fergusson in his address was not likely to appeal to patriotic county gentlemen and, anyway, lacked the clarity of 'defence of the flag'. He saw the resolutions on the 'Arrow' affair in which the Government had been defeated as:

'... condemnatory of the conduct of those who had thus drawn on the country, for a trifling, and, as it seemed, an unjust quarrel, the weight and responsibility of commencing a war, which can only fail to be burdensome and expensive, should the weakness of the Chinese compel them to submit to our demands.'

and went on:

'I felt no doubt or hesitation in giving my vote in condemnation of the course pursued by the British agents in China.'<sup>58</sup>

This, however, was for public consumption. To his uncle, Patrick Boyle, Fergusson wrote on the 11th of March:

'I am sorry again to have offended your opinions with regard to the China question - and can only say in justification of my reference to it in my address - that Lord James having made it the chief point in his opposition to me - I was forced to uphold my conduct ... '<sup>59</sup>

Fergusson's realisation of the weakness of his position led him by the 17th of March to soften his position somewhat. Addressing electors in Ayr he said:

'I can only say for myself, that had Lord Palmerston in the House of Commons promised to do what he has done now, disapprove of the recklessness of the minister who led us into the war upon such trivial grounds, and stated that he would send out a plenipotentiary who would make peace as soon as peace was possible, and that he would send out a force to guarantee that the representative of England would be supported in the struggle, I would never have given my vote against the Government, and the ministry would not have appealed in vain to the patriotism of the House of Commons.'<sup>60</sup>

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<sup>58</sup> *Ibid.*, Sir James Fergusson's Address, 10.3.1857

<sup>59</sup> Fergusson to P. Boyle, 11.4.1857, Glasgow MSS., MS. SWB/1/17

<sup>60</sup> *Ayr Advertiser*, 10.3.1857

This did not prevent others questioning his patriotism. His war record in the Crimea was at best forgotten:

'There is none of "The Heights before Sebastopol" romance to ring the changes upon in the impending contest; and bereft of the over-generous impulses which attended the development of the war spirit among the worthy yeomen of Ayrshire two years ago, we beg to condole with him in the minority which may now cling to his falling fortunes.'<sup>61</sup>

The *Ayr Advertiser* in analysing Fergusson's record in Parliament found him to have voted "with scrupulous regularity" with Disraeli and to have been:

'... doing the very utmost in his power, at the call of party, to upset the government; and to put in a party who mismanaged the war; and who have hitherto blindly resisted every measure of national reform. ...

On the Turkish loan, on his return from the Crimea, he gave a vote which we should never have expected from a member for Ayrshire, and particularly from a military man. He knew the hardships his comrades were then exposed to, and yet he joined a faction to prevent reinforcements being sent out to them - and this at the risk of endangering our alliance with France, ...'<sup>62</sup>

The theme was taken up again by Stuart's chairman at a meeting held at Mauchline on 21st March. This gentleman, a Mr. Smith, accused Fergusson of deserting his comrades before Sebastopol to return to take up his seat, and likewise of voting against the Turkish loan, which was intended to enable the Turks to send troops to relieve his comrades.

Fergusson's defence of his vote on the Turkish loan (that he did not trust the Turks to administer the money and had voted for the Turkish contingent, which was to be British administered) cannot have helped greatly to stem the attempts to portray him as lacking in patriotism. He offered more ammunition to Stuart's campaign by his condemnation of the Government's action in the short war against Persia, at the meeting on 17th March in Ayr referred to above. This was done in the context of the probable cost of this and the expected Chinese war, and of his pledge not to vote for the continuation of the income tax beyond 1860. A letter from "A Lover of Truth" pointed out that, on this subject of the Persian conflict, he was out of step with members of his own party. Lord Ellenborough had supported the action of the Government of India in

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<sup>61</sup> *The Ayrshire Express*, 21.3.1857

<sup>62</sup> *Ibid.*, leader

resorting to hostilities to prevent the occupation of Herat, which was apparently at the heart of the matter.

Fergusson, unable, therefore, to play the patriotism 'card', found also that the religious 'cry' was turned against him this time and, most serious of all, by his own supporters as well as by the Liberals.

For his own supporters the problem was his vote for the Lord Advocate's 1856 Parish Schools Bill. As explained in Chapters 3 and 4, this was the last in a series of measures which failed partly because of the strong opposition of the Established Church of Scotland to having its parish schools system tampered with. In 1856 James Moncreiff brought in a Bill which was more restricted in scope than his previous attempts to establish a national system. This Bill proposed abolishing the test, which restricted the choice of parish schoolmasters to those who were members of the Established Church, but left the appointment and ultimate jurisdiction over teachers in Established Church hands. Fergusson, breaking ranks with his party in the Commons, declared himself favourable to the Bill, saying that, as it would be possible to have a test for the general Presbyterian character of teachers, he was happy to have the old test abolished<sup>63</sup>. C.L. Cumming Bruce, M.P. for Banffshire and a leading Scottish Conservative, immediately attacked him for substituting one test for another and for abandoning the Established Church<sup>64</sup>.

Cumming Bruce's opinions found support in Ayrshire the following year.

'... the support which he gave to the Lord Advocate's Education Bill, which, if it had passed, would have severed the connection between the church and the Parochial Schools ... renders it impossible for me to support Sir James consistently with my convictions and opinions in reference to that subject ...'<sup>65</sup>

And in much the same vein:

"My lukewarmness towards Sir James was induced by other proceedings as well as the Education Bill, altho' it was the one I objected to most."<sup>66</sup>

Apparently Fergusson made public a change of mind on this subject within days of these expressions of opinion because some of the same writers can be found later saying they would support Sir James<sup>67</sup>. The damage, however, had been done and

<sup>63</sup> *Hansard*, Third Series, vol. 141, 2.6.1856, cols. 886-888

<sup>64</sup> *Ibid.*, cols. 888-890

<sup>65</sup> Rev. A. Johnstone to P. Boyle, 27.3.1857, Glasgow MSS., MS. SWB/1/43

<sup>66</sup> Lord Pemberton to P. Boyle, 28.3.1857, quoting a letter he had had from a Mr. Somerwell, Glasgow MSS., MS. SWB/1/38

<sup>67</sup> See, for example, Rev. A. Johnstone to P. Boyle, 30.3.1857, Glasgow MSS., MS. SWB/1/40



Fergusson must have had to spend time shoring up his own support on this issue instead of taking the fight to the Liberal enemy.

For the Liberals, Stuart, at Ayr on the 24th of March<sup>68</sup>, stated clearly, unlike Oswald in 1854, that he would not vote for the withdrawal of the Maynooth Grant. He pointed out the willingness of the Irish to come forward to serve in the army and referred to the conspicuous number of Irish names in the lists of those killed and wounded in the Crimean War.

A letter from "An Elector" took the argument further. It pointed out that Catholics made up only one quarter of the population of the United Kingdom, but were forced to contribute to Protestant religious purposes and concluded that it would be unjust to continue this at the same time as withdrawing the Grant. Probably a Voluntary, the writer concluded by blaming the whole system of endowments. The letter went on, however, to say that:

'Everyone in the least acquainted with the events of recent years must know that our great danger from Popery is through the Puseyite section of the Church of England.'

Nine tenths of all moves from Protestantism to 'Popery' were, this 'Elector' said, from that section of that Church. Derby and Disraeli were accused of associating themselves with it:

'... the most ominous circumstance is the well known fact, that a coalition is on the eve of being formed between Lord Derby's party and Mr. Gladstone, the ablest and most insidious Puseyite in England, already half-way to Rome.'<sup>69</sup>

The letter concluded by saying that this was the party which Fergusson was going to support. The irony was that this was the same argument that had been used by the Conservatives against Cardwell in 1852, namely that he had been tinged with Puseyism and therefore was close to Catholicism. Disraeli appears to have been a vote loser for Fergusson in Ayrshire. In addition to the apparent co-operation with Gladstone at this time, his flirting with the Irish vote in Parliament, for example, added to his reputation as an unreliable leader when it came to religious issues at this time<sup>70</sup>.

'I trust that there will not be any hanging back or coolness on the part of anyone calling himself a Conservative, although I saw a letter from Hunter of Hunterston rather in that humour.'

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<sup>68</sup> *Ayr Advertiser*, 26.3.1857

<sup>69</sup> *Ibid.*

<sup>70</sup> See, for example, Robert Blake, *The Conservative Party from Peel to Churchill*, London 1970, p. 87

... I think if James, who did before fight the battle at so much expense, and is now going to do it again entirely himself, with a view of keeping the County for the party, is now to be deserted by friends because he may have given one vote that they did not like, or because he is not strong enough in his politics for them, it will be very hard indeed. As well may some on the other hand say, as Col. Mure said to me today, that he has identified himself too much with D'Israeli's party to enable them to support him. I have no doubt a number will think this who, however, will not desert the cause on that account. And neither ought men who think like Hunterston.<sup>71</sup>

The message here is that Col. Mure, a Peelite Conservative, might be expected to say this about Disraeli<sup>72</sup>. There were, however, a number of Fergusson's Derbyite supporters who felt the same way.

As was seen above, Fergusson, in voting with Disraeli, was accused of doing everything in his power, "to put in a party who mismanaged the war". This was a reference to the Peelites who had served in the Aberdeen Ministry, had left Palmerston's shortly after its formation and were now partly responsible for Palmerston's defeat over the China question. Fergusson saw things in a different light. In his Address he said:

'But with regard to this point, I would say, that I can see nothing either extraordinary or improper in a community of action between the Conservative Opposition in Parliament, and those gentlemen who, formerly belonging to the same party, separated from it by their concurrence in the Free Trade policy of Sir Robert Peel in 1846, to which, in 1852, with few exceptions, the present Parliament expressed their unanimous adhesion.'

His hope was obviously was that, with Protection dead, the Conservative party, encouraged by such acts of co-operation, would reunite at Westminster and that that would lead on to a reunification of the Ayrshire party. Privately he was saying the same thing to leading County Conservatives:

'I do agree with you that leaders of the Conservative party have now abandoned the leading principles which formerly distinguished them. Their justification is that it is useless to press views which cannot command a majority and would alienate some of their supporters - I am clear that it would never do to give up essential principles to

<sup>71</sup> James Hope to P. Boyle, 13.3.1857, Glasgow MSS., MS. SWB/1/118

<sup>72</sup> Mure refused to vote for Fergusson again in 1859 and was blamed at that time by the latter for helping to lose the county in 1857. See Sir James Fergusson to Sir William Jolliffe (Conservative Chief Whip), 27.9.1859, Hylton of Amerdown MSS., MS. DD/HY/18/2

secure the support of Gladstone and Co. - but still I think we cannot afford to lose any votes - far less the aid as such talent as his, if he will subscribe to our policy.<sup>73</sup>

Local Peelites remained unmoved by attacks on their nationally prominent colleagues, however. Their support for the Liberal candidate is revealed by the attack Fergusson made on the way that Stuart had been presented to the constituency. He identified the signatories of the notice publicising Stuart's candidacy as factors and objected to aristocratic influence being used to help any candidate. Liberals, as the *Ayr Advertiser* pointed out, very likely found this a disingenuous argument:

'Liberal Electors do not need to coerce their Tenants. Let the Tories take off the screw, and give their tenants leave to vote independently, and the majority would be something like that for Richard Oswald (the first M.P. for Ayrshire after the Reform Act). The *screw* was invented *after* his return.'<sup>74</sup>

Chairman Smith, at Stuart's meeting at Mauchline on the 21st of March, responded more specifically to the attack on "Factorial Influence", and to Fergusson's question as to who two of the signatories, Captain Boland and David Campbell, were. Campbell was the representative of Alexander Oswald, the Peelite former M.P. Boland was commissioner for the Duke of Portland, and, Smith assured his listeners, in playing the role he was taking in the election of canvassing for Stuart, he was following the wishes of his employer against which there was no law. Portland was presented as returning to the Whig traditions of his family<sup>75</sup>.

Another person who fits into this category was Captain Blair of Blair, who proposed Stuart at the meeting which selected him in Ayr on 17th March<sup>76</sup>. Fergusson on the nomination hustings referred to the breaking of old traditions when he expressed regret at being on the opposite side from Captain Blair, whose father had proposed his father in pre-Reform Act days. Fergusson specifically charged Blair with changing his vote<sup>77</sup>. The Earl of Glasgow, writing at the time of the contest in late 1859, makes clear that the local Peelites were not shaken from their alliance with the Liberals by the events following the collapse of the Aberdeen Government and the Crimean War. Fergusson had complained that Glasgow supported Sir Michael Shaw Stewart in Renfrewshire, while at the same time opposing him. This was despite the fact that, as Fergusson claimed, both had the same political opinions. In response Glasgow reminded Fergusson that Stewart had said in his Address that he was independent of Party and

<sup>73</sup> Fergusson to P. Boyle, 11.4.1857, Glasgow MSS., MS. SWB/1/17

<sup>74</sup> *Ayr Advertiser*, 26.3.1857

<sup>75</sup> *Ibid.*

<sup>76</sup> *Ibid.*, 19.3.1857

<sup>77</sup> *Ibid.*, 31.3.1857

that he had stayed true to that pledge by giving pretty general support to the Palmerston Ministry. Glasgow made it clear that Fergusson's record displayed too little patriotism for his liking and that the fact that he was clearly a Derby supporter was enough to justify opposing him.

'... many thought that they saw reason to expect that you would support Government, particularly on questions connected with the war in which we were then engaged. Soon after your Return to Parliament, however, your opinions seem to have undergone a considerable change, for, if I mistake not, you joined in Mr. Disraeli's opposition to measures which Government thought necessary for the better carrying on of the war, and I think that, among others, you voted against the Foreign Enlistment Bill, and against guaranteeing the Turkish Loan. As time passed, you seemed to be drawing nearer to Lord Derby's party, and at length, as if to remove any doubt that might still be entertained of your having given in your adhesion to it, you dined at the Parliamentary dinner given by Mr. Disraeli on the day before the opening of the Session - an occasion on which it is well understood that political adherents alone are invited. Therefore, considering you to be a member of Lord Derby's party, I have opposed you in this County, and shall continue to do so.'<sup>78</sup>

Fergusson on the nomination hustings gave some idea of the tide he was swimming against:

'Now, gentlemen, I can only say that it is a known fact, and I cannot be contradicted in stating it, that many of the tenants of the Duke of Portland, who have supported the Conservative side all their lives, wish that they could support it now. ... If it is denied I will tell you something more; and that is, that within the last few days a tenant of the Duke of Portland came to me and said that he wished to vote for me; that he voted for me last time; but that he dared not vote for me on this occasion ... Gentlemen, that man told me he would lose his farm if he voted for me; ...'<sup>79</sup>

Portland was associated with those Peelites who had supported Cardwell and Oswald in alliance with the Liberals, as we have seen. The *Ayr Advertiser* specifically rejected the claim that Portland had been neutral in 1854 and denied any substance in the charge:

'... that the Duke has changed to Liberalism since the last election, and expects his tenants to change so suddenly with him!'<sup>80</sup>

<sup>78</sup> *Ibid.*, 6.10.1859, letter of 1.10.1859

<sup>79</sup> *Ibid.*, special edition, 31.3.1857

<sup>80</sup> *Ibid.*, 26.3.1857

'Persuasion' of voters certainly took place, but the important point is the pressure which Fergusson was under from this group of local Peelites who refused to forgive him his voting record or his Derbyism.

One Conservative, in dealing with this subject of coercion, mentioned an additional source of strength that Stuart appears to have had:

I suspect that both the Duke and Lord James in his nephew's home must have put on the screw with undue pressure. The change is very great at the places where their tenants chiefly vote.<sup>81</sup>

This refers to Stuart's wardship on the Bute estates, which in former elections had been a source of strength to the Conservatives.

Stuart succeeded in holding the loyalty of the Peelite group without losing the support of others, a feat which had eluded Oswald. At a meeting at Prestwick on 19th March, for instance, a Mr. McLelland, who declared himself to be a Chartist and a supporter of the six points, said he was prepared to meet someone like Stuart who was prepared to come part of the way. Stuart's support for the Ballot, three to five year parliaments, and for an unspecified extension of the franchise, including sympathetic consideration for the aims of those agitating for a 40 shilling freehold franchise in Scotland, helped to secure the more 'advanced' wing of the Liberal party to his cause<sup>82</sup>.

The result of the poll on 2nd April<sup>83</sup> showed defeat for Fergusson by what he himself admitted was a considerable majority.

Polling Place	Stuart	Fergusson	Majorities for Stuart	Majorities for Ferg.
Colmonell	61	65		4
Girvan	62	87		25
Maybole	90	138		48
Ayr	178	170	8	
Cumnock	171	104	67	
Mauchline	161	120	41	
Galston	233	160	73	
Stewarton	166	127	39	

<sup>81</sup> Robertson Glasgow to P. Boyle, 10.4.1857, Glasgow MSS., MS. SWB/1/7

<sup>82</sup> *Ayr Advertiser*, 26.3.1857

<sup>83</sup> *Ibid.*, 9.4.1857

Beith	96	142		46
Dalry	147	74	73	
West Kilbride	182	120	62	
Kilwinning	116	151		35
<b>Totals:</b>	<b>1,663</b>	<b>1,458</b>	<b>363</b>	<b>158</b>

Number who voted: 3,121

Majority for Stuart: 205

The south of the county remained Conservative, but the vastly reduced majority at Colmonell, compared with 1854, confirms that Wason and his supporters had returned to the Liberal fold. Fergusson had also 'lost' Ayr and surrounding parishes and Galston, where a majority of 58 for Fergusson in 1854 had been turned into one of 73 for Stuart this time. These may have been the places he was referring to when he said that:

'Public opinion it may be, but I do not think that the change which has taken place at two of the largest polling places in the county on this occasion has been caused by any change in public opinion.'<sup>84</sup>

Fergusson's only successes were at Maybole in the south and Kilwinning in the north, both traditionally Conservative, but both were due to more voting Conservative than to any drop in Liberal support.

Fergusson, in his post-poll message to his supporters, was clear about what he thought had caused his defeat:

'I have, without fear of the consequences, refused to bow to the pressure of the day; and considering that I could not in honesty concur in Lord Palmerston's foreign policy, I have not hesitated to express my disapproval of it. ...

The votes that have chiefly contributed to place me in a minority have been gained by most unusual influence used in certain quarters, by which most of the Tenants on two large properties have been induced, on this occasion, from motives into which I can readily enter, and with which I deeply sympathise, to support, reluctantly, a Candidate of opposite opinions. I have had to face the personal opposition and interference exceeding, as I think, all established and constitutional custom, of one

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<sup>84</sup> *Ibid.*, speech at the declaration of the poll

great Peer; as well as the influence, vigorously exercised, of several proprietors, whose conversion to Liberal politics has been recent.<sup>85</sup>

The motives of the tenants to which he refers were their fears of eviction.

As we have seen, this 'conversion', on the part of most, was not all that recent, and if Fergusson thought that the patriotism issue was the source of all his problems, then he was mistaken. The split over Free Trade was still playing itself out. Patriotism, as the Earl of Glasgow's letter illustrates, may well have helped to confirm local Peelites in their support for the clearly Liberal candidate on this occasion. The Conservatives' difficulty is illustrated by Stuart's quotation from Wellington at the nomination on the duty of governments being to support their agents in far-flung places. Stuart, in addition, took 53.3% of the vote, as against Oswald's share of 47.8% in 1854, in a poll which had increased by 8% compared with 1854. It seems safe to assume that the patriotism issue also won over former Conservative voters who were not subject to 'persuasion'.

The question remains, to what extent the splintered coalition of Liberals and Peelites had become a party by 1857?

Certainly the Liberals had 'the right man' in 1857 and 'the right cry'. They therefore enjoyed the unity which had eluded them in 1854. The meeting which selected Stuart was not just a meeting of the Ayr Liberals this time, but of Liberal electors from across the county. The different 'wings' of Liberalism were represented, with, for instance, Rigby Wason and Alexander Oswald, such bitter opponents in 1854, being present. Lists of the programme of meetings which Stuart undertook all over the county were published, but then in 1852 and 1854, one of the candidates had not been present, which made this less pressing a matter. Still, it was pointed out that:

'Personal canvassing is now very properly superseded by public addresses; and his (Stuart's) public addresses were numerous, convincing, and in excellent taste.'<sup>86</sup>

There is an impression, however, which the elections of 1859 confirm, that the different parts of the Liberal party, were still settling down with each other<sup>87</sup>. The Peelites had not all become Liberals in the sense that Alexander Oswald had. Lord Coleville wrote in advance of the General Election of 1859 that:

<sup>85</sup> *Ibid.*, notice of 4.4.1857

<sup>86</sup> *Ibid.*

<sup>87</sup> The General Election that year was uncontested in Ayrshire. At the by-election in October caused by the death of Lord James Stuart Fergusson beat James Campbell of Craigie.

'Everybody seems to consider that in addition to the little hope of success it would be bad policy to run counter to Lord Glasgow on this occasion as he is evidently "coming round" and he has it in his power to get up an opposition to Sir. M. S. Stewart in Renfrewshire as well as to give strong opposition to our Candidate in Fifeshire.'<sup>88</sup>

The need not to push the Peelites, or by now Independent Conservatives, into the arms of the Liberals was a consideration in this case in deciding not to run a candidate. This was especially so as antagonising Lord Glasgow could have had knock on effects, as Lord Coleville made clear, in Renfrewshire and Fife. Such thoughts were not, however, limited to Lord Glasgow himself. Peter Blackburn, Conservative M.P. for Stirlingshire and a member of the Derby government, wrote to relay the views of the Lord Advocate, David Mure, who had refused to stand:

'Mure's argument against trying the county is that it binds the Bute and Glasgow tenantry to the Whig side, and that it will be much more difficult to get them round afterwards; but though there may be some force in this, I think the advantage of keeping your friends together, and having a head far counterbalances this and I regret excessively that he did not start.'<sup>89</sup>

Politics to David Mure was, in other words, a habit-forming business and he saw no point in helping to further cement the Ayrshire Liberal party together by putting it through the fire of a contest. Blackburn's argument about keeping the party together and providing it with a lead was not listened to here. Mure, and those who thought like him, obviously thought that the greater danger was in permanently losing these former supporters among the tenantry to the other side.

The evidence suggests that the Conservatives were probably still the better organised party. A sub-committee, for instance, of the County Conservative Committee was appointed during the election to take more immediate control of the canvass<sup>90</sup>. After the election was over the *Ayr Advertiser* commented on Conservative tactics during the poll:

'It was evident from the early returns that the Conservatives were practising their accustomed and clever tactics of causing their voters to be brought with a rush to the poll - which has two certain advantages: first, that showing an advance on the state of

<sup>88</sup> Lord Coleville to P. Boyle, 13.4.1859, Glasgow MSS., MS. SWB/1/100

<sup>89</sup> Peter Blackburn to P. Boyle, 11.4.1859, Glasgow MSS., MS. SWB/1/105. David Mure was Col. William's brother. He was elected M.P. for Buteshire in 1859.

<sup>90</sup> *Ayr Advertiser*, 26.3.1857



the poll, it gives encouragement and may decide waverers; but secondly, and of even more importance, it gives a certain account of those actually polled, and *concentrates the whole energies of agents and emissaries on the unpolled men*. But though it might show clever tact to bring up their voters early, on the part of the Tories, it showed decidedly bad policy to put up at their Committee Rooms *false* returns, when they saw the day going against them.<sup>91</sup>

As was suggested earlier, perhaps being at such a disadvantage in the County drove the Conservatives to better organise themselves. Organisation involved working the registers, getting voters to the poll efficiently and canvassing. All this the Conservatives did and apparently on a shoe-string budget. Peter Blackburn, for instance, had to report that he could not get any money from the Carlton Club fund for Ayrshire in 1859 but that he could send £25 on his own account<sup>92</sup>.

The Ayrshire Liberal party may not have had the organisational edge in the later 1850s, but it more than made up for this, at least until Lord James Stuart's death in 1859, in having the right candidate, the right positions on the issues, and in the new partners it worked with as a result of the split in the Conservative party. This extended coalition of partners, who were often uncomfortable with each other, used the same organisational committees to ensure the return of a common candidate in 1857, who described himself as having been:

'... informed that my friends think that I am more likely to unite the various sections of the Liberal Party than any other individual, ...'<sup>93</sup>

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<sup>91</sup> *Ibid.*, 9.4.1857

<sup>92</sup> Peter Blackburn to P. Boyle, 11.4.1859, Glasgow MSS., MS. SWB/1/105

<sup>93</sup> *Ibid.*, 26.3.1857, Lord Stuart at Prestwick, 19.3.1857

## CHAPTER 8

### A SINGLE BURGH CONSTITUENCY : EDINBURGH

The intention of this chapter is to provide a case study of a struggle to control the Liberal party in one constituency, Edinburgh, which was in some ways representative of what was happening elsewhere in urban Scotland and in others was in advance of, or gave the lead to, other burgh seats.

Politics in a constituency like Edinburgh was very different from the situation in a smaller burgh district like Falkirk in that there was more room, given the absence of a credible Conservative challenge, for different elements within the Liberal party to demand their share of the representation and therefore of the influence over the Liberal party locally that went with it. Edinburgh, with a population of 132,977 in 1841, 168,121 in 1861 and 196,979 in 1871 after the Second Reform Act, was furthermore, big enough to have that differentiation in sufficient numbers between different classes and occupation groups which made possible the existence of powerful competing groups within the Liberal party<sup>1</sup>.

If any one person was associated with the struggle for the Liberal soul in Edinburgh it was Duncan McLaren. Other historians have recognised his central, almost symbolic role. William Ferguson wrote that:

'McLaren's career typified in many ways the frustration of middle-class Manchester style radicalism, with its passion for constitutional reform, its resentment of privilege whether lay or ecclesiastical, its belief in free trade and unfettered capitalism, and its inability to form a party which could turn its hopes into acts of parliament.'<sup>2</sup>

A further example is J.D. Mackie, who in his chapter on 'Victorian Scotland' mentions only one mid-Victorian Scottish Liberal by name, Duncan McLaren. Discussing the Reform movement he says:

'From 1853 on, Scottish members, led by Duncan McLaren, brother-in-law of John Bright, were demanding what was practically a manhood suffrage, a secret ballot, and a re-distribution of seats; and it was by their adhesion (on this matter alone) to Disraeli that he carried his Reform Bill of 1867.'<sup>3</sup>

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<sup>1</sup> Statistics for the parliamentary burgh. See *P.P. (Accounts and Papers)*, 1883, vol. LIV, pp. 354-355

<sup>2</sup> William Ferguson, *Scotland, 1689 to the Present*, Edinburgh 1968, p. 322

<sup>3</sup> J.D. Mackie, *A History of Scotland*, Harmondsworth 1978, pp. 335 + 337. McLaren's biographer, J.B. Mackie, being such a close relative, there might be cause to say this is not surprising, but both references to McLaren are

If McLaren was the figure most associated with this struggle, then Edinburgh also had an almost unique issue, the Annuity-tax, which provided the dynamo for the development of the middle-class Dissenting radicalism which McLaren headed<sup>4</sup>. This tax, which dated from the reign of Charles I, was calculated to be objectionable to the city's Voluntaries:

'It was, in brief, a personal tax of six per cent levied on the occupiers of houses and warehouses to provide salaries for the city clergy.'<sup>5</sup>

To rub salt into the wound there were numerous exemptions to the payment of this tax, including "the entire legal profession"<sup>6</sup>, in other words, not only those most concerned with its enforcement, but also those who represented politically the Liberal 'establishment' in Edinburgh which people like McLaren were trying to supplant.

Lastly, the economy of mid-Victorian Edinburgh supported a large variety of trades and an artisan class which, by the end of this period, was to make its presence very much felt in Liberal politics. Interesting here is the fact that these artisans did so only slowly and in a constituency in which the proportion of professional and middle-class inhabitants was higher than elsewhere in Scotland. Writing of the trades council movement in this period in Edinburgh, Ian MacDougall describes the situation as follows:

The much higher proportion in Edinburgh than in Glasgow of such tradesmen as cabinetmakers, upholsterers and french polishers was no doubt a consequence of the relatively high proportion in the capital of middle class and professional people, a notable feature of its class structure. As the ecclesiastical, legal and administrative centre of Scotland, it contained more ministers of religion than Glasgow, more physicians and surgeons, and two-and-a-half times as many members of the legal profession. The abundance and organisation of some of these middle class elements seems occasionally in the earlier part of the period 1859-73 ... to have inhibited the council from taking action as a pressure group. The abundant middle class presence in

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substantial pointers to his political significance. McLaren was in fact an M.P. only from 1865. See below.

<sup>4</sup> A similar tax was also levied in Montrose.

<sup>5</sup> J.B. Mackie, *The Life and Work of Duncan McLaren*, vol. I, London 1888, p. 178

<sup>6</sup> All members of the College of Justice were exempt which, according to Mackie, included everyone from judges to clerks.

the city may also have enlarged the desire of some of the delegates to the trades council to demonstrate their own "respectability".<sup>7</sup>

In this mixture of classes conditions were just right for forms of co-operation to develop between businessmen like McLaren, owner of an Edinburgh drapery business, and the city's artisans, both groups pushing in the 1860's for the parliamentary reform that they thought would bring them the political power to effect the changes they wanted. It is outwith the scope of this chapter to deal with the divergence of interest that took place thereafter.

This chapter then describes the nature of the problem McLaren faced, what Ferguson called an "inability to form a party which could turn its hopes into acts of parliament", by looking at the 1840's and early 1850's. It is argued that, rather than trying "to form a party", McLaren was aiming at taking over the Edinburgh Liberal party. It then goes on to look at the solution McLaren found in the later 1850's and 1860's.

General political developments in Edinburgh between 1832 and 1852 have been well covered by Jeffrey Williams in his thesis on the subject<sup>8</sup>. What follows is a more specific analysis of the politics of what was happening inside the Edinburgh Liberal party, concentrating especially on Duncan McLaren's role, his strategy and goals.

The focal point of this earlier period is the defeat of T. B. Macaulay, the city's nationally prominent Whig member at the general election of 1847. Williams agrees in seeing this as the result of Macaulay's attitudes to the two central questions which moved the Edinburgh electorate at this time, namely Free Trade and the Maynooth Grant. Moreover, his national reputation did not help him much in Edinburgh where he was perceived as distant and uncaring. Cockburn saw this as being more important than any one issue and commented that:

He cares more for his History than for the jobs of his constituents, ... It was this, and not Maynooth that gave Macaulay trouble.<sup>9</sup>

J.D. Marwick, another contemporary, commented that he was aloof:

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<sup>7</sup> Ian MacDougall (ed.), *The Minutes of Edinburgh Trades Council, 1859-1873*, SHS Fourth Series vol. 5, Edinburgh 1968, pp. xvii-xviii

<sup>8</sup> Jeffrey C. Williams, 'Edinburgh Politics, 1832-1852', unpublished Ph.D. thesis, University of Edinburgh 1972

<sup>9</sup> Henry Cockburn, *Journal, 1831-54*, vol. II, Edinburgh 1874, pp 158-159

'... except on the occasion of recurring Parliamentary elections, when, according to Mr. (afterwards Lord) Neaves, he visited Edinburgh with his "septennial supercilious smile," ...'<sup>10</sup>

Even Macaulay himself appears to have doubted his fitness to represent Edinburgh. Writing in response to the original suggestion that he should stand for the city in 1839 he said:

'I should during half the year be at leisure for other pursuits to which I am more inclined and for which I am perhaps better fitted and I should be able to complete an extensive literary work which I have long meditated.'<sup>11</sup>

Duncan McLaren was Macaulay's most prominent opponent in 1847. The history of their conflict, so important for the Edinburgh Liberal party of the 1840's, had a history going some years before 1847 and it is worth noting in describing it, that, whatever his convictions on an issue like the Corn-Laws or Maynooth, there was also a mixture of personal and class frustration and ambition in McLaren's course of action. He, and no doubt many of the people he represented, had in political terms the proverbial 'chip on the shoulder'.

McLaren had started political life by being elected to the reformed Edinburgh Town Council in 1833. There he had been particularly associated with the efforts of Adam Black to put the city's finances, left in a parlous state by the pre-Reform Council, back on a sound footing. Black and McLaren were both Voluntaries, McLaren was Black's successor as City Treasurer, indeed, one might say that in the 1830's they were both Whigs:

'Of all his colleagues in the Town Council, he felt most drawn to Adam Black. As a young man he had conceived a great admiration for this doughty champion of Reform in pre-Reform days, and this admiration, strengthened subsequently by years of close and friendly co-operation, remained with him, notwithstanding later differences, till the day of his death.'<sup>12</sup>

McLaren had also been a welcome contributor to *The Scotsman* during this period, at least until he took offence at being offered remuneration for his work<sup>13</sup>. This was just

<sup>10</sup> Sir James D. Marwick, *A Retrospect*, Glasgow n.d., p. 28

<sup>11</sup> T.B. Macaulay to ? (Adam Black?), 15.5.1839, Macaulay/Black Correspondence, MS. 3650 (iv), ff. 43-44

<sup>12</sup> J.B. Mackie, *Life of Duncan McLaren*, *op. cit.*, vol. I, p. 89

<sup>13</sup> *Ibid.*, p.155. Relations with *The Scotsman* were to go from bad to worse when Charles McLaren was replaced as editor in 1848 by Alexander Russel. The feud between Duncan McLaren and Russel reached its peak with the 1856 libel trial

one aspect of the breach which opened up between McLaren and the Whigs in the early 1840's. His biographer sees this in the positive light of political maturation:

'Mr. McLaren's Liberalism broadened and ripened with his growing experience and with the development of the political power of the people. It welcomed the liberation of the Evangelical party from state control, and appreciated the impulse to reform, operating first on social questions, which the Free Church brought with it into the civic and national life. It received stimulus from contact with the robust and aggressive Liberalism that originated and sustained the Anti-Corn-Law agitation.'<sup>14</sup>

Looked at in another light, it is possible to see the effects of political frustration at play, both on the grounds of Free Trade and of religion, for McLaren and also for the Voluntaries of Edinburgh he represented. Adam Black's defeat for the Lord Provostship in 1840 certainly left its mark. Black was defeated, in his contest against the Non-intrusionist Churchman Sir James Forrest because he was a Voluntary:

'... it so happened that the majority of the Council at the time were Tories and Churchmen, and the cry of 'The Church in danger' with such men as Dr. Chalmers and Hugh Miller to back it, proved irresistible. The Non-Intrusion party, though mostly Liberal in politics, for this time allied themselves with the Tories, on the 'fundamental principle', to use the words of the *Witness*, 'that all considerations of secular politics should be rendered subordinate to the cause of the Church'.<sup>15</sup>

McLaren was subsequently chairman of a committee that organised a banquet in Black's honour at which it was resolved to continue the struggle against the discrimination he had run up against<sup>16</sup>. It is noticeable that the appreciation of the Non-intrusionists, referred to above, only began after the Disruption. Prior to 1843 McLaren, like other Voluntaries, was at best suspicious of the Non-intrusionists. What must have riled on the occasion of this banquet was, however, the fact that Edinburgh's prominent Whigs stayed away. Even *The Scotsman* found fault with this:

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which McLaren won. This was brought on the basis of comments made against McLaren using Sir William Johnston's words of 1852 about him being 'a cold little snake'. See below and also Charles Cooper, *An Editor's Retrospect*, London 1896, p. 257

<sup>14</sup> *Ibid.*, p.158

<sup>15</sup> Alexander Nicholson (ed.), *Memoirs of Adam Black*, Edinburgh 1885, pp. 106-107. Hugh Miller was editor of the Non-intrusionist *Witness* newspaper.

<sup>16</sup> J.B. Mackie, *Life of Duncan McLaren*, *op. cit.*, vol. I, p. 126. Black was elected Lord Provost in 1843 after the Disruption removed the solid block of Church opposition to a Voluntary becoming Lord Provost.

"We regret to find that some of the Whig lawyers whose attendance might have been expected absented themselves. The timorous and fastidious spirit which dictated this conduct does them no honour, and augurs ill for the future prospects of the Liberal party."<sup>17</sup>

The problem for McLaren's relations with the Whigs was that he saw a deeper motive. Reacting to this interpretation much later, he wrote that:

"The general feeling at the time was that there were hopes on the part of the Whig leaders that Government would yield to such an extent to the claims of the Non-Intrusionists as would prevent any disruption, and would make that party supporters of the Liberal Government in all time coming. It was said that Fox Maule ... and Mr. Rutherford ... were the chief negotiators in this matter, and that their influence kept away the leading Whigs from the dinner, lest their appearing in support of Mr. Black and the Dissenting interest might injure the negotiations."<sup>18</sup>

From McLaren's point of view, therefore, and probably in the opinion of many of his fellow Edinburgh Voluntaries, their interests were to be sacrificed by the Whig politicians whom they had been supporting to the greater good of these same politicians securing support from another, Non-intrusionist quarter.

Such early causes of dissension between McLaren and the Whigs were brought to full fruition by the Anti-Corn Law agitation. McLaren first met Richard Cobden in 1840 and was shortly afterwards made a member of the Council of the Anti-Corn-Law-League. He was chairman of the meeting held during the Conference of Anti-Corn-Law delegates in London in February 1842 which, in response to Peel's announcement of the Government's proposals to liberalise the Corn Laws, formulated the resolution, which the whole conference then adopted, committing the League to total repeal<sup>19</sup>. It was at about this time also that McLaren met Priscilla Bright, whom he was to marry in 1848.

Along with other Whigs, Macaulay was reluctant to go as far as the League and call for total Repeal. During 1842 and 1843 he and McLaren engaged in a lengthy

<sup>17</sup> Nicholson (ed.), *Memoirs of Adam Black, op. cit.*, p. 109. Quotation from *The Scotsman*, (ca. 26.11.1840).

<sup>18</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. I, p. 126. This was written in 1885 to Black's sons in response to reading Black's *Memoirs*.

<sup>19</sup> *Ibid.*, p. 228. Peel announced a scheme which involved the use of a sliding scale, the duty on imported Corn being set at 20s. when the home price was 51s. falling to a minimum of 1s at 73s. See Norman Gash, *Sir Robert Peel*, London 1972, pp. 311 and 314-315

correspondence in the course of which both men stuck to their positions of fixed duty and no duty, respectively. John McLaren describes the disagreement on this point:

"My father was one of the first in Scotland to realise the absolute necessity of the 'total and immediate' repeal of the corn-laws, and he received little support from his former allies in the Council and the city. Lord John Russell had declared for a 'fixed duty' of five shillings on corn, I presume with the view of conciliating that considerable section of the Liberal party whose interests were bound up with the land, and the Edinburgh Whigs were very angry with any one who presumed to be more advanced than their chief."<sup>20</sup>

In truth, the fixed duty was not even adhered to by all the Edinburgh Whigs. In early 1843 both the city's M.P.s wrote in reply to an enquiry from the Anti-Corn Law Association stating their position on the Corn Laws. The Association had been formed to bring together all those who were critical of the Corn Laws and the Parliament House Whigs were also represented. McLaren was convenor of its committee. The following is a comment from J. Davidson to Sir William Gibson-Craig, the former a city Whig and the latter Whig M.P. for the city, in which Davidson expresses his frustration at not being able to publish Gibson-Craig's letter. The reason was that Davidson felt publication would help to resolve the misrepresentation of Gibson-Craig's position:

'... the more especially, as (entre nous) yours reads best, and McLaren's object is to separate you [Gibson-Craig and Macaulay]. I must have expressed myself ill, if you suppose I wanted you to go a bit further than you thought right. Having myself become a total and immediate man, I thought you might too. Heartily I wish you had. But with your views I think you are quite right and your letter admirable.'<sup>21</sup>

Davidson had become a total and immediate repeal man, which Gibson-Craig had not, and McLaren's strategy appears to have been to win one or other of the city's M.P.s over to this position also, leaving the other vulnerable to attack. This would explain his long correspondence with Macaulay. Indeed McLaren was being encouraged at this time to try and win over Macaulay to the cause of total repeal by English Leaguers<sup>22</sup>. To win Macaulay and with him a big city constituency like Edinburgh would have been a prize worth winning. This strategy would also explain his intervention at a meeting of

<sup>20</sup> *Ibid.*, pp. 45-46. The idea of a fixed duty must be seen in contrast to Peel's sliding scale, i.e. with duties rising when the cost of domestic corn was low and falling when it was high, and the League position of total repeal of duties on corn.

<sup>21</sup> J. Davidson to William Gibson-Craig, 7.3.1843, Gibson-Craig MSS., MS. 2/C/02

<sup>22</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. I, p. 253



the Committee of the Anti-Corn Law Association to consider a letter from the Manchester headquarters of the League. One of the points in the letter which came up for discussion was whether Edinburgh was provided with Anti-Corn Law candidates:

'Upon which Mister Duncan McLaren opened out. He thought it might be answered that they had one candidate - That as to Mr. Gibson Craig, he of course was out of the question - But that as Mr. Macaulay had voted for Villiers' motion and had not followed it up by any explanation, it might be fairly presumed that he was an out and out repealer. ...

His [McLaren's] object all along has plainly been to separate you and Macaulay - and I have no doubt he had this Manchester letter sent for the furtherance of his purpose.'<sup>23</sup>

Gibson-Craig had qualified his vote in favour of Villiers' motion for a committee of inquiry into the Corn Laws by saying that it was to be interpreted as being against the existing law but not in favour of total and immediate repeal<sup>24</sup>. In pursuit of his strategy, McLaren did not take any notice of the fact that Macaulay's position was exactly the same, i.e. in favour of a low fixed duty.

It is also apparent that the Whig response to McLaren's inroads on Liberal opinion in Edinburgh was very far from vigorous. Here is J. Davidson again, this time on Whig organisation:

'Something must be done about the reorganisation of the Election Committee, which has been defunct for some time: and now there is no recognised body by whom any step can be taken - whatever the emergency might be. The only known existing body at this moment is Duncan McLaren's.'<sup>25</sup>

The Whigs also failed to challenge McLaren in the Anti-Corn Law Association:

<sup>23</sup> Archibald Davidson to William Gibson-Craig, 4.4.1843, Gibson-Craig MSS., MS. 2/C/12

<sup>24</sup> Charles Villiers, M.P. for Wolverhampton, brought in his motion for an enquiry into or repeal of the Corn Laws on an annual basis to try to build parliamentary support for Corn Law repeal. See John Prest, *Politics in the Age of Cobden*, London 1978, pp. 77-78. For a statement of Gibson-Craig's position see his letter of 16.5.1843, to John Wigham, Chairman of the Edinburgh Anti-corn Law Association, Gibson-Craig MSS., MS. 2/C/09. This letter refers to the vote of May 1843, but also mentions his earlier one of the 25th of February, i.e. before McLaren's intervention at the meeting on the Manchester letter, and makes clear that it had offered the same explanation.

<sup>25</sup> J. Davidson to William Gibson-Craig, 7.3.1843, Gibson-Craig MSS., MS. 2/C/02

'It is of the utmost consequence that the number of those who hold a similar opinion should be increased in the Anti-Corn Law Association. Those who are already members should attend punctually and those who are not should immediately join. I have pressed these views on many of our friends in the Parliament House. but on that subject, as on every other connected with the security or advancement of the Whig party, there is an apathy which to me is as astounding as it is alarming.'<sup>26</sup>

If Gibson-Craig was the target in 1843, then a year later it was Macaulay. This may have been due to Macaulay's worsening relations with the English Leaguers, brought on by his obvious dislike of being pressured by the League. He complained to Gibson-Craig at about this time that he was not inclined to bind himself by any further pledge on the Corn-Laws:

'I do not chuse to sit in parliament as Bright's or Cobden's nominee.'<sup>27</sup>

It may have had something to do with his rather dismissive way of dealing with people. He refused, for instance, to attend a meeting of the Anti-Corn Law Association held in January 1844 which was addressed by John Bright and Richard Cobden. His letter was read to the audience in the Edinburgh Music Hall and earned a very negative reaction. Macaulay himself realised his mistake:

'When I was invited to attend the corn-law meeting by a letter from Duncan, my contempt for his dirty artifices impelled me to write very shortly and almost tartly in reply. This did me harm, and, if there had been a general election soon after would perhaps have cost me my seat, ...'<sup>28</sup>

John Bright, for his part, had in any case come to the conclusion that a different kind of pressure was needed to move Macaulay and wrote to McLaren in December 1843:

"As to Macaulay, he is the chief of Whig 'half-way-house men.' He is a waiter not on Providence, but on the fortunes of the party to which he has tied himself. You must cure him. The constituency pill is the only medicine for his complaint."<sup>29</sup>

<sup>26</sup> Robert Newton to William Gibson-Craig, 6.7.1843, Gibson-Craig MSS., MS. 2/C/13

<sup>27</sup> T.B. Macaulay to William Gibson-Craig, n.d. (late 1843/early 1844), Gibson-Craig MSS., MS. 2/C/23

<sup>28</sup> T.B. Macaulay to William Gibson-Craig, 5.9.1844, Gibson-Craig MSS., MS. 2/C/46

<sup>29</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. I, p. 268

At a meeting of the Anti-Corn Law Association on 22nd April 1844 a resolution was passed calling for candidates to be brought forward whose opinions were in unison with those of the Anti-Corn Law League. The strategy of trying to divide the city's two M.P.s was the same as the year before:

'McLaren made a much wiser oration than at the meeting of the Committee [of the Association] - he was not abusive - and that he might more effectively assault Mr. Macaulay he condescended to cast the skirt of his mantle over you.'<sup>30</sup>

Writing to Gibson-Craig later in the year to report on a visit to his Edinburgh constituents, Macaulay showed that he too saw through this strategy. In general he was pleased with the results of the visit:

The only drawback on my satisfaction is this, that I perceived in a small section only, it is true, of the Liberal party, a disposition to make a distinction between you and me. I do not in the least doubt that, if there were a dissolution tomorrow, we might both go to the poll with full confidence, ... Still it is proper to be cautious; and I think that we have both in turn a little forgotten this, and exposed ourselves alternately to the attacks of our cunning enemy. He, I am certain, cares not one straw which of us he injures. It is enough for his purpose that at the moment, be it what it may, when a dissolution shall take place, one of us may be under a cloud. It was your turn last autumn, mine in the spring and now it is yours again and may be mine again before Christmas. We ought therefore I think, to take particular care that the just scorn and disgust with which we regard him may never lead us to do anything which may look like disrespect to any knot of well-meaning Liberal electors.'<sup>31</sup>

This letter bears quoting at length because it also reveals something of the personal antagonism which existed between these Liberals. This and other correspondence between the city's Whigs shows that there was a deep personal hatred and fear of McLaren.

It is also clear that McLaren and the Anti-Corn Law Association were enjoying a success on this issue which went beyond Edinburgh's 'citizen' class of merchants and traders. The few Whigs who were at this April 1844 meeting of the Association, James Moncreiff for example was one of them, described the gathering as follows:

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<sup>30</sup> Archibald Davidson to William Gibson-Craig, 23.4.1844, Gibson-Craig MSS., MS. 2/C/35

<sup>31</sup> T.B. Macaulay to William Gibson-Craig, 5.9.1844, Gibson-Craig MSS., MS. 2/C/46

'Between 400 and 500 there - a large proportion of them respectable, well-dressed, and enthusiastic young men apparently of the class of shop men; of the rest the bulk were working men; perhaps about a third were electors; ...'<sup>32</sup>

The fraying of even Whig support for a fixed duty looked, by this time, like becoming even more marked in the face of such popular pressure:

'I do believe that very few indeed even of us who are decided party men, (and I take the Parliament House as the best evidence of this), would go with heart into the election of any man not a Repealer. My impression is, that in the course of another year most would decline to vote for him. I am very sorry for this - but I believe it to be the real state of matters. In short, I believe it impossible to look Edinburgh in the face except as a Free Trader. While this is our condition, and while we do not know how to move, or if we should move at all - the field is open to Duncan to work upon, and I have no doubt he is cultivating it to the utmost of his means.'

In the event the Whigs were not put to the test of being asked to support a fixed duty man. Lord John Russell's Edinburgh Letter abandoning the fixed duty and the effective repeal of the Corn Laws in 1846 saw to that<sup>33</sup>. It is worth noting that, despite the surface reconciliation within the Edinburgh Liberal party brought about by Russell's conversion, the impression remained that Macaulay's adherence to the fixed duty in the first place and his eventual conversion to repeal had been motivated purely by party considerations and his own personal ambition<sup>34</sup>.

Free Trade opened up a gulf between the Edinburgh Whigs, lawyers and landowners, many of them Established Church members, and what were to become known as the 'Independent' Liberals of the city. The latter were mostly businessmen and traders, many of them Dissenters. Besides McLaren there were men like John Wigham, chairman of the Anti-Corn Law Association and John Grey, a leading Quaker, and William McCrie, a Free Churchman and later chairman of McLaren's 1852 election committee. The personal element in this conflict is not to be under-estimated and comes through clearly in some of the correspondence quoted above. For McLaren it was a question of capturing the Edinburgh Liberal party, or at the very least winning a share of the city's representation. For the Whigs it was a matter of fighting off the challenge

<sup>32</sup> Archibald Davidson to William Gibson-Craig, 23.4.1844, Gibson-Craig MSS., MS. 2/C/35. Davidson had this report from James Moncreiff, Edward Maitland and Montgomery Bell.

<sup>33</sup> For the Edinburgh Letter see John Prest, *Lord John Russell*, London 1972, pp. 200-202 and Appendix 2. The Letter was addressed to Russell's constituents in the City of London.

<sup>34</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., pp. 229-230

of a politician who knew how to harness popular forces against them. McLaren had been credited with harnessing Edinburgh Dissent to the cause of Corn Law repeal:

'But the most important service rendered by Mr. McLaren to the cause of the League was his masterly array on its side of the Nonconformist Churches.'<sup>35</sup>

Events were now to hand McLaren and the 'Independents' an issue which helped him keep the gulf in the Liberal party open and to exploit further Macaulay's weaknesses as the city's M.P.. It is worthwhile comparing the following two early indications of the coming controversy over the Maynooth Grant in Edinburgh. In late 1843 Macaulay described his position on religious questions vis à vis his Edinburgh constituents as follows:

'Edinburgh, in my opinion, is, for the present, lost. The demands of the Liberals heated as they are by religious fanaticism, are such as I will not comply with. I will not vote for the abolition of the Churches now established in this island, and I will support any well-digested plan for establishing the Catholic Church in Ireland. I do not wish to proclaim these opinions prematurely, but I am resolved to act on them and, if necessary, to suffer for them when the proper time comes.'<sup>36</sup>

Archibald Davidson, a Parliament House Whig writing a few months later to William Gibson-Craig, gave his assessment of the situation in Edinburgh, where he saw events moving towards a public meeting on Ireland. After assuring Craig that everything would be done to avoid such a meeting, he went on:

'But, I should not be surprised if there was one after all. For, the feeling against Catholic Endowment is stronger than any other I remember of, and even among the brethren at the bar it can hardly be regretted. The regret is very great that Lord John should have countenanced the possibility or propriety of such a measure. This arises from bigotry principally: but it is Universal. Those of us - and there are very few - who do not object to it in itself, are quite satisfied that the opinion of the whole of Scotland is against it. I wish the heads of our party up stairs were sufficiently aware of the prevalence and strength of this opinion.'

Davidson went on to make the point in even more unmistakable terms:

<sup>35</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. I, p. 232. McLaren was responsible for instituting an inquiry among Scottish Dissenting ministers as to the effects of the Corn Laws and for the great conference of representatives of Dissenting congregations on the Corn Laws held in Edinburgh in January 1842.

<sup>36</sup> T.B. Macaulay to ? (J. Gibson-Craig?), 24.11.1843, Gibson-Craig MSS., MS. 2/C/22

'It will be a fatal day, when any Whig presents himself to a Scotch constituency as the Advocate of such an endowment.'<sup>37</sup>

Both Macaulay and Gibson-Craig voted for the Maynooth Grant in 1845. Macaulay, however, made himself prominent in the Grant's favour by giving his explanation of the ultra-Protestant reaction to the Grant in terms of the about-face by the Peel government:

'Can we wonder that all the people out of doors should be exasperated by seeing the very men who, when we were in office, voted against the old grant to Maynooth, now pushed and pulled into the House by your whippers-in to vote for an increased grant? The natural consequences follow. All those fierce spirits, whom you hallooed on to harass us, now turn round and begin to worry you. The Orangeman raises his war-whoop; Exeter Hall sets up its bray; ...'<sup>38</sup>

The Voluntaries of Edinburgh probably felt themselves included in this last famous passage. Charles Cowan, Macaulay's successful opponent in 1847, saw this speech as having been central in his defeat:

"I believe that this unfortunate expression was one main cause of the defeat of the Right Honourable gentleman in 1847."<sup>39</sup>

William McCrie at Cowan's first public meeting took up the allusion by warning that:

"... the same animal which could bray could also kick ..." <sup>40</sup>

As Adam Black's biographer said of Macaulay:

He had no electioneering tact; no political diplomacy, but argued and acted as if all men were as free from prejudice and open to conviction as he was himself.<sup>41</sup>

The sequel has been well described by other historians. Edinburgh took part with the rest of the country in the storm of protest over the Maynooth Grant. The Voluntaries,

<sup>37</sup> Archibald Davidson to William Gibson-Craig, 29.2.1844, Gibson-Craig MSS., MS. 2/C/28

<sup>38</sup> G.O. Trevelyan, *The Life and Letters of Lord Macaulay*, vol. II, Oxford 1978, p. 104. Exeter Hall was the H.Q. of the Central Anti-Maynooth Committee.

<sup>39</sup> Charles Cowan, *Reminiscences*, privately printed 1878, p. 214

<sup>40</sup> *Ibid.*

<sup>41</sup> Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 145

who set up a political organ in the shape of the Scottish Board of Dissenters, were strengthened in their opposition to Macaulay on this issue by Free Churchmen. Edinburgh was indeed much affected by the Disruption

The Free Church exodus was in Edinburgh almost complete, and several of the city churches were almost entirely denuded of congregations.<sup>42</sup>

Already in 1843 Voluntary and Free Church members of the Town Council had come together over the Annuity-tax in Edinburgh and had produced a scheme to reduce the number of Established Church clergy in the city<sup>43</sup>. On Maynooth the Free Church was expected to use the issue to keep the fervour of its birth going:

'... the Free Church ... will force the question into the elections and thus give a point to Free Church principles which I do not think they at present possess.'<sup>44</sup>

The difference between the two churches lay in their different attitudes to the establishment principle. As discussed in Chapters 2 and 3, the Voluntaries were naturally totally against establishments, whereas many in the Free Church hankered after a 'purified' Establishment. As Williams points out, there was sufficient fervour on Maynooth in 1846 and 1847 to overcome this potential cause of disunion<sup>45</sup>. The alliance between the two churches in the political sphere found expression in the Protestant Electoral Alliance, formed in early 1846. The first fruits of this in Edinburgh were seen in the candidacy of Sir Culling Eardley Smith, chairman of the Central anti-Maynooth Committee, in a by-election in July 1846. Macaulay, who had been appointed Paymaster-General in the new Russell administration was seeking re-election. Eardley Smith did not win probably because some Free Church members wanted to give the new Russell ministry a fair trial and because there was the danger, if the Ministerial candidate was rejected, of endangering the hold of the minority Whig government on power and therefore of Free Trade itself<sup>46</sup>. Cockburn claims not to have believed that the true cause of opposition to Macaulay was Maynooth:

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<sup>42</sup> J.B. Mackie, *Life of Duncan McLaren*, op. cit., vol. I, p. 185

<sup>43</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., pp. 211-212. The Annuity-tax is discussed in some detail below.

<sup>44</sup> John Hope to his brother W.S. Hope, 17.4.1845, in David Jamie, *John Hope, Philanthropist and Reformer*, Edinburgh 1900, p. 127. Hope was a strongly anti-Catholic Conservative Churchman.

<sup>45</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., p. 237

<sup>46</sup> Ibid., pp. 247-248 and *The Witness*, 11.7.1846. Eardley Smith was defeated by 1,735 to 832.

'Macaulay was opposed on the pretence that he had voted for the grant to Maynooth; but this was nonsense, because Craig had been guilty of the same piece of Popery. The truth is, that Macaulay, with all his admitted knowledge, talent, eloquence, and worth is not popular'<sup>47</sup>

At the same time, however, he gave the following description of Eardley Smith's committee:

'His [Sir Culling's] committee contained Established Churchmen and wild Voluntaries, intense Tories and declamatory Radicals, who agreed in nothing except in holding their particular religion as the scriptural and therefore the only safe criterion of fitness for public duty.'<sup>48</sup>

The truth is probably a mixture of the two, religious and personal objections. Cockburn was not, however, the only person to have doubts about the importance of the religious issue. In a different way McLaren had also.

As far as his own position was concerned, McLaren himself appears at this point in time, and in the general election of the following year, to have kept himself out of the running to challenge Macaulay. Mackie suggests two possible reasons. Firstly, private finance. McLaren's business may not have been in a state where he felt he could leave it in other hands. Secondly, organisation. McLaren appears to have set himself the task of building an organisational base that could challenge the Whigs and maintain any advantage thus won:

'He set himself to establish an Independent Liberal party in Edinburgh - a party comprehensive yet compactly knit together, combining the various cohorts of Dissenters, Free Traders, and Social Reformers, into one invincible legion, deriving its strength from conviction and mutual sympathy, as well as from discipline and loyalty, ...'<sup>49</sup>

Conviction was not enough, in other words. Discipline and a compact organisation were also necessary. There is evidence that in the period up to the 1852 election, i.e. in the late 1840's and early 1850's, McLaren did devote himself to building up a network of ward committees in the city. Writing in early 1852 to J. B. Smith, who had decided not to stand for Stirling Burghs because he was facing defeat McLaren said:

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<sup>47</sup> Henry Cockburn, *Journal, 1831-54, op. cit.*, vol. II, p. 158

<sup>48</sup> *Ibid.*, p. 161

<sup>49</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. II, p. 27



'My own impression is ... that if you had acted decidedly, declaring at once that you would stand and had taken a run down to attend private committee meetings of your friends and help[ed] them to arrange election committees in the different Burghs, as I did in the big wards here, you would have been returned.'<sup>50</sup>

To these two possible reasons may be added a third suggested by Williams. In working with the various forces opposed to the Whigs, McLaren had to be very careful that no one of them came to dominate and thus cause jealousies. His point in 1846 was that there had been too much concentration on the Protestant question. This might have led to the opposition to Macaulay, McLaren's hoped for nucleus of an 'Independent' Liberalism in Edinburgh, becoming merely a tool of the extreme anti-Catholics, especially those in the Free Church<sup>51</sup>. This argument is given weight by the views of John Hope, quoted above, who expected the Free Church to make use of the Maynooth question. Holding the Voluntaries, Free Churchmen and Radicals together meant creating a broader political base than this. A party, McLaren was saying, could not be built on bigotry alone. McLaren, therefore, called for the argument to be broadened to include discussion subjects like the ballot and electoral reform, saying he would have voted for Eardley Smith on the basis of these.

It is possible to take these reasons further and tentatively suggest that McLaren realised that to have pushed himself forward at the head of such a movement would have meant allowing himself to become the prisoner of the religious radicals. This, in turn, would not have ensured him the support of the secular radicals, including working-class non-electors, he had come in contact with during the anti-Corn Law agitation, nor even necessarily of all Voluntaries. Religious radicalism, particularly violent anti-Catholicism, was the preserve of the Edinburgh middle-classes and especially of the Free Church. McLaren's close contact with Unitarians like George Hope in East Lothian and J.B. Smith, the Manchester radical who contested Stirling Burghs in 1847, would have made him aware that bigotry against Roman Catholics was not that far away from bigotry as exercised against Voluntaries. Here is J. B. Smith writing to McLaren after his victory in Stirling in 1847:

'On the whole we achieved a glorious triumph over bigotry and humbug. The people began to see the dodge the 'Christian candidates' were attempting, for when I was met on my way to Dunfermline by a crowd with music and banners the first salute I heard was 'we have beaten them in spite of their bigotry'. Aye shouted a dozen voices,

<sup>50</sup> McLaren to J.B. Smith, 13.3.1852, J.B. Smith MSS., MS. 923.2, ff. 81-82

<sup>51</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., pp. 250-251

'their religion was all a pretence.' Several of my voters were kept drunk all Sabbath by my opponents.<sup>52</sup>

This may seem to allow for too much calculation on McLaren's part. David Doud, a representative of Edinburgh's Catholics, had no doubt of McLaren's ability to think ahead, however, as the following extract from his account of his contacts with McLaren at the time of the 1841 Edinburgh election when a replacement was being sought for Sir J. Campbell shows. Writing to Gibson-Craig, he explained:

'McLaren knew at a very early period the intention of bringing you forward and he was desirous to keep you out because as he said - strangers could be changed very easily - but if you got in you could stay in as long as you pleased.'<sup>53</sup>

Mackie claims that in 1847 McLaren was offered the candidacy:

'Those leading Liberals in the constituency whom the Whig chiefs had estranged not unnaturally applied to the gentleman whom Mr. Macaulay had indicated as his probable antagonist. A deputation, consisting of Sir James Forrest, Mr. Thomson of Banchory, and Mr. Campbell of Monzie, waited on Mr. McLaren and offered him the support of the Free Church party.'<sup>54</sup>

Williams, finding no other evidence for this application, expresses doubts, especially given the mention of Forrest, an antagonist of McLaren's from pre-Disruption days<sup>55</sup>. Whatever the truth of the matter, running would not have fitted in with the strategy suggested above and his refusal, if that is what it was, left him free to concentrate on the longer-term tasks which building an 'Independent' Liberal base in Edinburgh implied:

'He, however, readily entered into the proposed opposition, ... Mr. McLaren, willing to bring Dissenters and Free Churchmen together on the common platform of resistance to endowments, organised the coalition, which, while it secured the return of Mr. Cowan, also laid the foundation of the future "Independent Liberal" organisation, ...'

<sup>52</sup> J.B. Smith to D. McLaren, 11.8.1847, J.B. Smith MSS., MS. 923.2, f. 37

<sup>53</sup> David Doud to William Gibson-Craig, 12.5.1847, Gibson-Craig MSS., MS. 2/E/4a

<sup>54</sup> J.B. Mackie, *Life of Duncan McLaren*, op. cit., vol. II, p. 30

<sup>55</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., pp. 254-255

Charles Cowan was not, however, a one-issue candidate. A Penicuik paper manufacturer, he had been active in the Edinburgh Excisable Traders Association before 1847 because the excise laws put a great restriction on the introduction of new materials and processes in his industry. By Cowan's own account it was this group that first requested him to become a candidate<sup>56</sup>. Macaulay's response to issues of this kind appears to be so inept as to have provoked another candidacy in Edinburgh, that of Peter Blackburn, the Conservative:

'A deputation of spirit-dealers waited upon Macaulay to urge the propriety of altering the method of levying the excise duties. They failed to convince him; and told him plainly that he would do nothing for them, and most probably should do something against them. The immediate consequence of this unsatisfactory interview was the appearance of a fourth candidate in the person of Mr. Blackburn, who was described by his own proposer as one who 'came forward for the excise trader, which showed that his heart was with the people,' - or at any rate with that section of the people whose politics consisted in dislike to the whisky-duty.'<sup>57</sup>

Nicholson, Black's biographer, contends that the Edinburgh spirit trade was wrong in thinking Macaulay was against them, but this of course did not help Macaulay at the poll. Black himself pointed out that the publicans normally supported the Whigs against the religious activists:

'But in this instance the publicans made common cause with men whom they considered enemies and the "unco guid", as Burns calls them, fraternised with the men whom they considered not only as evil themselves, but the source of all evil in others, for the purpose of aiding in procuring them greater facilities for carrying on a trade which they had always said ought to be prohibited.'<sup>58</sup>

Cowan was assured of support from his own denomination, the Free Church - he was in fact a cousin of Thomas Chalmers<sup>59</sup>. As far as the Voluntaries were concerned, he held the 'right' views on abolition of the Annuity-tax, extension of the franchise, and opposition to further church endowments<sup>60</sup>. They were probably willing, and this fitted in with McLaren's strategy, to put up with a subsidiary role at this time because they

<sup>56</sup> Charles Cowan, *Reminiscences*, privately printed 1878, pp. 196-201

<sup>57</sup> G.O. Trevelyan, *Life and Letters of Lord Macaulay*, *op. cit.*, vol. II, p. 128

<sup>58</sup> Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 148

<sup>59</sup> Charles Cowan, *Reminiscences*, *op. cit.*, p. 168. He was in fact a first cousin once removed on his mother's side.

<sup>60</sup> See for instance the report of his meeting with the Edinburgh electors in *The Scotsman*, 28.7.1847

recognised the need to defeat the Whig establishment in the person of Macaulay before finding their place in any new political establishment<sup>61</sup>.

Macaulay, for his part, helped to ensure his own defeat by refusing to pledge himself for the future on the question of the possible endowment of the Roman Catholic clergy and making plain his support for the system of Privy Council grants to schools at a meeting he and Gibson-Craig held with the electors shortly before the election. On the Privy Council system he said:

'... I must say I felt it my duty ... to stand up most firmly for the principle, and to assert in the strongest manner this doctrine, that the education of the people does belong to the State. And I must say that I am astonished when I hear it stated that this is an attack on the Voluntary principle - a principle which I do not hold, which I never professed to hold, because I have never declared myself a supporter of the Voluntary system; ...'<sup>62</sup>

Macaulay did go on to claim the support of Voluntaries, including Adam Black, and denied he was an enemy of Voluntaryism, but the message on Education was clear. On the possible endowment of the Roman Catholic priesthood, while indicating that he would resign his seat if he changed his mind, he nevertheless courted rejection:

If you really believe that I am fencing to avoid speaking the plain truth, and that I really mean to vote before the end of the next Parliament for the endowment of the Catholic clergy, ... then all I say is this, your wise course is at once to reject me.<sup>63</sup>

It was also one of the weaknesses of the Whigs that they were not associated with any one religious group and therefore a candidate like Macaulay could earn the suspicion of any or all of them. He, for example, arranged one of his visits to Edinburgh with the express purpose of avoiding going to Church:

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<sup>61</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., p. 258

<sup>62</sup> *The Scotsman*, 28.7.1847. Education was a subsidiary theme at this election. Within the Free Church the debate between those in favour of National Education and those who favoured the Free Church's own Scheme had not yet been resolved. Their general position was probably in favour of the new Privy Council grants-in-aid being used selectively, i.e. in the Free Church's favour, if at all. The Voluntaries were not in favour of the Privy Council system of grants. What both parties could agree on was their objection to state money going to the Established Church of Scotland. Macaulay's support for this offered his opponents a subject on which they could unite.

<sup>63</sup> *Ibid.*

"I wish to avoid passing a Sunday in the good town, for to whatever church I go, I shall give offence to somebody."<sup>64</sup>

Gibson-Craig, by contrast, at this same pre-election meeting which he and Macaulay addressed, avoided, or was allowed to avoid, any offensive statement on the religious question<sup>65</sup>. He supported the revision of the excise laws into one unrestrictive, easily understood code and expressed the opinion that the granting of licences should be a police rather than an excise matter and that where no problems arose they should be permanent<sup>66</sup>.

The result of this election, the rejection of Macaulay and the election of Cowan, reverberated round the country<sup>67</sup>. It was the first time since the passing of the Reform Act at which discontent amongst Liberals had resulted in the rejection of an 'official' candidate. The term 'independent Liberalism' first makes its appearance at this time to describe the movement, the instrument with which middle-class radicalism and sectarianism backed by the organising drive of Duncan McLaren was shaking up the Parliament House establishment of Edinburgh Whiggery. And shaken up it was. J. D. Marwick was present, as a young apprentice, in the Liberal Committee room on the day of this defeat and has left the following description:

'In that room Mr. Macaulay remained during the day alone. ... About an hour before the poll closed a gentleman hurried in, and indicated to Mr. Macaulay his apprehensions as to the result. Half an hour later Mr. Adam Black ... burst into the room in a condition of undisguised excitement, and, addressing the candidate, said, "I don't like the look of things. ... I am ashamed, Mr. Macaulay; I am ashamed of my fellow citizens." this burst of indignation was received with great placidity by Mr. Macaulay, who replied, "Chances of war, Mr. Black; chances of war." Mr. Black could not be reconciled, and a few minutes later the announcement arrived that Mr. Macaulay was rejected and Sir William Gibson Craig returned. A few minutes afterwards Sir William arrived, in great agitation, and, taking Mr. Macaulay's hand,

<sup>64</sup> G.O. Trevelyan, *Life and Letters of Lord Macaulay*, *op. cit.*, vol. II, p. 126

<sup>65</sup> Gibson-Craig was not asked any questions about Maynooth or related matters. Black's attempt, as chairman of the meeting, to block the question to Macaulay on Roman Catholic endowment shows that he, at least, feared a trap.

<sup>66</sup> *The Scotsman*, 28.7.1847

<sup>67</sup> The result was: Cowan, 2,063; Gibson-Craig, 1,854; Macaulay, 1,477; Blackburn, 980. Typically for elections of this period, the Tories played a pivotal role by splitting in large numbers for Cowan. There seems to have been some sort of reciprocal arrangement with the Conservative Association's candidate, Blackburn. The Cowanites ensured that none of their second votes went to the sitting members and the Tories could show their dislike of the new Whig government by helping to unseat Macaulay. See *The Scotsman*, 31.7.1847 and Henry Cockburn, *Journal, 1831-54*, *op. cit.*, vol. II, pp. 191-192

as the tears rolled down his cheeks, said, "Would to God, Mr. Macaulay, that I were rejected and you returned. I am unspeakably distressed."

To the Whig committee shortly afterwards he announced:

"Gentlemen, my connection with Edinburgh is terminated - terminated for ever."

"No, no, Mr. Macaulay", said one enthusiastic supporter; "we will send you back as our member yet." Without a change of feature, he replied, "My connection with Edinburgh is terminated for ever." "High time, too," screamed a voice, evidently that of the enemy. ... Gasping with indignation, Mr. Black, near whom I was standing, stretching out his clenched hands, said, "Let me get at him! let me get at him!"<sup>68</sup>

In this one vignette are brought together all the problems of personality and frustration experienced between Macaulay and his Edinburgh constituents as well as the emotions experienced by the leading Edinburgh Whigs at the enormity of their defeat. McLaren's strategy of the mid-1840's, if indeed that is what it was, had been realised. The two sitting Whigs had been separated and one of them had been replaced by a candidate who owed his election to an alliance many of the elements of which it was possible to conceive coming together in a more permanent 'Independent Liberal' party which would replace the Whigs to become the dominating force in the Edinburgh Liberal party.

The obstacles were, however, formidable. The grouping that had returned Cowan was well described by *The Scotsman* as "many-headed". It contained, in addition to the potential for conflict between Free Churchmen and Voluntaries over the Establishment principle, publicans and temperance activists and supporters of various degrees of franchise reform and conservative Free Churchmen, not to mention the Tories who had given their support to Cowan rather than support a prominent member of the new Whig government. Such a set of circumstances as brought this grouping together was not likely to be repeated at every election, nor was one of the opposing candidates always likely to be "a man so little solicitous about the opinions and fancies of his constituents, or less disposed to humour them"<sup>69</sup>.

The elections of the 1850s in Edinburgh were to show that the achievement of McLaren's goal of establishing an 'Independent' Liberalism in Edinburgh was to be a lengthy and by no means a linear process. They were, in fact, to leave open the question of whether it was at all possible working only with the middle-class electorate in the city. These elections are discussed at some length in Chapters 3 and 4 and what follows is a largely a discussion of McLaren's role in each of them.

<sup>68</sup> Sir James D. Marwick, *A Retrospect*, *op. cit.*, pp. 29-30

<sup>69</sup> Fox Maule to William Gibson-Craig, 1.8.1847, Gibson-Craig MSS., MS. 2/E/14

The election of 1852 was presented at the time, and afterwards, as a deliberate reversal of the verdict of 1847:

'Mr. Cowan (Liberal) stood again, and was supported as before by the various sections which combined in 1847 to put him in place of Macaulay. Macaulay had the support of the old Whig party, and of a large proportion of the more educated citizens, who wished irrespective of politics, to wipe off the reproach which the electors had brought on the city by rejecting five years before a man of gifts so brilliant and of honesty so pure.'<sup>70</sup>

In mythology a penance, the reality was more that by 1852 the coalition of Free Churchmen and Voluntaries had largely broken down. Williams also makes the point that without the unifying issue of opposition to the Corn Laws, the middle class radicals lacked a clear rallying point. Franchise reform provided a substitute, but led to the creation of a succession of associations, none of which had any mass support<sup>71</sup>. Electoral reform had, in other words, the disadvantage that it was far less a black and white issue than Corn Law repeal. It was possible to support extension to various levels below £10 or to be for household suffrage, or to be an advocate of universal suffrage. Taking up franchise reform as an important issue was to alienate conservative Free Churchmen from the secular radicals and more radical Voluntaries. Duncan McLaren was, for instance, one of the leading lights in the Parliamentary Reform Committee, which met in January 1852. This body moved resolutions, for example, in favour of votes being given to all who paid any kind of local rate, the ballot and the introduction of 40-shilling freeholds, which McLaren himself spoke strongly in favour of, into Scotland<sup>72</sup>.

Strains between the Free Church and Voluntary wings of the alliance of 1847 were further increased by the papal aggression controversy of 1851-52. Whereas the Free Church wanted strong measures taken against further Roman Catholic expansion, the Voluntaries stressed disestablishment as a solution. In contrast to 1847, the Whig government were seen to be doing something, even if this was only the ineffective Ecclesiastical Titles Bill, and avoided handing the partners of 1847 a Maynooth-type issue to rally round. Both Gibson Craig and Cowan voted for the Bill.

The effect of the fate of Melgund's education bills of 1850 and 1851 is also not to be underestimated. The Free Church was, as is discussed in Chapter 2, along with the Established Church held responsible for their failure. The Voluntaries had no doubt

<sup>70</sup> Nicholson (ed.), *Memoirs of Adam Black*, op. cit., p. 163

<sup>71</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., p. 293

<sup>72</sup> *The Scotsman*, 17.1.1852

taken note of Candlish's emphatic victory at the Free Church General Assembly of 1850, backing the Free Church Educational Scheme and rejecting the wishes of the Begg wing of the Free Church in favour of compromises to facilitate the creation of a national system<sup>73</sup>.

The resignation of Sir William Gibson-Craig meant that one of the city's seats would be free. There was an attempt to unite the Liberal party round one candidate, but as Mackie explains the potential for conflict along the lines described above was too great:

'... the committee which had secured the return of Mr. Cowan at the previous election met to consider whether they and the opposition Liberal Committee could not agree to the unopposed return of Mr. Bouverie as Mr. Cowan's colleague. At this meeting Mr. McLaren, who was then Lord Provost, moved and carried a resolution to the effect that the Independent Committee should prefer a candidate who favoured vote by ballot and triennial Parliaments. This resolution was interpreted by the Whigs as tantamount to the rejection of the candidature of Mr. Bouverie; and most of Mr. Cowan's 'Moderate Liberal' friends, taking alarm, withdrew from the committee.'<sup>74</sup>

The Free Church supporters of Cowan left, or were pushed into leaving, this meeting to agree on a joint candidate. McLaren's intervention may have been an expression of conviction on the issues raised or it may have been a manoeuvre on his part to force the Free Church moderates off the Committee. Whatever the reason, there was a split amongst the Free Churchmen who had been willing to co-operate with the Voluntaries. The more conservative majority of them refused to support McLaren who eventually stood as the 'Independent' Liberal candidate:

'... and the ultimate struggle was between McLaren and Cowan. Had they been each dependent on their natural supporters, McLaren would have been successful. But the Tories thought Cowan the less objectionable of the two, and came to his help about the middle of the election day, raising him from the third to the second place on the poll.'<sup>75</sup>

The Whigs decided to run Macaulay, who took no part in the campaign, but headed the poll. Perhaps, in view of the events of 1847, his very absence aided his election! In the real struggle between McLaren and Cowan the evidence points, therefore, to a loss of Free Church support and the action of the Tories throwing in their weight for

<sup>73</sup> See D.J. Withrington's article 'The Free Church Educational Scheme, 1843-1850', *Records of the Scottish Church History Society*, vol. XV, part II, 1964, pp. 103-115, for a full discussion of this.

<sup>74</sup> J.B. Mackie, *Life of Duncan McLaren*, *op. cit.*, vol. II, p. 31

<sup>75</sup> Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 164



Cowan as the reasons for McLaren's defeat<sup>76</sup>. This is supported by the figures for splitting during the election. The number of splits between McLaren and Cowan was very low at 230, indicating that there was very little co-operation between the Free Church and the Voluntaries. There were, however, 398 voters who split between Bruce and Cowan, indicating a very high level of cross voting between the Tory and Free Church candidates<sup>77</sup>. The *Edinburgh News* saw Cowan in the following terms:

'He has thrown himself into the hands of men who have ever been Conservative at heart - whose Liberal tendencies were but an accident, and from these Tories and their Free Church allies he must from henceforth seek support.'<sup>78</sup>

McLaren was also not helped by the appearance of a second Free Church candidate, Alexander Campbell of Monzie. In a two member constituency the split vote always had to be kept in mind by those in charge of a campaign:

'We defied Mr. Campbell to deny that he was brought forward by the opponents of the Lord Provost (McLaren), and he said in reply that no Free Church ministers had seen his address till it was printed. We asserted that he was a mere waste-paper basket for safely disposing of some Free Church votes, and the result has proved the justice of the assertion.'<sup>79</sup>

This again is supported by the figures for splitting. Campbell received 491 split votes with Cowan out of his total poll of 625. Only three voters plumped for him.

The question arises, however, as to why McLaren decided to stand in 1852 when he had so carefully avoided doing so in 1846 and 1847. The reason would appear to be that in the end he was left with no choice if he wanted to keep the Independent Liberals in separate existence.

The attempt to find a common candidate whom both the Whig and Independent committees could support was at first backed by McLaren. The meeting of all the city's Liberals on 14th April 1852 was called by him. Already at this stage, however, things began to go wrong with, for example, Thomas Russell on the 'Independent' side doubting the need for an agreement with the Whigs at all and James Aytoun moving for a candidate who would oppose the Maynooth grant<sup>80</sup>. A meeting of the Whig and Independent Liberal committees was held, but no agreement could be reached and a

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<sup>76</sup> The result of the 1852 election in Edinburgh was: Macaulay, 1,872; Cowan, 1,754; McLaren, 1,559; Bruce (Conservative), 1,066; Campbell, 626.

<sup>77</sup> *The Scotsman*, 4.8.1852

<sup>78</sup> *Edinburgh News*, 17.7.1852

<sup>79</sup> *Ibid.*

<sup>80</sup> *The Scotsman*, 17.4.1852

sub-committee formed of people from both committees was appointed with George Combe as its convenor. E. P. Bouverie, member for Kilmarnock Burghs, was the man settled on in this body as likely to find most support. Discussion of "abstract questions", i.e. religious matters, was to be avoided. This was apparently to avoid upsetting the "endowment Whigs", those Whigs who supported the Established Church and state grants to religion<sup>81</sup>. Bouverie would have been a good choice to facilitate this reconciliation as he was an Episcopalian who, nevertheless, supported Voluntary principles in politics.

The reason, setting aside anything Bouverie himself may have had to say in the matter, why this tentative agreement broke down is not clear. It is possible to suggest, however, that difficulties between McLaren and leading Free Churchmen were a major cause. McLaren himself described the situation as follows:

The intolerance of the Free Church leaders and their hostility to me is very great. They know that I have a will of my own and will not be an instrument in their hands for any purposes whatever.<sup>82</sup>

General reasons for this hostility have already been suggested. In the same letter in which he describes the Free Church antagonism towards himself, for instance, McLaren discusses his views on education. He says here that he wants schools managed by the people and does not want the Bible and catechism made compulsory, but rather made available for a separate fee on a voluntary basis. These were not views that would have found agreement in Free Church circles.

Williams describes a personal rivalry between Sir William Johnston, McLaren's Free Church predecessor as Lord Provost, and McLaren for control of the Independent Liberals. During the campaign the *Scottish Press*, supporting McLaren, reported that:

The leaders of the Free Church - the Sir William Johnstons, the Mr. Balfours, backed by the Witness and certain of the clergy, are moving heaven and earth - no! not heaven - we take back the word - but earth and earth alone - to vilify and damage, and if they could, destroy the Lord Provost.<sup>83</sup>

The Free Church also tried to attack McLaren on particularly sensitive ground, charging that his opposition to Maynooth was based only on Voluntary and not on "sound

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<sup>81</sup> Mary Abercromby to Lord Melgund, 7.5.1852, Minto MSS., MS. 12342, ff. 1-2. Melgund was also considered as a candidate for Edinburgh in 1852. Lord Dunfermline, for whom Mary Abercromby was writing, was in touch with the Combes in Edinburgh and was keeping Melgund informed about the state of matters in the city.

<sup>82</sup> D. McLaren to Melgund, 18.6.1852, Minto MSS., MS. 12342, ff. 63-67

<sup>83</sup> *The Scottish Press*, 3.7.1852

Protestant principles"<sup>84</sup>. The argument on Maynooth and the antagonism between McLaren and Johnston reached its crescendo with Johnston's letter, which was published in *The Scotsman*, in which he angrily denied McLaren's charge that he had supported fellow Free Churchman James Moncreiff's pro-Maynooth views in the Leith election. His closing paragraph reveals the depths to which the dispute had sunk:

I have been frequently told that you were a dangerous person to have anything to do with; but I did not expect so soon to have practical experience of the fact. I hope my fellow-citizens may learn something from this little incident, and take care that they, too, do not take into their bosom the cold little snake that may turn round and bite them so soon as it gets warm enough.<sup>85</sup>

There is the suggestion that an arrangement was reached whereby McLaren received Free Church support in his 1851 bid for the Lord Provostship in return for his and Voluntary support for the Free Church's candidate at the following general election<sup>86</sup>. The Free Church members of the Independent Committee may have been all the more ready for the break with McLaren because they may have felt that Bouverie's candidacy and the agreement with the Whigs was not a way to stick to this agreement.

Whatever the reason, or combination of reasons, such an explanation seems at odds with Mackie's description of what happened as quoted above. What would explain McLaren's use of the franchise issue, which was understood by the Whigs as signalling his rejection of the Bouverie candidacy and which frightened the Free Church moderates on the Independent Committee into quitting<sup>87</sup>?

Another section of the Whigs, in addition to the "endowment" variety, was pushing for something other than a Bouverie candidacy<sup>88</sup>. James Simpson, writing some weeks later of the meeting that appointed Combe's sub-committee, described putting the idea of running Viscount Melgund to McLaren privately in a side room. McLaren replied that no candidate would stand a chance who would not vote against the Maynooth grant. Melgund was well known for his reluctance to do this in isolation of abolishing other endowments. Simpson describes how at the meeting of the joint sub-committee responsible for finding a candidate, George Combe:

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<sup>84</sup> J.B. Mackie, *Life and Work of Duncan McLaren*, op. cit., vol. II, p. 32

<sup>85</sup> *The Scotsman*, 16.6.1852

<sup>86</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., pp. 319-320

<sup>87</sup> McLaren was prepared to accept Bouverie, though without any great enthusiasm. He thought a more important man, preferably a businessman, would be better. See D. McLaren to George Combe, 7.5.1852, Combe MSS., MS. 7355, ff. 126-127.

<sup>88</sup> This endowment groups unhappiness is mentioned in George Combe's letter to Melgund, 7.5.1852, Minto MSS., MS. 12342, ff. 3-4

'... in a capital speech, sounded the alarm that the chains of bigotry were preparing for our necks in Edinburgh. The newspapers took up this alarm and much good has been done by it. There is a decided wish to resist these religious influences and a knot of gentlemen have met and talked of Sir James Graham.'<sup>89</sup>

It would appear then that not only the "endowment Whigs" were looking for a different way forward. Simpson put the idea of Melgund to the "knot of gentlemen" and was asked by its "chairman" to sound him out<sup>90</sup>. In other words a search for a candidate to resist the "religious influences" was going on concurrently with the discussion of a Bouverie candidacy. Simpson went on to describe to Melgund how he thought matters would favour him standing:

'The Free Church will hang together, but it is not likely that any voters from the other three denominations will join them - but it is likely that the old whigs and other dissenters would, to a great extent, unite and there you would be strong.'<sup>91</sup>

McLaren, clearly having rethought his doubts about Melgund on the grounds of Maynooth, indicated that he would be willing to support Melgund in a letter which Combe forwarded to the latter. Combe pointed out that such a combination would offer mutual advantages to both sides on the religious question:

'My impression is that if the Provost should link his fortunes to you, he would surmount many obstacles in regard to Maynooth. The only real difficulty that I can see is the annuity tax bill, and if you could support it your general objection to all religious endowments would, I think, be accepted as sufficient for Maynooth.'<sup>92</sup>

Combe was, in fact, pointing out that McLaren was trying to break out of his anti-Maynooth position. By accepting Melgund, McLaren was closing with that section of the Whigs which wanted to defeat the Free Church and which, unlike the Whig leadership, did not see Maynooth as an insuperable barrier to a Melgund candidacy. George Combe had reported that initial consideration of Melgund, before his sub-committee was appointed, had been rejected on this ground. McLaren's connection

<sup>89</sup> James Simpson to Melgund, 2.6.1852, Minto MSS., MS. 12342, ff. 16-19

<sup>90</sup> This chairman was Major Mair. The "knot" appears to have had strong connections with, or indeed included, some of the Roman Catholic voters. This would explain their interest in combating "religious influences". It was reported to represent a body of about 500-600. See Ralph Abercromby to Melgund, 14.6.1852, Minto MSS., MS. 12342, ff. 54-56.

<sup>91</sup> Ibid.. Simpson was counting the Whigs as a denomination.

<sup>92</sup> George Combe to Melgund, 8.6.1852, Minto MSS., MS. 12342, f. 28

with the Melgund idea had probably also made it unattractive to the leading Whigs. Edward Ellice wrote to William Gibson-Craig that:

'My father had a note from Crusty yesterday saying that he and Duncan McLaren had hit upon a man - that he had been to suggest the name to A. Black and the Committee, but that it had been received coldly, and that this attempt on his part to conciliate the two sections of the Liberal party having failed, he was confident the split between them would become wider and more bitter.'<sup>93</sup>

These circumstances would explain McLaren's willingness to see the Free Church leave the Independent committee. McLaren, unhappy with the Free Church anyway, saw his chance to break out, to exercise that "will of my own" and to free himself from a single-issue Maynooth position. This might force the Whig leadership to reconsider Melgund. For his part, Melgund was being asked to prove his credentials on religious matters by supporting the Annuity-tax bill. Williams describes in some detail the agitation on this issue and the government investigations into this tax in the late 1840's and early 1850s and the divisions it created in both the Free and Voluntary churches over how much compromise should be accepted as the price for its modification. The agitation, which was stirred up by a series of prosecutions for non-payment in 1848, led to the establishment of the Anti-Annuity-Tax League which was to become a powerful Voluntary pressure group. J. Shaw Lefevre, who was sent by the government to investigate the tax produced a report in 1849, modified in 1850, which recommended abolition and an arrangement to provide support for the city's ministers other than by way of the tax. The Whig Government, in a weak parliamentary position by this time, 1851, refused to legislate for fear of antagonising the Established Church and/or the Voluntaries. The Town Council in response sent a deputation to London, led by McLaren, to press for a bill based on Lefevre's report<sup>94</sup>.

It was this bill which Melgund was being asked to support. The trouble for McLaren was that matters were already moving beyond the point at which he had taken up the idea of a Melgund candidacy. The "knot" may have been interested in Melgund, so now was McLaren, but the Whig leadership was still not, especially if it meant co-operation with the Lord Provost. Ralph Abercromby explained the personal conflict that lay behind this to Melgund:

'The great object of hatred to Gibson Craig, Lord Panmure and Rutherford, and all that faction, is the Provost, and I believe that there are very few lengths to which

<sup>93</sup> Edward Ellice to William Gibson-Craig, n.d. (late May?), Gibson-Craig MSS., MS. 2/1/23. Crusty was probably Lord Dunfermline. The 'man' in question was specified as being aristocratic. Melgund was clearly meant.

<sup>94</sup> Williams, 'Edinburgh Politics, 1832-1852', op. cit., pp. 306-312

they would not go to thwart him. - Party feelings and personal jealousies run so high just now, that they have rendered all union impossible, and the consequence has been that the Provost, who I sincerely believe was desirous of not coming forward as a Candidate, has been at last driven to enter the field irrespectively of all other parties - As you know he would have cordially acted with and supported you, could the Whig faction have been brought to name you as their candidate; - this plan however failed, and the Provost now comes forward by himself.<sup>95</sup>

This Whig leadership was also strengthened in its resolution by the proposal of running Macaulay, the idea of whose candidacy had found a positive echo at ward level. Taking McLaren's manoeuvre as a rejection of the Bouverie candidacy, or as an ending of the attempt at reconciliation, would, in other words, have suited the Whig Committee's purposes by this stage. Macaulay's candidacy ended the idea of any kind of union between McLaren and the Whigs and forced McLaren to stand:

'It will be impossible for me to have any union with Mr. Macaulay, although something of the kind might have emerged if Lord Melgund had been started. If I were to unite with Mr. Macaulay, both of us holding precisely the same views as when I opposed him, my public character would be damaged by such a course.'<sup>96</sup>

If he was to keep the Independent Committee in existence McLaren now had no choice. On the Whig side there was little regret. In explaining why, Alexander Russel, editor of *The Scotsman* and very anti-McLaren, offered two reasons. One was that Russel believed a union with McLaren would have broken up the Whig party:

'The fact is, that McLaren has so many people who actually detest him for his bitter personal demeanour and the dark, malignity that mixes with his political doings ...'

The explanation of the other reason shows, albeit probably in exaggerated form, the electoral arithmetic that made McLaren's position in the 1850s so difficult. Russel claimed to have proof that McLaren could not deliver his side of the bargain:

'I have in my possession a significant document ... which gives the religion! of every man that voted for Cowan by split or plump. The chief items in the abstract of that document are these - United Presbyterians, 492; Congregationalists, Baptists and Quakers, 144 - (total of what may be called the Voluntary sects, 536[sic]) - Free

<sup>95</sup> Ralph Abercromby to Lord Melgund, 11.6.1852, Minto MSS., MS. 12342, ff. 30-33

<sup>96</sup> See McLaren to ?, 11.6.1852, Minto MSS., MS. 12342, ff. 34-35.

Churchmen 567; Establishment 160; Episcopalians, etc. 79; Unknown (largest of all!) 621 - Grand total 2063.

Now mark that, before the Lord Provost proposed a union with your Lordship, ... all but the Voluntary section of the "Independent" Committee had left him, in hot wrath upon both public and personal grounds - so that all he could even pretend to control was about 500 votes, or, one-fourth of the force that returned Mr. Cowan.<sup>97</sup>

Russel does not seem to have been aware that the idea for an arrangement between Melgund and McLaren may have come initially from Simpson and that it may have been the reason for Macaulay provoking the final break with the Free Church moderates on the Independent Committee. The point Russel was making about the numerical divisions in the city is, however, a valuable one and shows that with the existing electorate building a stable Independent Liberal base was going to be very difficult for McLaren. The Voluntary section was not enough and co-operation with any of the other groups could be, as experience had now shown with the Free Church especially, a fragile and fraught affair.

It is worth pointing out that, although the events of the 1840's and early 1850's can be summed up as a sharp conflict between the Independent Liberals and the Whigs for control of the Liberal party, these contending groups both continued to regard themselves as Liberal. Meetings like that held in April 1852 served to show that both sides thought in terms of a reconciliation and saw themselves as inhabiting the same political 'house'. The Conservatives were seen as being a body apart and, as Charles Cowan found out in 1847 and 1852, accepting support from them tarnished a Liberal victory.

How then was McLaren enabled to overcome the problem of his too-narrow political base? The answer lies in the artisan vote, which was not yet present in sufficient numbers in the earlier period, and in the Annuity-tax issue which McLaren was able to use to keep Edinburgh politics at a high temperature and use as a stick to beat his Whig opponents with.

The sea change which had taken place in Edinburgh Liberalism by the 1860's is best illustrated by a comparison of the 1856 by-election with the result at the General Election of 1865. These were the only two contested elections in Edinburgh between 1852 and 1874 and such a comparison illustrates well the fact that the Second Reform Act was not the decisive factor in altering the political landscape. In Edinburgh the lowering of the franchise in 1868 rather helped to consolidate what was already under way. Mention of the uncontested elections of 1857 and 1859 serves to further illustrate

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<sup>97</sup> Alexander Russel to Melgund, 17.6.1852, Minto MSS., MS. 12342, ff. 36-41

the stand-off between the McLarenite Independent Liberals and the, by then, Whig/Free Church Liberal establishment.

The 1856 by-election was occasioned by Macaulay's stepping down due to ill-health. To many non-Whigs in the constituency it seemed as if the whole business had been stage managed by the Whigs. Macaulay announced that he was resigning in a letter to the chairman of his 1852 committee, Adam Black, who was chosen by the Aggregate (Whig) Liberal Committee at a meeting the day after as their candidate<sup>98</sup>. The suspicions that the timing of the election and Black's candidacy were so pre-meditated were fully justified, as the following letter from Macaulay to Black written some two weeks before the matter became public makes clear:

'I should have felt some vexation and perhaps even some self-reproach, if, in consequence of my retirement, a fanatical blockhead or a radical agitator had been sent up to Parliament by Edinburgh. I now look forward to the pleasure of hearing my successor spoken of by men of all parties as one of the most useful, prudent, temperate and independent, members of the House of Commons.'<sup>99</sup>

McLaren may have been the 'radical agitator' Macaulay had in mind and obviously Black was anxious to avoid giving him or anyone else a head start:

'Had each newspaper office been in possession of the information early in the day, what would have been the results? That various cliques or committees would have been informed before the constituency - that Mr. D. McLaren's friends, and the Hon. T. Bruce's friends, and Mr. Cowan's friends, and Monzie's friends, and Sir W. Johnston's friends, if he has any, would in all probability have known sooner than the public, and that the only political or electioneering section not enjoying this advantage would have been the friends of Mr. Macaulay and prospectively of Mr. Black.'<sup>100</sup>

This was how *The Scotsman* rather disingenuously defended its favoured position of being next in line after Adam Black to receive the news. As a description, however, it does give a good picture of Edinburgh politics at this point in time. The 'ins', 1847 long behind them, were the Whigs, so 'in' in fact that some of them even complained about being left in the dark about what was going on. The following extract written by

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<sup>98</sup> *The Daily Scotsman*, 22 & 23.1.1856

<sup>99</sup> T.B. Macaulay to Adam Black, 8.1.1856, Macaulay/Black Correspondence, MS. 3650 (iv), ff. 73-74

<sup>100</sup> *The Daily Scotsman*, 28.1.1856



a Whig committee member reveals that some of the initial unhappiness at the way in which Black had been brought forward was also felt among his supporters:

'If the "Liberal (Whig) Committee" is merely an assemblage of electioneering puppets, their movements being directed by a nameless few whose game they play, I can perfectly understand the course actually adopted. But if the committee is to be regarded as representing the Liberal section of the constituency ... it has been deprived, by the unseemly haste of Mr. Black's supporters of the opportunity of performing that duty.'<sup>101</sup>

The 'outs', already partly identified by *The Scotsman* above, were fragmented and numerous. Hugh Miller classified them as follows:

- The old anti-*Edinburgh Review* Conservative party
- The pro-Forbes Mackenzie or Temperance party
- The Anti-Maynooth party
- The John Hope (R.C. Emancipation Repeal) party
- The Duncan McLaren party
- The Modified Ecclesiastico-Political F. Church party

Adam Black claimed the support of some of Miller's groupings which may, on this occasion, be counted with the 'ins' and included, in addition his own Whig group:

- The Anti-Forbes Mackenzie Act party
- The pro-Maynooth (Cowgate R.C.) party

As Black himself put it:

" ... my strength lay among the Whigs, the publicans, and the Roman Catholic sinners. The other six parties combined against me."<sup>102</sup>

McLaren was pressed to accept the nomination, but realised that he was not the best person to bring these outs together. According to Mackie, he explained his decision to William McCrie in the following terms:

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<sup>101</sup> *Ibid.*, 29.1.1856

<sup>102</sup> This and Hugh Miller's classification in Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 170

The wounds inflicted by the Independent Liberal party on themselves were indeed beginning to heal, but the party organisation was far from satisfactory;<sup>103</sup>

To George Combe he expressed his continuing belief in a Melgund candidacy:

'My opinion is still unchanged that if Lord Melgund had been brought forward by the Liberal Committee, so called, he would have been supported by so many dissenters that he would have been carried.'<sup>104</sup>

As in 1852, it may have been that McLaren was looking for a way of solving the Independents' permanent electoral disadvantage by forging some sort of partnership with the Whigs through Melgund.

Melgund was not, however, interested and it is indicative of the position of McLaren, and others in sympathy with him, that, failing this bridge to co-operation with the Whigs, they had to cobble together a coalition of all the groups detailed by Hugh Miller round a Free Churchman with a history of Tory sympathies, Francis Brown Douglas<sup>105</sup>.

'With extraordinary industry and tact, Mr. McLaren succeeded in combining together the most heterogeneous elements of Edinburgh politics in opposition to Mr. Black.'<sup>106</sup>

Brown Douglas was no doubt chosen partly because it was hoped he would draw back some of the Free Church votes which had been lost in 1852:

'Mr. Brown Douglas's candidature quite coincided with Mr. McLaren's scheme of party reconstruction. As a trusted Liberal, and as a loyal and energetic Free Churchman, Mr. Brown Douglas brought the larger sections of the Nonconformists once more to the same political platform, and prepared the way for ultimate union.'<sup>107</sup>

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<sup>103</sup> J.B. Mackie, *Life and Work of Duncan McLaren, op. cit.*, vol. II, p. 36

<sup>104</sup> D. McLaren to George Combe, 31.1.1856, Combe MSS., MS. 7355, ff. 123-124

<sup>105</sup> Mackie's description of him as a 'trusted Liberal' was written with the benefit of much hindsight. Douglas's Tory leaning, lawyer background showed how far McLaren was prepared to go to push out the Whigs.

<sup>106</sup> Nicholson (ed.), *Memoirs of Adam Black, op. cit.*, p. 171. McLaren, writing in response to the *Memoirs* denied putting the coalition together, saying he was only responsible for leading the Voluntaries. See Mackie, *op. cit.*, vol. II, p.38

<sup>107</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. II, pp. 36-37

Brown Douglas does appear to have succeeded in drawing Free Church support. Charles Cowan voted for him late in the day and many of Cowan's friends served on Brown Douglas's committee<sup>108</sup>. Brown Douglas had other advantages besides being a Free Churchman to help in this process:

'On the Sabbath, Maynooth, and other religious questions, he was as sound as the most severe Presbyterian Ultramontanist could desire. Thus Mr. McLaren was able to bring together ... high and dry Churchmen on the one side, blatant Dissenters on the other, fossil Tories , furious Radicals. There was a repetition, with increased bitterness, of the same coalition of sects and cliques that combined nine years before to unseat Macaulay.'<sup>109</sup>

In other words, the Independent Liberals, actively led by McLaren or otherwise, had no choice but to try the same tactics as in 1847 and to gather as many of the 'outs' together as possible. McLaren's strategy of 1852 of combining with the Whigs to try to defeat the Free Church was obviously not possible this time because only the Whig seat was vacant and in choosing Adam Black the Whigs had a candidate who could unite their whole power in the constituency. Not only could he rely on uniting the Whigs, Black also apparently appealed to the merchant and shopkeeper class that otherwise provided McLaren and the Independents with some support. Early 1856, as is discussed in Chapter 3, was the time just after the Administrative Reform movement had come and gone, the Crimean War was still in progress and the cry in many constituencies was for "men of business" to be put in positions of responsibility. Black, the publisher and bookseller, fitted these requirements in a way that Brown Douglas the advocate did not. As the *Edinburgh News*, an opponent, explained:

'Besides, there is a growing conviction among the middle and commercial classes that men who have successfully managed their own businesses are the most likely to manage their own business with credit. Whether Mr. Black partakes of that belief or not, it is one which strongly permeates the citizen portion of his supporters and these have all but universally voted for one of themselves.'<sup>110</sup>

*The News* went on to point out that Brown Douglas was unknown to half of the citizen shopkeepers by sight and that they preferred the man they had known all their lives. Black had, in other words, in sharp contrast to Macaulay, a sizeable personal vote.

<sup>108</sup> *The Daily Scotsman*, 24.3.1857. Even Sir William Johnston, McLaren's arch-enemy of 1852 supported Brown Douglas.

<sup>109</sup> Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 171

<sup>110</sup> *The Edinburgh News*, 9.2.1856

The 'outs' failed on this occasion partly because it was a by-election and there was not the opportunity for tactical use of split voting, plumping and so on. It was a straight fight and shows clearly the nature of the Edinburgh constituency at this time. Black's majority of 643 came from all polling districts except one, but was especially concentrated in the Old Town and the area round South Leith<sup>111</sup>. Brown Douglas significantly was able to come within a few votes of Black in some New Town districts, among well-off electors, therefore, and won in the district which covered the Marchmont, Sciennes area, again at that time better-off 'suburbia'. *The Edinburgh News* point that Black was strongest where he was best known and was solidly supported by the Edinburgh shopocracy seems borne out here.

McLaren put the defeat down to inexperienced canvassing and poor organisation. The Independents did not, in other words, have the party organisation the Whigs commanded.

Their committee, as you are aware, has been a standing committee for many years; and we know it is said, and it has not been contradicted, that three weeks before Mr. Macaulay's resignation was made known, their lists were all printed and ready for the canvass. This large standing committee, with all its power and influence in society, has certainly given them great advantage over a committee created on the spur of the moment, with only eight or ten days to work in.<sup>112</sup>

These factors were certainly important. The problem, however, was another variation on the same theme that had been played out in 1846 and 1852. Keeping such a coalition together was extremely difficult, even across the few days necessary to run a successful election campaign. The cry of independence was not a creed:

'... and, as a cry is not a creed, when Mr. Brown Douglas came to proclaim his creed, it was found considerably defective, just because it was not a party creed and it was not a party that were to be satisfied with it.'<sup>113</sup>

Because the Independent Liberals were not a 'party', but a shifting coalition, they were unable to exert the claims of loyalty and tradition which forces adherents of a party to put their doubts about the party line on the back burner in the interests of the success of the greater good. A personality like McLaren's, as had been seen in 1852, was calculated to exacerbate the suspicions and doubts that were corrosive to co-operation within such a coalition. In 1856 Brown Douglas was in a position where he could not

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<sup>111</sup> The result was: Black 2,429; Brown Douglas, 1,786.

<sup>112</sup> *The Daily Scotsman*, 9.2.1856

<sup>113</sup> *The Scottish Press*, 12.2.1856

hope to please all of his potential sources of support. His mixing with advanced Liberals prevented many Conservatives supporting him:

'... his Conservative leanings on the other hand, kept back many Liberals and his heterodoxy in the articles of the Voluntary creed scared away a large number of those who make their views on religious establishments paramount to all others.'<sup>114</sup>

By trying to attract Free Church voters with Brown Douglas, the Independents had put off many Voluntaries, who in any case had the opportunity of voting for one of their own in the person of Black. One could even add that by running the lawyer, Brown Douglas, they had blunted the edge of McLaren's anti-Parliament House crusade.

The elections of 1857 and 1859 were significant in that they confirmed what had happened in 1856, in other words that without additional support the 'Independent', McLarenite Liberals could make little headway.

In 1857 the Independents were faced with a situation in which Cowan, on the brink of retirement, was persuaded to stand again by the promise of Whig support<sup>115</sup>. Brown Douglas, whom the Independents had intended to put up, felt himself bound by a promise given in return for Cowan's support in 1856, not to stand<sup>116</sup>. With Cowan standing again and Brown Douglas refusing to enter the field, the Free Church section of the Independent Committee, which had been brought back on board in 1856, deserted again. At a meeting held on the 20th of March 1857 it was reported that there was:

'... a marked and indeed almost entire absence of the Free Church section of the party.'<sup>117</sup>

Denunciations of Cowan were heard, from, among others, Duncan McLaren, and in a 'Statement' on Cowan's address the Independent Liberals, almost as if 1852 had never happened, proceeded to disown him:

'... Mr. Cowan is no longer the candidate of the Liberal Independent Committee, by whose influence he was originally brought forward and his election secured.'<sup>118</sup>

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<sup>114</sup> *Ibid.*

<sup>115</sup> *The Daily Scotsman*, 24.3.1857, 'Statement of the Independent Liberal Committee respecting Mr. Cowan's Address.'

<sup>116</sup> *The Scotsman*, 14.3.1857

<sup>117</sup> *The Daily Scotsman*, 21.3.1857

<sup>118</sup> *The Daily Scotsman*, 24.3.1857, , 'Statement of the Independent Liberal Committee respecting Mr. Cowan's Address.'

The split of 1852 had repeated itself, the difference being that there was open co-operation between Charles Cowan and the Whigs on this occasion. In trying to find a candidate who would meet the requirements of the situation, and led by McLaren in this case, the Independents settled on Lord John Russell. McLaren may have seen Russell as an alternative to Melgund, a candidate who would allow the Independents to form some sort of working relationship, with the Whigs and so to break out of their apparent permanent minority in Edinburgh. As Chapter 4 explains, Russell had the added attraction for the Independents, most of whom in the absence of the Free Church section were political radicals, of being anti-Palmerston and pro-Reform. Proposing such a candidate, however, left McLaren and the Independents open to charges of gross inconsistency, as their opponents were quick to point out:

'Last year, it will not be forgotten, Mr. Black, solely, it was alleged, on account of his refusal to vote against Maynooth, was deserted, opposed, and vilified by former "friends". This year, let it be marked, the self-same persons have been doing their utmost to supplant Mr. Cowan, who does vote against Maynooth, by Lord John Russell, who is the most strenuous and influential supporter of Maynooth!'<sup>119</sup>

The 'former "friends"' were presumably Black's fellow Voluntaries among the Independents. McLaren's letter to Russell, not surprisingly, does not mention the religious issue and concentrates instead on the support for Russell amongst the citizen class "as contra-distinguished from the lawyer class" and on the Reform issue<sup>120</sup>.

The nature of the offer to Russell is an indication that in the more moderate religious atmosphere of the later 1850s McLaren was finding that the political environment was more conducive to what he had been trying to achieve since Corn Law repeal had ceased to be an issue. Reform would allow the Independent Liberals to broaden their appeal and escape the strait jacket of the Maynooth/temperance/sabbatarian platform that co-operation with the Free Church had confined them to. In his letter to Russell McLaren discussed the need for at least a £4 franchise, if not household suffrage, in Scotland and pressed on him the arguments for 40-shilling freeholds and for more M.P.s for the northern part of the Kingdom. Such issues, which were coming in for more discussion now that the Crimean War was over, and not Maynooth offered a way forward.

In the event Russell was not interested and Cowan and Black were returned unopposed. Without substantial Free Church support at this point under the existing franchise, the Independents simply did not have the electoral strength alone.

<sup>119</sup> *Ibid.*, 27.3.1857

<sup>120</sup> D. McLaren to Lord John Russell, 4.4.1857, Russell MSS., MS. PRO 30/22 13C/195-200

As proof of this it is possible to take the results of the 1856 municipal elections, held only a few months earlier. There is some danger in extrapolating these into parliamentary constituency terms as other issues tended to predominate and, with a higher degree of apathy among the voters, the field was often left free for political, religious and other kinds of activist<sup>121</sup>. Nevertheless the 1856 municipal election was something of a 'general election' in that it took place after the absorption of the Canongate and Portsburgh into the municipality and after the old 'municipal' functions were combined with the 'police' powers<sup>122</sup>. At this election 39 councillors were elected. The breakdown by religion was 17 Free Church, 14 Voluntaries, 7 Established Church and 1 Episcopalian<sup>123</sup>.

The same argument about the need for Free Church co-operation did not carry the same weight in 1859 when James Moncreiff, another Free Churchman, took Cowan's place. Both he and Black, two Whigs, were allowed to walk the course. To commentators on both sides of the Liberal divide it appeared as if the struggle of the previous decade and more had been pointless. The Whigs were understandably content:

'After the miserable dissensions which first bore practical fruit in 1847, it is great relief and refreshment to see the same meeting of fellow-citizens concurring both in the choice of future representatives, and in expressing thanks and approval as to the past.'<sup>124</sup>

The non-Whig press saw matters in a different light:

'We have to congratulate the Independent Liberals, Conservatives, and all who do not swallow the pure Whig test, upon the result of their twelve years' conflict. They are back to precisely the same position as they were in when Mr. Cowan was first elected. The Independent Liberal organisation has been found to be a rope of sand, capable of something indeed, when ecclesiastical feeling was strong, but falling to pieces when a political issue is placed before the country.'<sup>125</sup>

<sup>121</sup> On complaints about apathy see W. H. Marwick, 'Municipal Politics in Victorian Edinburgh', in *The Book of the Old Edinburgh Club*, vol. XXXIII, 1969, p. 34

<sup>122</sup> Edinburgh had taken advantage of Rutherford's General Police Act of 1850 to effect these changes and improve the efficiency of local administration. See John Prest, *Liberty and Locality*, Oxford 1990, pp. 188-189

<sup>123</sup> *The Daily Scotsman*, 5.11.1856. The paper had some trouble explaining why 15 of the councillors returned had voted for Adam Black in February as against 18 for Brown Douglas, but put this down to the greater effort of the 'intolerants' at municipal level.

<sup>124</sup> *The Daily Scotsman*, 8.4.1859

<sup>125</sup> *The Edinburgh News*, 9.4.1859

The political issue was Reform and the mention of the Independents falling apart when it came up was a reference to the incompatibility of the mostly Voluntary radicals, men like McLaren, William McCrie and Andrew Fyfe, and the moderate Free Churchmen round Charles Cowan. By 1859, however, this missed the point. Reform was not just an issue that concerned the traditional £10 electorate of middle class shopkeepers, merchants and above. The Burgh Registration Act of 1856, by making the drawing up of electoral rolls all but automatic, had already by 1859 brought a large number of new voters on to the register. *The Edinburgh News* gave a figure of 3,400 in addition to the 5000 who were on the roll at the previous contested election in 1856<sup>126</sup>. As *The News* pointed out, many of these new voters came from the 'humbler classes', in other words probably from the artisan and poorer middle-classes, who had been put off registering before by the expense and inconvenience, exacerbated in the paper's view by their more frequently moving house. *The News* believed that the Independent Liberals were strongest amongst this new group of voters.

Why did McLaren not put this new electoral situation to the test? He had apparently been asked to run. Here, after all, were the voters who could replace the unreliable Free Church moderates and give the Independent Liberals the strength to defeat the Whigs. *The News* itself offered two reasons.

Firstly, it believed that McLaren did not want to run alone against the Whigs. He wanted, according to the paper to run with a colleague so that his second votes did not go to bolster his opponents. This would fit in with what Mackie has to say about his refusal to stand in 1856:

'... it was not at a bye-election, when only one seat was vacant, but at a general election, when the question of the whole representation of the city was to be decided, that he intended again to enter the field. He wished, if sent to Parliament at all, to go with a like-minded colleague, and with a definite popular commission to serve the city in the House of commons during the full lifetime of a Parliament.'<sup>127</sup>

The second reason *The Edinburgh News* offered was that McLaren did not want to stand against Black because he approved of the latter's attempts with his Annuity-tax Bill of the previous session to solve that problem. Admiration may have played a part here, but it is also likely that Black had earned himself credit with the constituency for his efforts. Briefly, Black's proposals, which had come very close to passing the House of Commons, had involved abolishing the tax without calling on public funds to make this possible, in other words a solution that appealed to Voluntaries.

<sup>126</sup> *Ibid.*, 30.4.1859

<sup>127</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. II, p. 36



The first of these reasons probably carried more weight as there is little doubt that McLaren wanted to stand. Writing to his son, John he also explained which issue he would like to concentrate on:

'I see I am named in the Mercury to-day as a party looked to. I told you before that I did not wish to go into Parliament at all; but the case has now occurred exactly in the form in which I dreamt of its being at all possible, or desirable, for me to go to Parliament, if wanted by Edinburgh generally, namely the fact that the next Parliament will be one for planning and carrying a Reform bill. In such a case I might be of some use in getting justice for Scotland; ...'<sup>128</sup>

Although the 1859 election was uncontested, the evidence that the electoral landscape was changing was there for all to see. Reform played a significant role as an issue and it was on this that Adam Black marked out a position that was to follow him through to the next contested election in 1865:

'On the subject of Parliamentary Reform, Mr. Black's views were those of a good old Whig, who, though he had fought for it in days when to do so was dangerous, had become afraid of further extending the franchise to that portion of the community, which was greatest in numbers, but in his opinion less competent than the better educated to exercise it wisely. He was also of opinion that a £10 rental formed a fair and reasonable criterion of a citizen's stake in the welfare of his country.'<sup>129</sup>

If these were his real views, he expressed a willingness to compromise on a franchise lower than £10 in 1859 and spoke for 40-shilling freeholds, provided town freeholders were not allowed to vote in the counties and there was a residence requirement. This flexibility was coupled, however, with a hard line on the "operative class":

'To speak honestly, I think the operatives give a bad specimen of their knowledge of political economy in their trade unions ...  
... I have had an opportunity of knowing that in some trades the tyranny and oppression which is exercised in favour of protection of trade is more cruel than what is exercised by throned despots.'<sup>130</sup>

It is worth noting that the conflict over the role of the unions continued after the election. Black gave a lecture in late 1859, for instance, on "Wages, Trade Unions and

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<sup>128</sup> D. McLaren to J. McLaren, 6.4.1859, F.S. Oliver MSS., MS. 24791, ff. 21-26

<sup>129</sup> Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 180

<sup>130</sup> *The Daily Scotsman*, 21.4.1859. Address in the Music Hall.

strikes" which led to a public meeting under the auspices of the fledgling Edinburgh Trades Council on 11th November. This meeting passed resolutions rebutting Black's charges against trade unions and expressing a lack of confidence "in his views of social and political economy"<sup>131</sup>. Interesting also is that the normally radical *Scottish Press* found common cause with Black on the subject of trades unions:

'We refer to his denunciation of Trades Unions, of whose interference with free labour and high-handed tyranny they only can judge who are subjected to their iniquitous and injurious action.'<sup>132</sup>

A clear early sign that middle-class radicalism had its limits and a straw in the wind of future conflict within the Liberal party.

An innovation at this election was the meeting of working men addressed by Moncreiff and Black<sup>133</sup>. At this also Black continued in the same vein on the subject of Reform:

'Again I observe that improvement does not consist in a mere lowering of the franchise, for in that case the more you lowered it, the greater would be the improvement, and universal suffrage would be the greatest improvement of all. But then the equilibrium ... would be destroyed by a large preponderating weight pressing upon one part of the system and deranging its operations.'<sup>134</sup>

Black here expressed himself in favour of a £6 burgh franchise<sup>135</sup>. The fact that this put him out of touch with the mood of the meeting was shown by the resolution passed at the close which stated that no Reform Bill could be seen as satisfactory which took the £6 limit as final. Black was seen as lacking in zeal on Reform:

'Mr. Black ... is too devoted an admirer of Lord Palmerston to do any good in the broad region of politics. ...

<sup>131</sup> Ian MacDougall (ed.), *The Minutes of Edinburgh Trades Council*, *op. cit.*, pp. 21-22. See also the minutes of the preparatory meeting of the Council on p. 20.

<sup>132</sup> *The Scottish Press*, 22.4.1859

<sup>133</sup> It was pointed out to them by a non-elect at their Music Hall meeting that no working man could attend a meeting held at 2 p.m..

<sup>134</sup> *The Daily Scotsman*, 27.4.1859. Address to working men in the Brighton Street Chapel.

<sup>135</sup> Differences with Moncreiff did exist. Black was for the ballot, Moncreiff was not. Black was for a property qualification in the burghs, Moncreiff was for an occupancy franchise. Black was for 40-shilling freeholds, Moncreiff was a well-known opponent.

In short, Mr. Black is neither more nor less than a genuine Palmerstonian Whig of the ancient type, ...<sup>136</sup>

The £6 franchise, which Black accepted as a compromise going further than he preferred, would have left, according to one report, 10,636 male householders in Edinburgh still unenfranchised and would have added only 3,988 voters, under half of whom could be regarded as working-class<sup>137</sup>.

Black had also clearly caused offence by his remarks on the working classes and trade unions, as the accusation that he had insulted them, made from the gallery at the Music Hall meeting with electors, shows<sup>138</sup>. In short, Black gave the impression of being out of touch:

'The generality of Whig politicians make the same mistake. They seem to imagine that the unenfranchised classes, a vast number of whom recollect nothing whatever of 1830, should enter as keenly into the anti-Tory party spirit as veterans like Mr. Black, whose whole soul was in that earlier contest, and whose ideas as we aver ... have never got beyond it.'<sup>139</sup>

By the time of the next contested election in 1865 these weaknesses in Black's position and, indeed in the Whig grip on Edinburgh, had been confirmed and multiplied to such an extent that McLaren had no need to hesitate.

Firstly, the increase in the size of the electorate consequent on the Burgh Registration Act and also rising standards of living, described above, had gone on. 6,877 votes were recorded in 1852. In 1865 this had risen to 16,022. This represents roughly a doubling in the size of the constituency. A parliamentary return of the following year states that the number of electors at the end of 1865 was 10,343 in Edinburgh, of whom 3,032 were working men and 589 were masters (artisans), clerks, shopmen, etc.<sup>140</sup>.

Secondly, Black had lost the advantage he had enjoyed on the Annuity-tax in 1859. Both M.P.s suffered in the years after 1860 from Moncreiff's attempt to tackle this question. In McLaren's opinion:

"The Annuity-Tax Bill, in my opinion, did more to lose Mr. Black's seat than any one point. The tenpence-halfpenny per pound on the *real* rents of the police-roll was

<sup>136</sup> *The Edinburgh News*, 9.4.1859

<sup>137</sup> *Ibid.*, 23.4.1859

<sup>138</sup> *The Daily Scotsman*, 21.4.1859

<sup>139</sup> *The Edinburgh News*, 30.4.1859

<sup>140</sup> *P.P.*, 1866 (Accounts and Papers), vol. LVII, 'Summary of Return 3', p. 830

computed to be equal to the six per cent on the lower roll of the stentmasters ... and was made part of the police-tax, so that no one could thereafter resist it as a direct ecclesiastical tax; and this avowedly was done with that view. The inhabitants were infuriated against it, and I was a most willing leader, although I never refused to pay the original tax, or wished to have my goods distrained for it, as not a few of my friends did - as Bailies Russell and Stott and Mr. Tait, by going to prison rather than pay."<sup>141</sup>

What the Moncreiff Act of 1860 had done was to spread the burden of the tax and mix it up with another local levy. The Established Church ministers who had been supported by the Annuity-tax were in the future to be supported by seat-rent money and a tax to be raised in combination with the police rates, soon dubbed the 'Clerico-Police Tax'. This tax was also to be raised for the first time outside the royalty. Because the value of the seat rents was estimated at such a low level, the city had to finance a higher sum, set at £4,200 per annum, out of taxation than would otherwise have been expected. Most galling of all to many, the city's entire property was placed under mortgage for this £4,200.

The measure raised a storm of protest. At a meeting in February 1860, i.e. before the Bill was passed, McLaren moved a resolution that Black be asked to reintroduce his measure of the previous year<sup>142</sup>. Black chose instead to make known his objections to the Bill but to support it in the interests of a fair settlement<sup>143</sup>. The consequence for Black was that many of his former statements in favour of a solution to the problem based on Voluntary principles could now be held against him<sup>144</sup>. Moncreiff was primarily responsible for the measure, but Black was, in other words, seen by many as having sold out.

At the municipal elections of November 1860 the Independent Liberals were strengthened by the controversy. Admittedly the number of opponents of the Tax retiring was balanced by the number elected or reelected. It was also possible for *The Scotsman* to argue that apathy was to blame for the return of these councillors. The paper argued that one quarter of the electors in any one ward in fact returned the representative and that, therefore the number of votes given for opponents of the Annuity-tax amounted to only 953 out of a constituency of 8681<sup>145</sup>. Nevertheless in two by-elections some weeks later, caused by two councillors not taking their seats, two opponents of the tax were returned unopposed. One of these new councillors was

<sup>141</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. II, p. 43

<sup>142</sup> *The Edinburgh News*, 18.2.1860, i.e. the measure which had narrowly failed in 1858 and had passed the Commons in 1859.

<sup>143</sup> Nicholson (ed.), *Memoirs of Adam Black, op. cit.*, pp. 194-196

<sup>144</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. I, p. 194

<sup>145</sup> *The Scotsman*, 8.11.1860

Duncan McLaren, who urged the electors to come forward and vote anyway. 234 in George Square ward and 260 in St. Leonard's did.

Over the next few years the storm abated, but the problem did not go away. Collecting the police rates became, after 1860, increasingly a problem:

'For ten years previous to the passing of the Lord Advocate's measure, no sales of furniture had been necessary to enforce the recovery of arrears of the police taxes (with which the assessment for the ministers was mixed up), but after 1860 sales at the Town Cross became alarmingly frequent. The arrears of police rate increased from £9515 to £19,924; and in one year no fewer than 3475 summary warrants were put into the hands of the sheriff officers for collection.'<sup>146</sup>

In the Town Council, however, by 1861 different shades of resistance to the Tax had developed. The followers of Bailie Johnston were in favour of carrying out the Council's statutory duty, so as to avoid confiscation of the city's property, but were in favour of forms of individual resistance. The McLarenites, on the other hand, were in favour of refusing to meet the city's obligations and therefore under the 1860 Act making it bankrupt<sup>147</sup>. This probably explains the moderate/Whig comeback in the municipal elections of that year and the following two years. It was possible for the Whigs, with the Johnstonites to hand as an example of responsible opposition, to portray the McLarenites as extremists and law-breakers<sup>148</sup>. It is likely also that the voters were aware that no solution to the problem was likely to come through the Town Council. Other questions, the Meadows Improvement Scheme and the Water of Leith Bill, arose to occupy attention at this level of politics<sup>149</sup>. It was possible for *The Scotsman* to claim by 1863 that:

'Since the Act passed, we have had three municipal elections; and the almost sole business at all of them has been the turning out, neck and crop, from almost every Ward of the City, of all Councillors and candidates who were opposed to the compromise ...'<sup>150</sup>

The Independent Liberal view was, however, that the Council no longer represented the views of the constituency. In 1864 the Independents were reported as putting up only one candidate, Mr. Stott, in George Square ward. This was the same Stott who had had his goods distrained for non-payment of the 'clerico-police tax'. Stott's candidacy was

<sup>146</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. I, p. 197

<sup>147</sup> *The Scotsman*, 31.10.1861

<sup>148</sup> See for example *The Scotsman*, 6.11.1861

<sup>149</sup> *The Weekly Herald and Mercury*, 5.11.1864

<sup>150</sup> *The Scotsman*, 4.11.1863

partly a result of the Annuity-tax question, but also due to his opposition to the Meadow's improvement scheme and the religious views of his opponent. Stott won by 390 votes to 98 against Mr. Anderson, who was withdrawn early in the day. Commenting on Anderson, *The Weekly Herald and Mercury* made plain how the Independents viewed the Council:

'... in point of fact he was permitted to occupy a seat at the Council, as many others have been permitted, solely by sufferance, and because abler and better men could not be induced to go in.'

In reply to 'Honest Iago', the commentator of another paper, *The Mercury* went on:

"Honest Iago" knows as well as we do that the present "peace" in the Council on the subject of the Clerico-Police-tax and the persecutions connected with it, is the result of a party policy, a party fear, and a party danger, not an evidence of city content; that there are 6000 citizens who refuse to honour the Lord Advocate's Act and are prepared to suffer its penalties, ...

He also knows that only by the confusion into which the Liberal party has been thrown by the treachery of the Whigs, could a state of things such as now exists in Edinburgh be allowed to continue a single year; and he knows also ... that what has been done in George Square could be repeated in at least ten other Wards of the City could men be got with moral courage enough to suffer the ordeal of wrangling with a set of bigots and torturing their souls by attempting to infuse common sense into their impenetrable heads.<sup>151</sup>

The 'party policy', 'party fear' and 'party danger' are not clear. This may have been a reference to Whig desire to play the question down. What is clear is that the Independents had largely given up the struggle at local level. The label of law-breaker and the threat of legal action for non-payment of the 'clerico-police rate' may well have been responsible for the lack of 'moral courage' on the part of their better potential candidates. The Independents believed, however, that they had the support of the constituency in principle behind them.

By contrast with the situation at municipal level, the requisition which was got up to McLaren in the summer of 1865 originated with the Anti-Annuity-tax Association and his committee was filled with those who had opposed the Annuity-tax and the Moncreiff Bill of 1860<sup>152</sup>. The movement to oppose the tax gave McLaren a ready-made network of supporters and an organisation which he could build on. This was in

<sup>151</sup> *The Weekly Herald and Mercury*, 5.11.1864

<sup>152</sup> J.B. Mackie, *Life of Duncan McLaren*, op. cit., vol. II, pp. 39-41

stark contrast to the situation in 1856 when his committee had been "created on the spur of the moment" and had had "only eight or ten days to work in"<sup>153</sup>.

It is also significant that there is evidence that at the parliamentary election, as opposed to the municipal elections when the McLarenites had been labelled as extremists, McLaren was able to win back the support of the responsible opponents of the 1860 settlement. This movement appears to have included a good number of Free Churchmen. At Moncreiff and Black's meeting with the electors in early June, for example, Black gave the following description of the audience:

'When the Lord Advocate and I appeared, we were received with yells and tumult, joined in by men apparently respectable, and it was said that even clergymen were not ashamed to help in the disturbance.'<sup>154</sup>

The Annuity-tax may not have been the only factor at work with the clergymen. Dr. Guthrie, for instance, voted for McLaren because he was opposed by the Roman Catholics and publicans, Black's traditional supporters<sup>155</sup>. In the background was also the improved atmosphere of the 1860s with, from 1863, serious moves towards union between the Free and Voluntary Church being set in train<sup>156</sup>.

The third of Black's weaknesses was his views on Reform. He had, in fact, in a sense back-tracked on this question from the position he took in 1859. Speaking on the Second Reading of the Russell Reform Bill in 1860, he said:

"My chief objection," he said, "to the part of the Bill that provides for the admission of occupants of £6 houses is, that the infusion of such large numbers into the burgh constituencies will dilute and lower the entire constituencies and give an undue preponderance to one class and that the least educated."<sup>157</sup>

In 1859 he had been for a £6 franchise, albeit on a property basis. Now he was opposing a £6 proposal and, most serious of all, in a Liberal Reform bill. He admitted himself that he might have given offence to his supporters.

<sup>153</sup> *The Daily Scotsman*, 9.2.1856

<sup>154</sup> Nicholson (ed.), *Memoirs of Adam Black*, *op. cit.*, p. 228

<sup>155</sup> J.B. Mackie, *Life of Duncan McLaren*, *op. cit.*, vol. II, p. 49. There were reports however of a split in the Catholic camp, perhaps because the Palmerston government, of which Black was a close supporter, was seen as being anti-Catholic. See *The North Briton*, 7.6 and 15.7.1865

<sup>156</sup> See J.R. Fleming, *A History of the Church in Scotland, 1843-1874*, Edinburgh 1927, pp. 174-178

<sup>157</sup> *Ibid.*, p. 201

The Edinburgh electorate was reminded of his position shortly before the 1865 election when he voted against Edward Baines' Borough Franchise Bill, which also called for a £6 qualification:

' ... Mr. Black took an active part in opposing the Burgh Franchise Bill of Mr. Baines and laid himself open to the charge of preferring to row in the same boat with Tories, than with Radicals, who were, in his opinion, going forward too fast, ... Mr. Black's conduct on this occasion naturally subjected him to very adverse criticism on then part of the Advanced Liberals of Edinburgh, and contributed materially to his defeat at the next election.'<sup>158</sup>

Such a position was not calculated to appeal to the voters who had come on to the register since 1856, many of whom might have counted themselves as being part of the "one class" Black did not want to give preponderance to. The working class newspaper *The North Briton* came out with some advice to working men in the run-up to the election. It started by drawing attention to the fact that they occupied a more important position this time than previously:

'Hitherto they have been held of little account in any electioneering contest, but the recent rise in the rental of property and the improved system of registration ... have changed all that ...'

It went on to claim, quoting from a pamphlet on the subject, that:

'" ... more than three-fourths of the 1455 electors added to the roll since the last municipal contest are from £10 to £20 householders, cooperative building and investment societies having, during the last ten years, done a great work in the way of making "every man his own landlord". With the exception of a very small fraction, these electors may be said to be working men who have never before possessed a vote, and we would wish to give them one or two reasons why ... they should not vote for Mr. Adam Black.'

The paper then went on to question Black's honesty in voting for Russell's resolutions against the Derby Reform Bill in 1859 and then refusing to vote for the Russell Bill when it was introduced a year later. It then drew the issue in stark class terms:

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<sup>158</sup> *Ibid.*, pp. 225-227. See, for instance, F.B. Smith, *The Making of the Second Reform Bill*, Cambridge 1966, pp. 47-48, for the importance of this bill in the advanced Liberals' plan to make Reform the leading issue in the 1865 election.



The result of his experience of Edinburgh working men is that they are destitute of education, intelligence and independence, and that it is inconsistent with common-sense to suppose that they are the equals of the green-grocers and small trading class, who occupy £10 rented premises!'<sup>159</sup>

By his own account, he was accused, by voting against Baines' Bill, of having broken a pledge to vote for the £6 franchise made in 1859 at the meeting with the 'operatives':

"This and my support of the Lord Advocate's Annuity Tax Bill, the old spectre of Maynooth, and the clamour against my age, were the stock charges against me. All this, however, would not have availed if the adversary had not had the advantage of a preliminary canvass. While we were in London attending to our public duties, an active canvass had been going on, especially in the more obscure districts, where the number of voters had been greatly increased."<sup>160</sup>

These districts may have been obscure to Black, but they were only too familiar to the by now tightly run organisation supporting McLaren and his running mate John Miller. Amongst the new voters brought to the register by their own increased prosperity or by the Registration Act:

'... Mr. McLaren several years ago saw and began to use his opportunity, ... Let it be understood - ... - that this is the new constituency which has elected Mr. McLaren, ...'

For the first time in Edinburgh elections ... there has been a fight mainly between the Old Town and the New.'<sup>161</sup>

The results from the different wards bear out the fact that the strength of Moncreiff and Black lay in the more prosperous New Town areas, whereas McLaren and Miller scored heavily in, for instance, the Canongate and St. Giles. Black, as compared with 1856, was, according to *The Scotsman*:

'... behind in all the Old Town wards, and in three or four of them was outnumbered, on the average by 2 to 1. This shows how entirely yesterday's work was the work of

<sup>159</sup> *The North Briton*, 14.6.1865

<sup>160</sup> Nicholson (ed.), *Memoirs of Adam Black*, pp. 231. Black denied having made such a pledge, saying he had only intended to say that of all the schemes then on offer he preferred the £6 franchise proposal.

<sup>161</sup> *The Scotsman*, 14.7.1865

the added constituency, and how entirely that added constituency is composed of one class and located within one kind of district.<sup>162</sup>

This analysis has its limits, however. McLaren and Miller, for example, also did well in the newer areas of the town. St. Cuthbert's, mainly artisan, and to a lesser extent the residential area of Newington were good examples. Reform in the former and the Annuity-tax in the latter may well have been the worker of the majorities that the Independents achieved in these two wards. On the other hand the danger of extrapolating from municipal results is shown by the fact that both Independents were soundly beaten in St. George's, the ward which had returned Mr. Stott, the McLarenite, only just over eight months previously.

McLaren came top of the poll in 1865. Adam Black lost his seat and only came 74 votes ahead of McLaren's colleague Miller<sup>163</sup>. McLaren's achievement, confirmed in 1868 when Moncreiff preferred to stand for the safer seat of Glasgow and Aberdeen Universities, leaving both Independents to walk the course, was to have fused commercial, dissenting (Voluntary and Free Church) middle class resentment at the Annuity-tax with the radical, middle- and working-class desire for franchise reform and to build out of that coalition a reconstructed and Independent dominated Liberal majority. As McLaren put it:

"If all the Tory votes were deducted [from the Black/Moncreiff total], my majority of Liberals must have been very large indeed, thus proving that I had the confidence of the Liberal party in an overwhelming degree."<sup>164</sup>

It was possible to argue at the time whether Reform or the Annuity-tax had been the engine of victory. It depended on the point of view taken and what lessons the commentator wanted to draw from the contest.:

'Parliamentary Reform, however much we may regret to say it, was a very secondary matter indeed; it was only a drop in the bucket of wrath poured upon the head and shoulders of the offending parties.'<sup>165</sup>

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<sup>162</sup> *Ibid.*

<sup>163</sup> The 1865 result was: McLaren, 4,353; Moncreiff, 4,148; Black, 3,797; Miller, 3,723

<sup>164</sup> J.B. Mackie, *Life of Duncan McLaren, op. cit.*, vol. II, pp. 47-48

<sup>165</sup> *The Weekly Herald and Mercury*, 15.7.1865

This represented the view of the commercial and dissenting middle classes. *The North Briton* from a working-class viewpoint saw things differently:

'... Mr. Black's opinion of the industrious classes, as expressed by him in his speech against the Reform Bill, ought to alienate from him the support of every right-thinking working man.'<sup>166</sup>

Such arguments missed the point, however, which was that McLaren had put together the stable coalition for change in the Edinburgh Liberal party which he had been seeking since the 1840's. The Annuity-tax might have replaced Maynooth and Reform might have replaced Corn-Law repeal, but the aim had remained the same and that was to replace the Whigs as the dominating force in the Edinburgh Liberal party.

In 1862 Lord Advocate Moncreiff wrote to W.E. Gladstone explaining why he had recommended Andrew Rutherford, nephew of the late Lord Advocate, for the position of Counsel to the Court of Exchequer for Scotland and not the candidate Gladstone had written in support of, McLaren's son John. The reasons were all connected with McLaren senior:

'Now that gentleman's proceedings have in truth made his son's advancement at present an impossibility as far as I or our party here are concerned. He has thought fit, for the last two years, to carry on an agitation among my constituents for the avowed purpose of unseating me at the next election and this object has been pursued with an amount of persistency of personality which are very remarkable.

... The Annuity Tax agitation blew up at the end of last year by the vigorous expulsion from the Town Council at the last municipal election of all who were supposed to agree with him and who contested the seats: and by the stupidity of the ratepayers, who would take no hint not to pay: and my seat is safer than it ever was.'

The target in 1862 was not necessarily Black. Moncreiff felt himself to be equally, if not more, under threat. He finished his explanation to Gladstone by saying:

'I have thought it right to explain this at length, in order that you may understand that Mr. Duncan McLaren's position in Edinburgh is not merely that of an advanced Liberal, but one of undisguised and vigorous hostility to the Scotch part of the Administration - and to the Lord Advocate especially.'<sup>167</sup>

<sup>166</sup> *The North Briton*, 14.6.1865

<sup>167</sup> J. Moncreiff to W.E. Gladstone, 4.2.1862, Gladstone MSS., Add. MS. 44398, ff. 87-92

There are distinct parallels with the 1840's in terms of the attempt to single out one of the Whigs as the weaker target. Then the Whigs had been separated on the Maynooth issue. Gibson-Craig, by contrast with Macaulay, had been found to be tolerable in his support for Maynooth. In 1865 Moncreiff was portrayed as more acceptable, not because McLaren lacked support on the Annuity-tax as the Lord Advocate claimed, but because he had been found to have slightly more tolerable views on Reform. The working-class *North Briton*, for example, pointed out that Moncreiff had always appeared to be in favour of franchise extension<sup>168</sup>. Indeed, to magnify Black's 'treachery' on Reform it was necessary to point out that he had refused to support the Bill brought in by the Government of which Moncreiff was a member<sup>169</sup>. On polling day Moncreiff's safety came from McLaren voters who gave him the benefit of the doubt and from the Conservative party which switched from Black to him once the latter was seen to be a lost cause<sup>170</sup>. McLaren still needed to identify a weaker opponent because he still needed to draw on the support of some electors who were not 'natural' Independent Liberals, but could be drawn into co-operation with them on a subject like the Annuity-tax. The Independents' position was a lot stronger than it had been in the 1840s and 1850s, but it was still not the permanent Liberal majority.

The ratepayers, for their part, appear not to have been 'stupid', but rather patient and in 1865 McLaren was successful in directing their wrath not just against the Whigs generally, but also against the weaker of the two Whig candidates, Adam Black.

If the strategy and aims remained similar, what had changed by 1865 to make possible a more stable coalition capable of supplanting the Whigs was the nature of the constituency. The new electors added to the roll since 1856 were what tipped the balance in the Independents favour. And tipping the balance was what it really was. The result of 1865, as the figures show, was not a landslide. The Annuity-tax may have provided the engine, but this was essentially a middle-class issue. It did its greatest work in giving the broadest possible spectrum of commercial, dissenting middle-class a reason for backing McLaren. The new voters were what McLaren had lacked in the 1850s to make this alliance more lasting:

'And now that the Whigs have found out that there is a large "added constituency" who know not Adam - what then? Do they recognise their position?

... This is the Macaulay disgrace over again," they say. But we beg to point out that this is altogether a mistaken idea, the rejection of the "statesman, poet, and orator," was, so to speak, an accident, or an act performed in a "huff", but the putting in of

<sup>168</sup> *The North Briton*, 28.6.1865

<sup>169</sup> J.B. Mackie, *Life of Duncan McLaren*, *op. cit.*, vol. II, p. 42

<sup>170</sup> *The Weekly Herald and Mercury*, 15.7.1865

Mr. McLaren was designed, and being successful it indicates in our opinion, the decline of Whig power in Edinburgh; ..."<sup>171</sup>

There remains the question of whether it is still possible to talk of a Liberal party in Edinburgh in the 1860s. It has been argued that in the 1840s and 1850s it was. Both Whigs and Independents saw themselves as fighting to control their common heritage and political identity. The answer for the 1860s remains the same.

Moncreiff, in refusing to help McLaren's son in 1862, wrote to Gladstone that:

'Mr. McLaren [John] may fairly wait. I should certainly not allow personal feelings to interfere with his fair promotion. But it is in vain to disguise that to do what he wishes just now would weaken my hands immeasurably - And it is essential to the preservation of cohesion in a political party, that hostility should not count for as much as, or more than, loyalty.'<sup>172</sup>

For Moncreiff, the McLarens were part of the same party and he, as one of its leaders, was telling Gladstone that he had to be able to use the inducements and punishments that went with that position to try to retain cohesion within it.

McLaren too saw himself as fighting for the soul of the Liberal party. His comment that the 1865 result showed that he "had the confidence of the Liberal party in an overwhelming degree" proves this. Clearly there was a common reforming tradition from which people like McLaren and Black sprang. Their differences lay in the way in which they chose to react to the issues of the day and to the changes in the society around them. It lay, in other words, in their vision of what they saw this Liberal tradition standing for and in their idea of what direction they wanted the party as a whole to take. R.Q. Gray, writing about the working class in Edinburgh in the mid-Victorian period, could therefore describe the Liberal party from their point of view as follows:

'The Liberal party was a relatively loose electoral coalition which in Edinburgh had emerged as recently as the election of 1865, so that in the 1870's radical artisans were not attaching themselves to a monolithic, tightly organised party with fixed characteristics, but rather to an emergent movement whose nature they might hope to influence.'<sup>173</sup>

<sup>171</sup> *The North Briton*, 19.7.1865

<sup>172</sup> J. Moncreiff to W.E. Gladstone, 4.2.1862, Gladstone MSS., Add. MS. 44398, ff. 87-92

<sup>173</sup> R. Q. Gray, *The Labour Aristocracy in Victorian Edinburgh*, Oxford 1976, p. 161

This chapter has described how the form in which the Liberal party emerged from the 1865 election was really the product of a struggle that had been going on for over 20 years. It was not a case, as Mr. Gray's description might be interpreted, of the emergence of a Liberal party in 1865. Rather 1865 marked the triumph of McLaren's battle to push the Edinburgh Liberal party in a more radical direction, more attuned to the interests of the middle-class, dissenting constituency which he drew his strength from. That triumph took place, however, as the result of one of a number of electoral verdicts on the struggle within the Edinburgh Liberal party. That conflict had gone on before, and was to continue after, 1865.

**PART FOUR**  
**CONCLUSION**

## CONCLUSION

This short concluding section is concerned with drawing out the main themes which influenced the Liberal party in Scotland in the mid-nineteenth century.

Firstly new groups, the Free Church and later on the slowly politicising working class are good examples, were attempting to push the Liberal party in the direction in which they wanted. This led to internal disagreement and publicly to contests when one candidate could not be agreed on.

The Liberal party in Scotland was, despite this, a party. Liberals were conscious of the fact that they belonged to the same body, whatever their differences on which direction it should go in might be. At various times a certain issue provided a rallying point. In the 1840s this had been Corn Law repeal. Twenty years later it was parliamentary Reform. Where an individual Liberal placed himself in relation to such an issue expressed what kind of Liberal he was. All Liberals believed in 'Reform', however that might be defined.

Three factors greatly helped the Liberals to be so dominant in this period. The existence of the Free Church after 1843 meant that a particularly dynamic middle-class group was looking for effective political representation of its interests. Free Churchmen owed little to the Whigs and even less to the Conservatives under whose administration the Disruption had happened and under whose protection the Established Church continued. As Liberals they were not prepared to put up with Whig leadership. This dissatisfaction became acute after the Maynooth Grant was increased in 1845. Whig latitudinarianism on this matter was unacceptable. The political solution was co-operation with the Voluntaries, a partnership that bore fruit in 1847 and, to a lesser extent in 1852.

This co-operation foundered on the Education and Establishment questions. Suspicion, probably well founded, that the Free Church really wanted to see a national system of education which was a state-funded version of its own scheme was a big factor in the Voluntary view of this issue. The Voluntaries for their part wanted to see better educational provision, but were torn between this and their voluntary principles when it came to state funding. The latter applied particularly to state funding of religious education.

The second factor, besides the adherence, on whatever terms, of the Free Church to the Liberal party, which helped the Liberals to be so dominant in this period was the split in the Conservative party over Corn Law repeal in 1846. This immediately resulted in Scotland in three groups of Conservatives, viz.: true Peelites, Free Trade Conservatives and Derbyites. Politically the Conservatives were not able to mount any sort of challenge to the Liberals in 1847. In the period up until Palmerston became Prime



Minister this reduced itself to two groups. The Free Trade Conservatives rejoined the Derbyites. The break-up of the Aberdeen coalition in 1855 and the actions of the Peelites during the Crimean War, perhaps also just the passage of time, led to a change in the nature of the Peelites in Scotland. Out of admiration for Palmerston mixed in some cases with dislike of Disraeli, this small group became Independent Conservative supporters of Palmerston.

The effect of all this on the Liberal party was to give it opportunities to make headway in the counties. In addition, and the case study of Ayrshire shows this well this was not just due to Conservative disillusionment or apathy, but rather to a positive willingness on the part of Peelite magnates to co-operate with the Liberals.

The mid-1850s saw various associations for the improvement of Scotland's position in the Union, education, the legal system, and so on appear. This was part of a general phenomenon produced by groups in society finding that the changes they desired were not achievable through the normal political channels. It would be wrong to interpret these movements as early examples of separatist nationalism. As Colin Kidd puts it about an earlier period:

'... Scots did have a vision of their own past, and they were only too well aware that it was the dawn of Union and Anglicisation which had dispelled the nightmare of Scottish feudal oppression and backwardness.'<sup>1</sup>

They were rather attempts to fix the Scottish system within the Union. They flowed into the Liberal party in that they were an expression of impatience with Whig inactivity, or inability, to solve the problems they addressed. In addition they provided a path through the 1850s for those who were not part of the Scottish Liberal party's establishment, men like Duncan McLaren and James Begg.

The dissatisfaction with the existing structures came at the same time as they were revealed to be insufficient in the Crimean War. The effect of the war, the mood of 'the right man in the right place' and the desire, for example to have 'commercial men for commercial constituencies' was significant. It is masked somewhat by the third factor which helped the Liberal party to so dominate at this time, the Palmerston factor.

The appeal of Palmerston's foreign, domestic and ecclesiastical policies varied according to where a Liberal practised his politics. A county radical Liberal like Lord James Stuart in Ayrshire found it admirable abroad and too cautious at home. A city Radical like Duncan McLaren with a history of involvement in the Peace Movement found it unacceptable. What Palmerston did for the Scottish Liberal party was to accentuate the trend in the counties towards the Liberals. It was very difficult, as Sir James Fergusson found out in Ayrshire in 1857, to run as an anti-Palmerstonian in the

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<sup>1</sup>Colin Kidd, *Subverting Scotland's Past*, Cambridge 1993, p. 267

Scottish counties in the late 1850s. In the burghs the inaction of his Government on Reform led to at first frustration and then action as middle-class radical or 'advanced' Liberals formed Reform associations and leagues and sought to exploit the issue. McLaren did just this in Edinburgh. He exploited the Annuity-tax, a local issue to win middle-class support especially and he made use of the Reform issue to attract those working-class people who had the vote under the old franchise. In that sense the 1868 Act was not a beginning.

The enlarged burgh electorates did mean, especially in big city seats like Glasgow and Dundee, more organisation. Face to face politics was no longer possible. It also meant more co-operation. In order to prevent the common Conservative enemy profiting from Liberal divisions, Whig, moderate and radical/'advanced' Liberals had to talk to each other. They had to co-ordinate what they were doing with working-class representatives. In the latter they found willing partners as fostered by the trade unions and trade councils, these politically active and aware working-class people by and large wanted to join the Liberal tradition. They did not want to 'go it alone'. Certainly they wanted, just like the Free Church had in the 1840s, to influence the direction the Scottish Liberal party was taking, but working-class representatives wanted to work within its reforming tradition to do this.

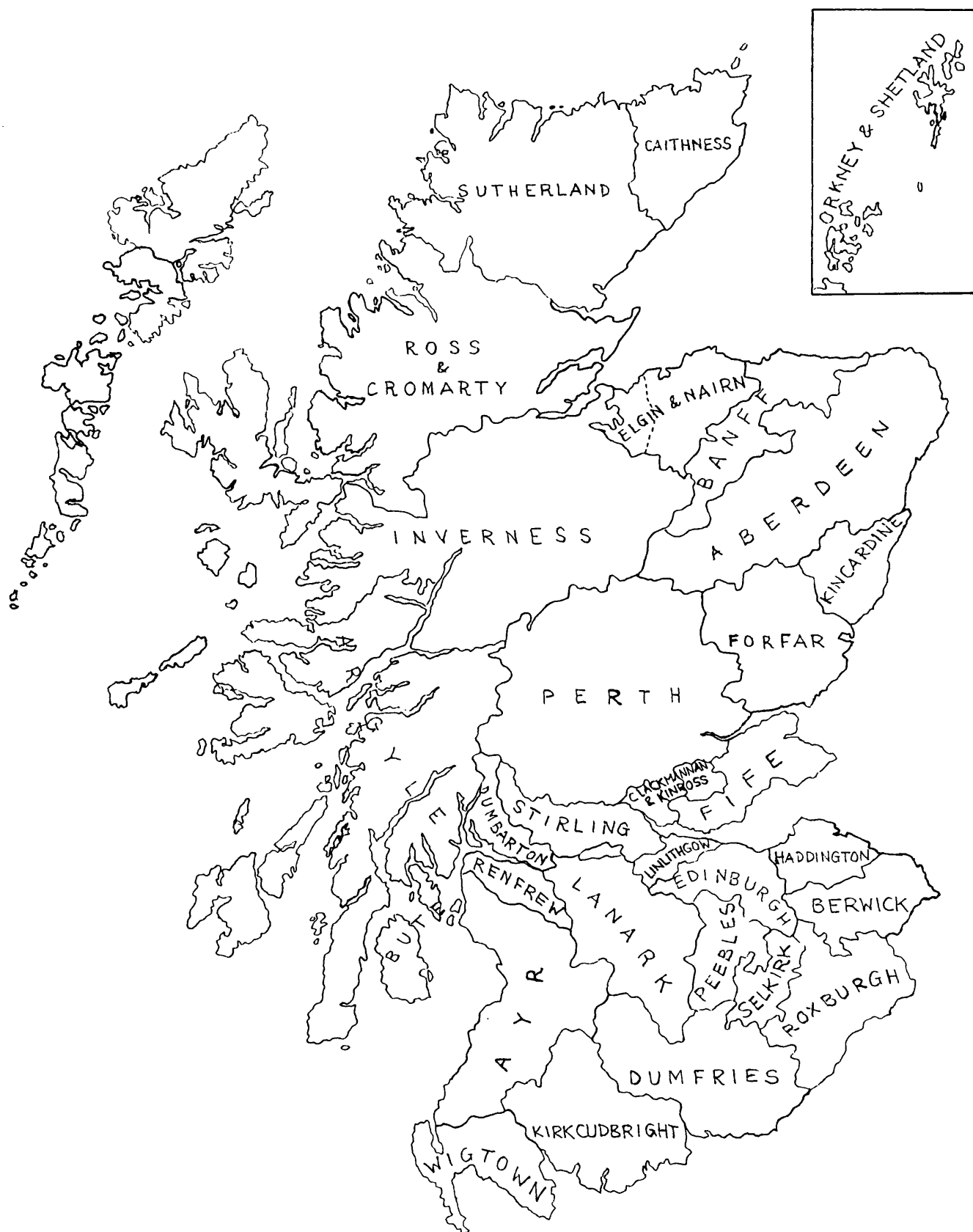
The Liberal party in Scotland in this period not surprisingly reflected in its development the development of the society around it. From being a secular, Whig dominated party in the early 1840s, it passed through a period of being deeply imbued with church politics. This was succeeded by a new, more entrepreneurial, more open kind of Whiggery in the late 1850s. By 1865 a new working-class electorate was beginning to make itself felt and leading moderate and 'advanced' Liberals either to make adjustments or to exploit opportunities as the case might be.

# **APPENDICES AND BIBLIOGRAPHY**

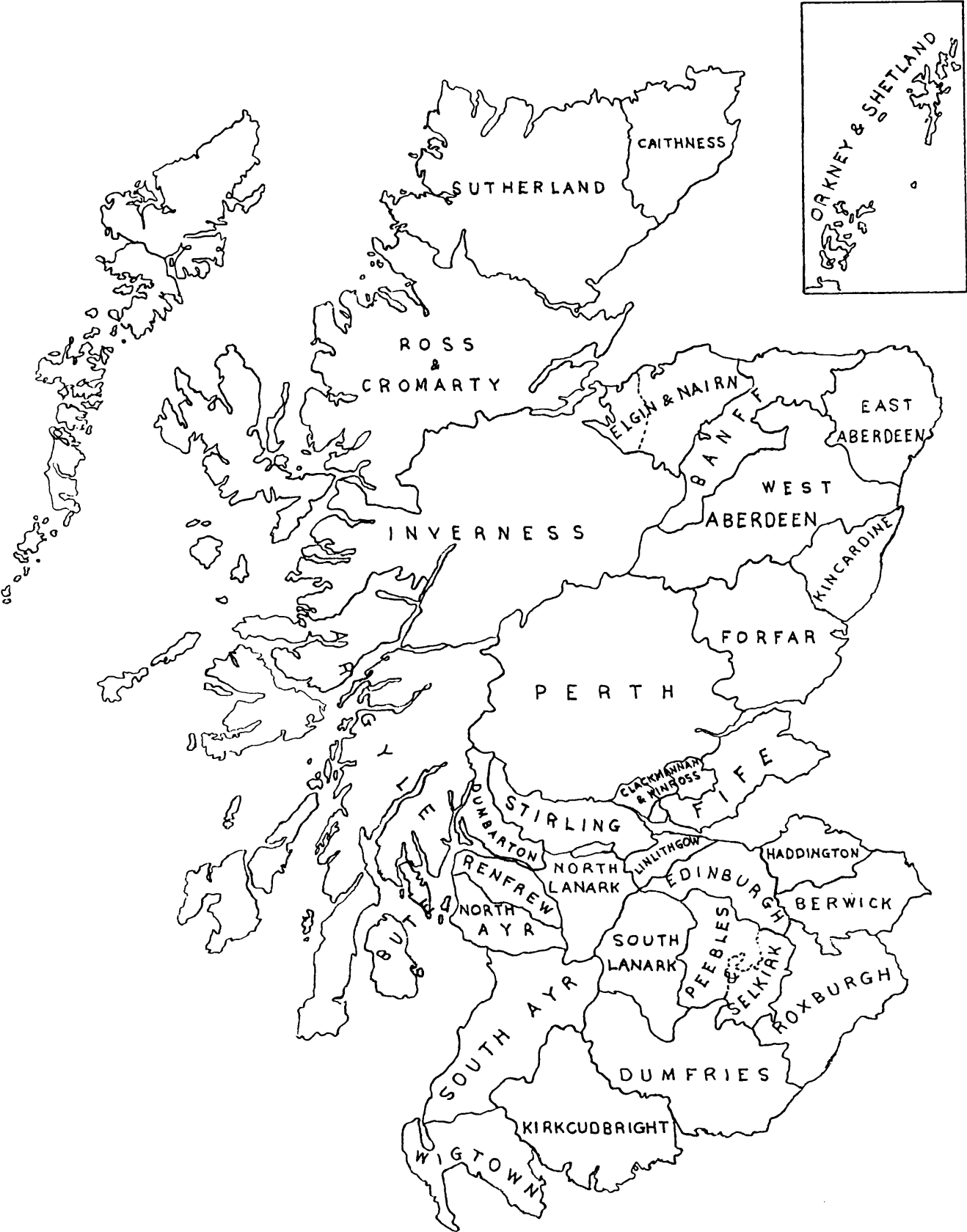
## **APPENDIX 1**

**Maps showing county and burgh seats under the  
1832 and 1868 Reform Acts**

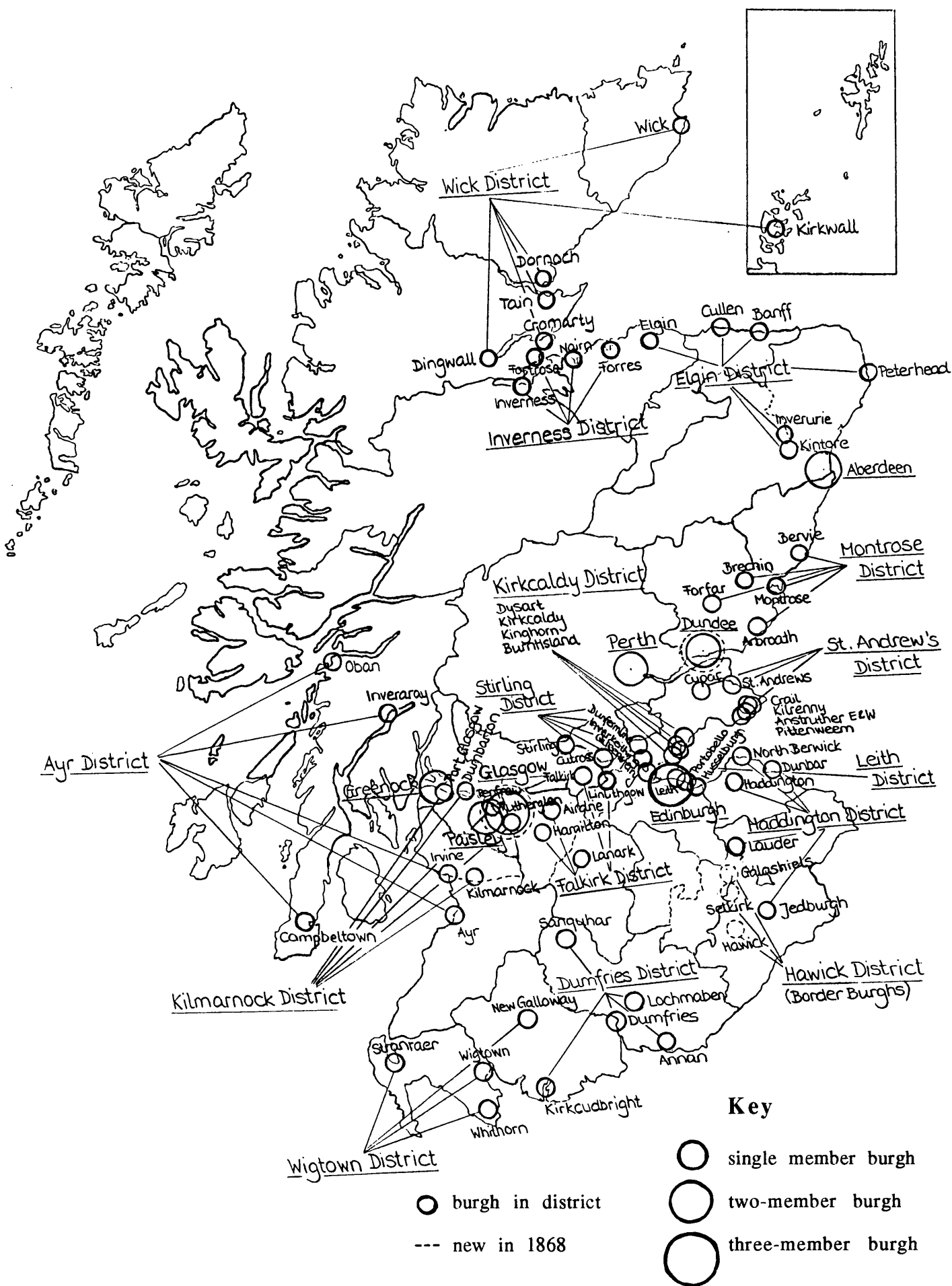
# Map of County Seats until 1867



Map of County Seats after 1868



## Map of Burgh Seats under the 1832 and 1868 Reform Acts



## **APPENDIX 2**

### **Maps showing county general election results for every election between 1841 and 1868**

#### **KEY**

**GREEN: Liberal**

**YELLOW: Derbyite Con.  
Conservative**

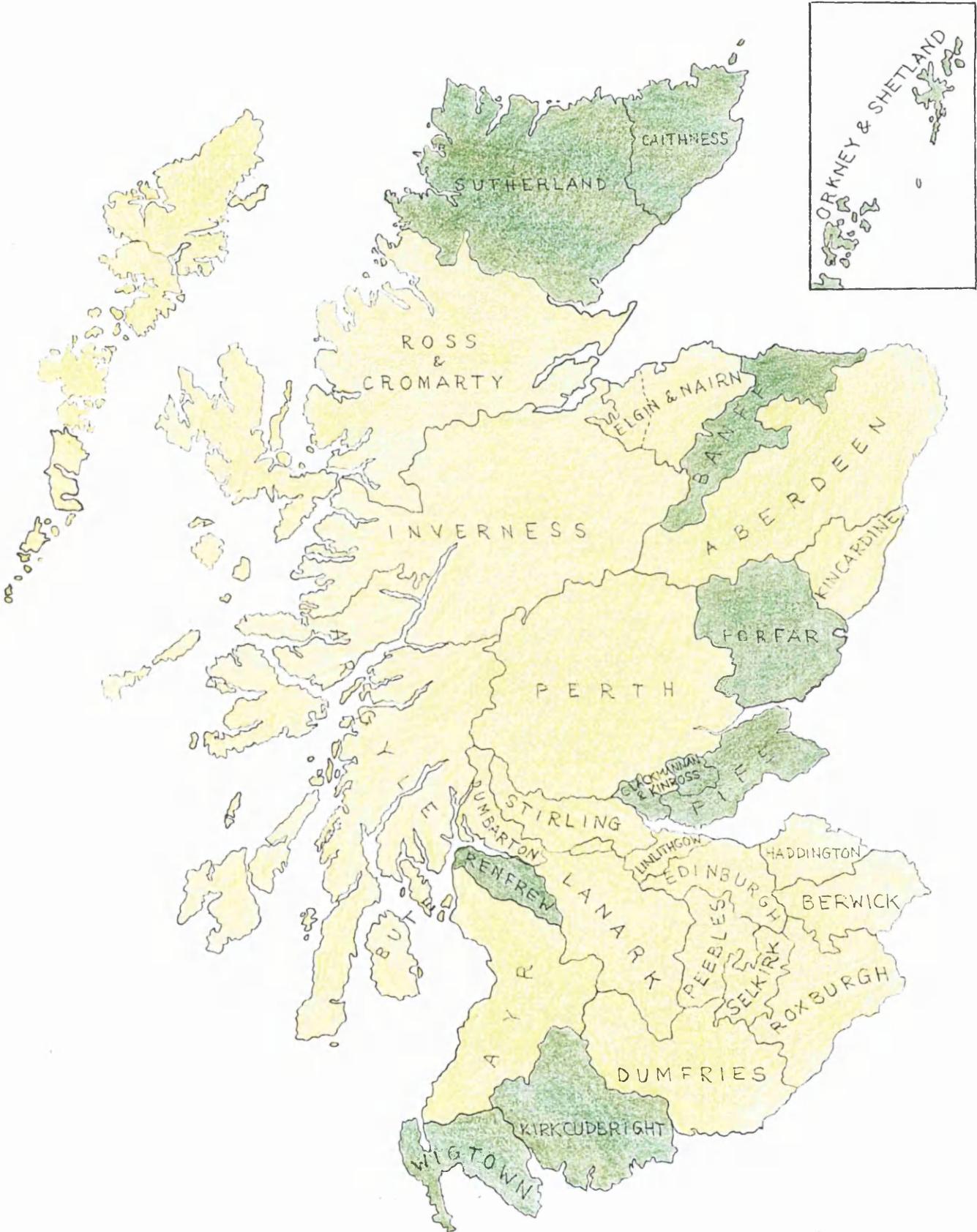
**RED: Free Trade Con.  
Peelite  
Independent Con.**

#### **NOTE**

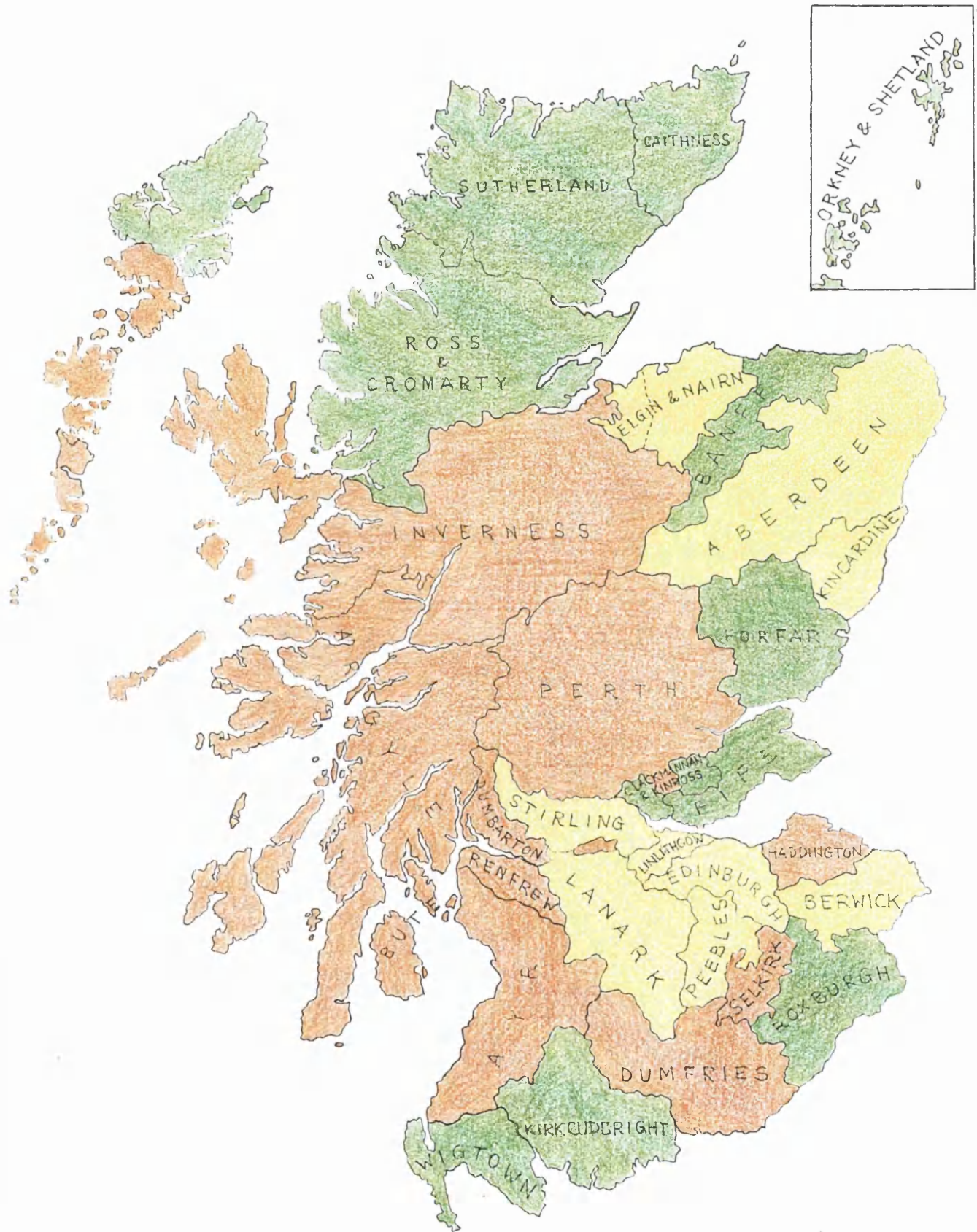
These maps relate to the discussion of party development and election results in the chronological chapters, 2 to 5. The categorisation of M.P.s in the period 1847-1859 is explained in particular detail in the analysis of the effects of the Conservative split over Free Trade on the Liberal party in Scotland in Chapters 2, 3 and 4.



County General Election Results : 1841

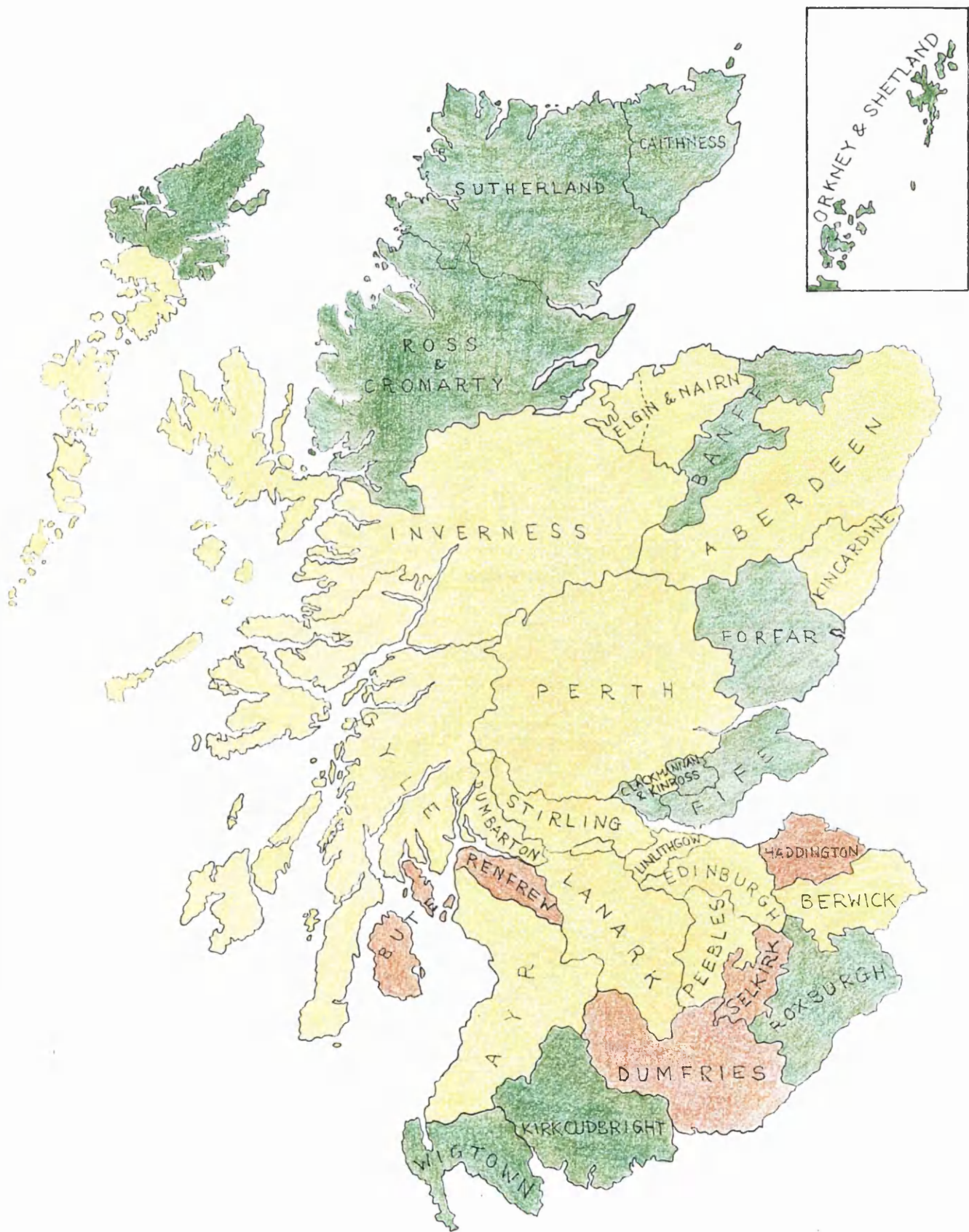


County General Election Results : 1847

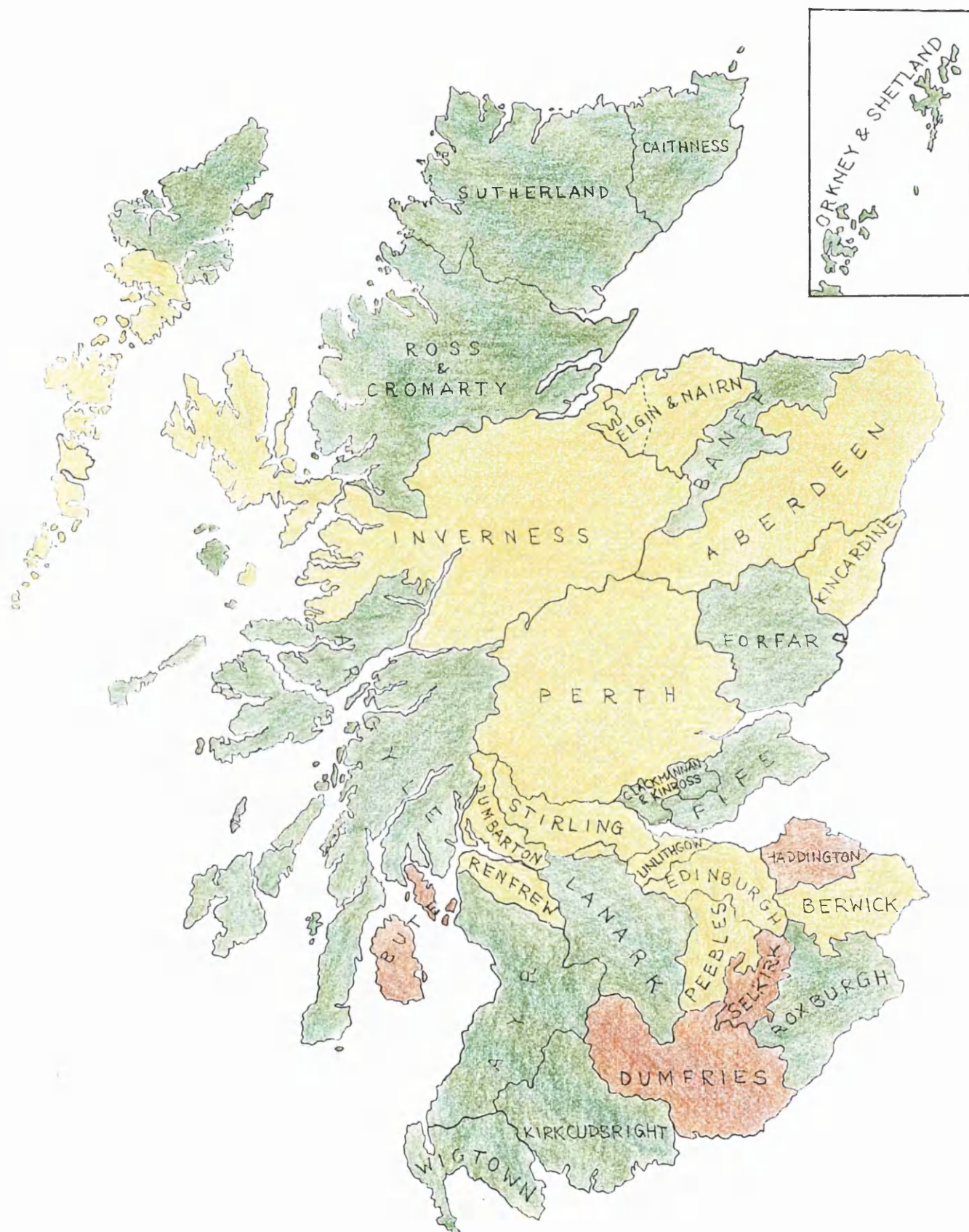




County General Election Results : 1852

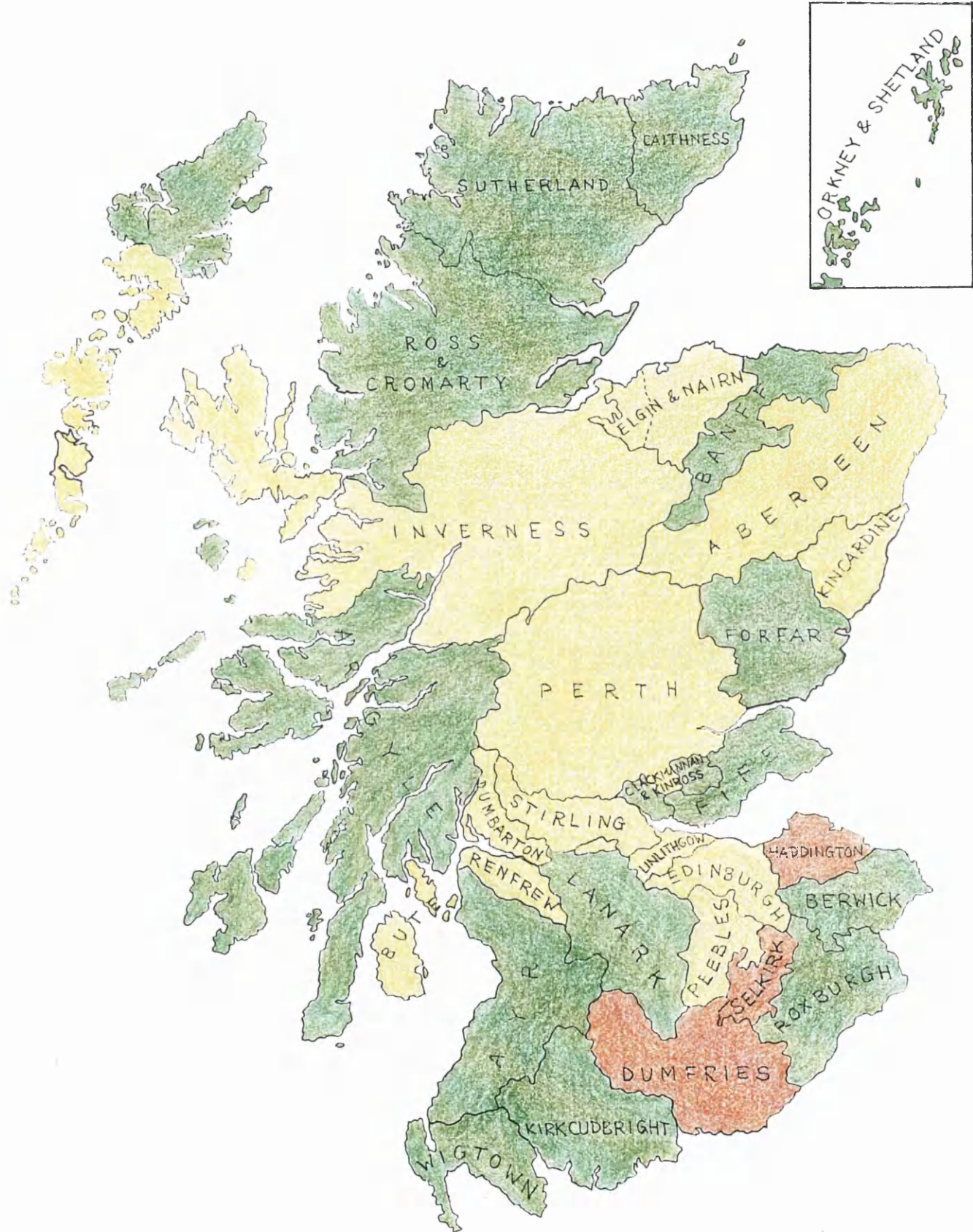


## County General Election Results : 1857



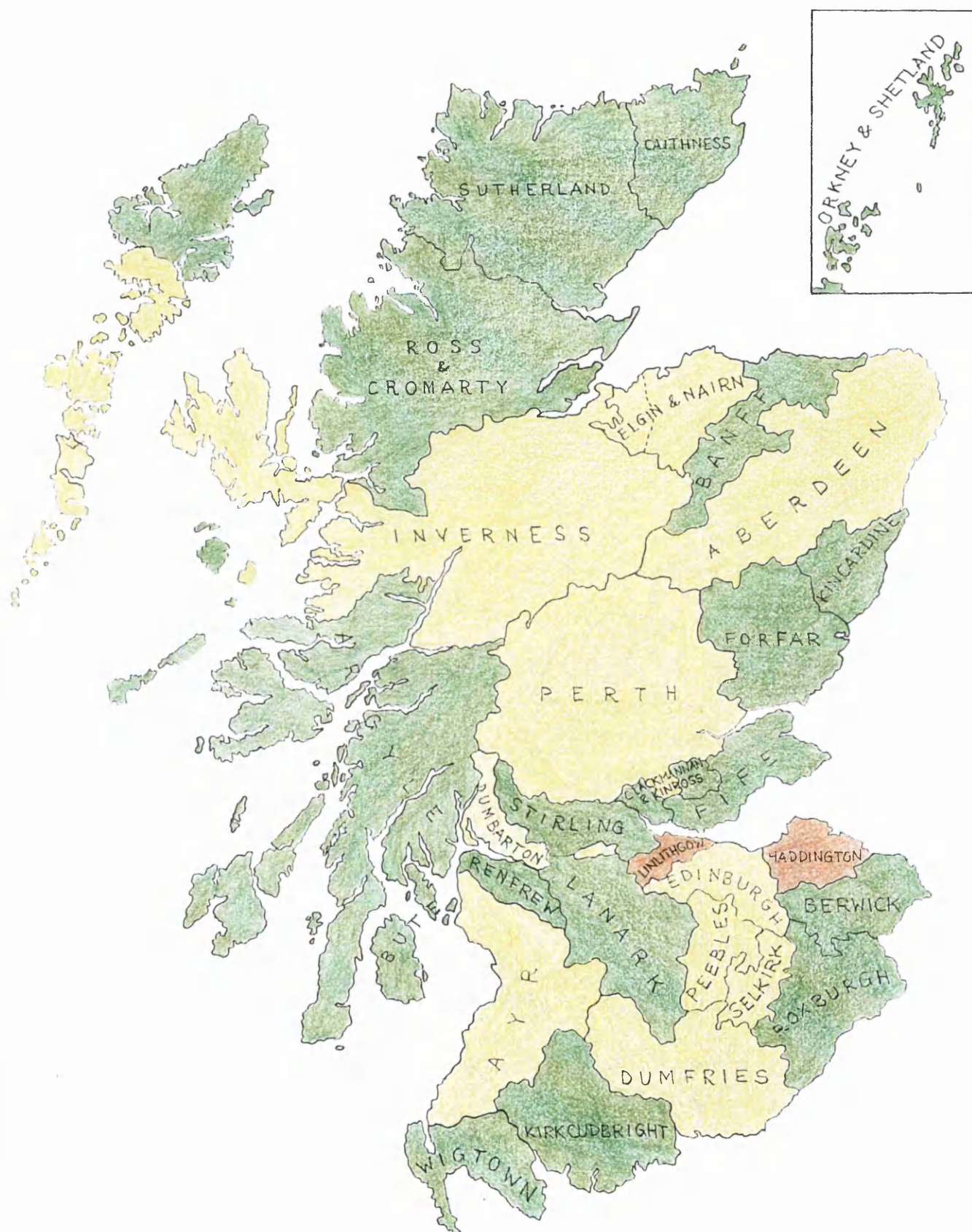


County General Election Results : 1859



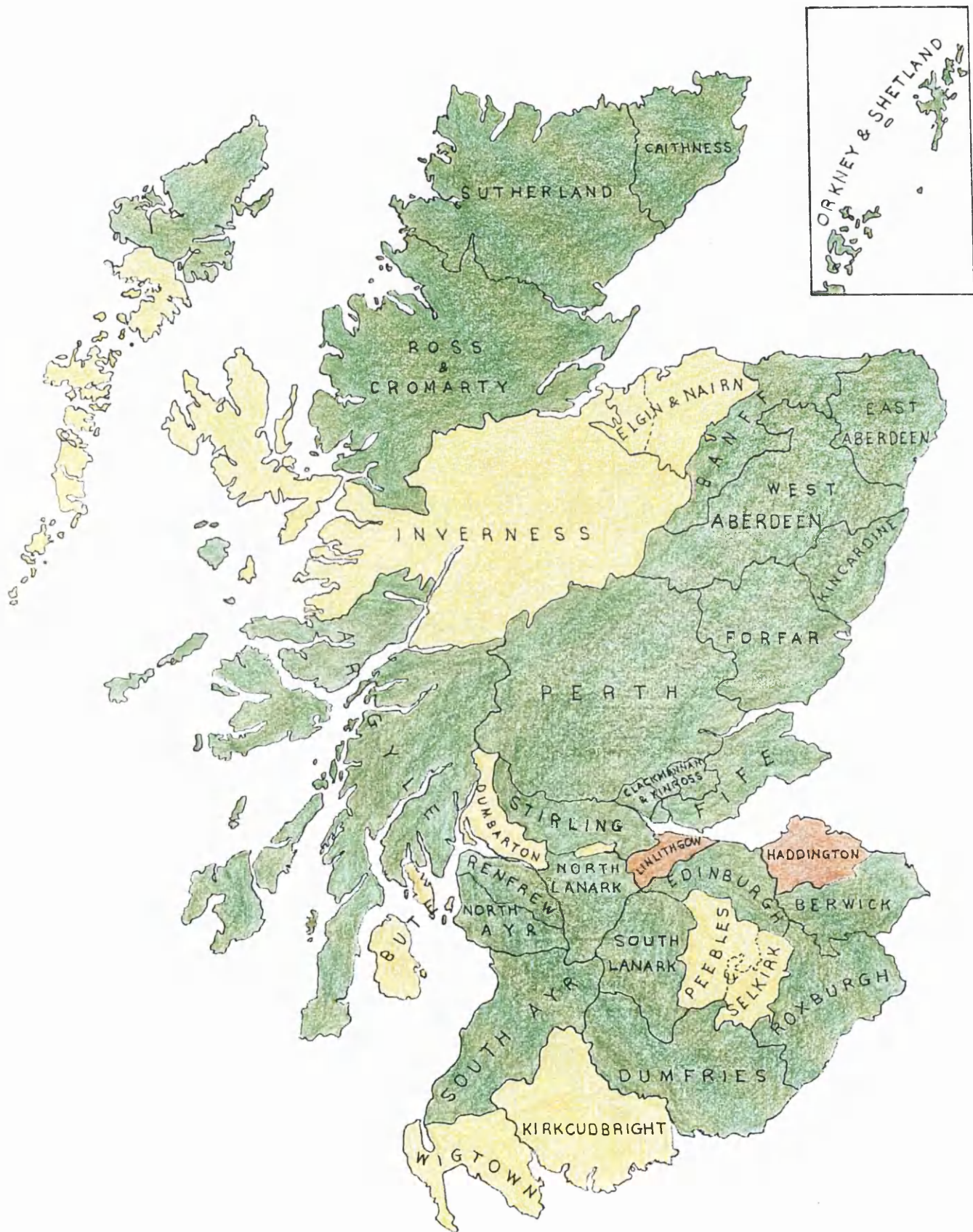


## County General Election Results : 1865





County General Election Results : 1868



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- A. Manuscript sources
- B. Newspapers and Periodicals
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- D. Biographical works
- E. Primary printed sources
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