

LOWLAND REACTION TO THE '45 REBELLION WITH  
PARTICULAR RELATION TO THE ESTATES OF LORD  
KILMARNOCK

BY

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SUMMARY

The reasons for the failure of the Jacobite Rebellion of 1745 lie chiefly in the almost unanimously hostile reaction of the Scottish Lowlanders to the arrival of Prince Charles Edward Stuart. With their support he might at least have held Scotland as a first stage towards his father's restoration. Without it he was like a man fighting a superior foe while handicapped with one hand tied behind his back. An appreciation of the pattern of Lowland reaction to the 1745 Rebellion and the reasons for the nature of that reaction is therefore essential to an understanding of the failure of Prince Charles's campaign of 1745-46.

In retrospect it is apparent that Lowland Scotland was entering a period of transition in the 1740s. Values were slowly changing from a predominance of religious concerns towards a much more pragmatic interest in commerce and industry. The Jacobite rebellion of 1745 was not itself a factor in this change, but as a crisis which forced people to make a decision based on their philosophy of life it helped to crystallise statements of public opinion, thus offering historians of the eighteenth century an ideal opportunity to examine the frame of mind of the most progressive section of Scottish society on the eve of the industrial revolution.

Evidence of the transitional nature of the 1740s is seen in the mixture of reasons which prevented Lowlanders from supporting the Stuarts. Fears for the safety of the Protestant religion and the civil liberties won by "free Britons" in the constitutional struggle of 1689 were uppermost in the minds of Hanoverian supporters. So too, in the west at least, were memories of religious persecution as implemented in 1678 by the Highland Host, which engendered hatred and contempt for the "barbarian" culture of the Highlanders who formed the vast majority of Prince Charles's followers and, by association, for the French regime to which he looked for assistance.

Much less spoken of, but no less important, were the growing commercial concerns of the upper and middle classes of Lowland society. Although the pace was slow compared with the economic sprint in the last third of the 18th century, important developments were nonetheless under way in the spheres of agriculture, mining, textiles, the tobacco trade and banking. Large scale investments were being made which

would take time to mature and which made even less attractive the prospect of a disruption in law and order to men whose hopes for future progress under the existing regime were optimistic. This economic factor was much less well developed in 1715, as can be seen from a parallel examination of Lowland reaction to the two major Jacobite rebellions. This difference between the two risings is important as it demonstrates that although there was a core of feeling - about religion, culture and constitution - which remained unchanged, the reasoning of lowlanders in 1715 was largely dictated by past events, whereas their motives in 1745 reflected rather their hopes for the future - a future in which a Stuart restoration did not feature.

Beyond the construction of a general picture of the motivating factors behind Lowland reaction to the '45 Rebellion, an attempt has been made to examine in detail the situation in two medium-sized towns - Falkirk and Kilmarnock - which, although located at opposite ends of the Central Lowlands, were linked through their superior, William Boyd, 4th Earl of Kilmarnock. Research at this local level reveals the complexity of people's motives and shows how, in an age when the average citizen rarely travelled beyond his own community, local and personal factors weighed heavily in determining people's attitudes to national events.

Sometimes the conditioning of the local background conflicted with a man's personal assessment of his present and future needs, as can be seen in a case study of William Boyd, who was Prince Charles's most notable Lowland supporter. If the fact that Lowlanders in general chose not to support the Stuart cause is considered to be of vital importance, the motives and nature of the few Lowlanders who cast their lot with Prince Charles are equally worthy of consideration. In comparing the steadiness of a typical Lowland laird, such as Lord Kilkerran, with the apparently unprincipled judgement of Lord Kilmarnock it can be seen that Prince Charles was able to attract from among the Lowlanders only men of "desperat circumstances".

In the case of William Boyd it is possible to pare away the accretions of legend begun by contemporary gossip and fostered subsequently by some historians, based on unjustified assumptions arising from Lady Kilmarnock's Jacobite family connections and Episcopalian allegiance, and to dispel the notion that he was merely

a bankrupt puppet dancing on the strings of a Jacobite wife. In the light of evidence in private and business correspondence which was not available to historians, the Earl emerges as an amiable man, who was popular with his peers and with certain sections of the local communities in which he lived, but who, because of the reputation of his profligate youth and the disadvantages of his perennial indebtedness, lacked the unquestioning respect of his tenants. His dilettante image has, however, been overstressed in the past and insufficient attention paid to his genuine interest in fostering the textile trade of his home town and in trying to imitate the mining activities of some of his relatives and acquaintances. At one period in his life he also showed interest in local politics, but his strongest feelings of attachment were reserved for his family, in whose interests he freely abandoned the religious and political training of his youth and the pattern of adult connections in a purely materialistic effort to restore the family's fortunes by joining what he thought would be the winning side in the civil war. It can be demonstrated, however, that it was not at the instigation of his wife that he made this choice.

The new picture of the Earl which emerges from this additional material is perhaps no more flattering than that of the romantic legend, but it places his surprising reaction to the 1745 Rebellion in the larger context of the things which he valued most in life and so helps to explain his actions. It also, almost paradoxically, reinforces the main theme of this work, in that it provides a mirror image of the importance of the economic factor in determining attitudes to the 1745 Rebellion. While it was fear of losing the impetus of economic progress that featured largely in drawing together the majority of Lowlanders against the Stuarts, it was a desire to rectify his financial embarrassments rather than any religious or political principles which brought the Earl of Kilmarnock into the Jacobite camp.

## INTRODUCTION

Much of the course of Scotland's history derives from the shape of the country and the fact that, geographically and culturally, it is a country which can be divided into three distinct areas - the Highlands and Islands, the Lowlands and the Borders. An additional division might be drawn to differentiate the North East Lowlands (from Angus to Aberdeenshire and round the north-east coast to Inverness) from the Central Lowlands, comprising the counties of Ayr, Renfrew, Lanark, Dumbarton, Stirling, Clackmannan, Fife and the Lothians. The further back one goes in history the more distinct these divisions seem to have been and, naturally, each section responded uniquely to national events in ways designed to preserve its identity and self-interests. Only as identities changed, either voluntarily or coercively, did reactions verge on unanimity, a stage which has not yet been completed.

For reasons of language, cultural and ethnic differences and geographical remoteness, the division between the Highlands and the rest of the country remained distinct long after the southern dividing line between the Central Lowlands and the Borders had become blurred. Differences between Borders folk and their neighbours in the Lowlands began to diminish after the Union of the Crowns and the process of assimilation gathered momentum in the 18th century after the Union of the Parliaments when the role of the Borders as an area of passage between the rest of Scotland and the magnetic metropolis of the South became firmly established.

It was natural, therefore, that reactions of people in the Central Lowlands and in the Borders should become increasingly similar. The assimilation of the attitudes of the two groups can be seen by comparing their attitudes to the 1715 Jacobite Rebellion with their views on the Rebellion of 1745. In both events the Lowlanders were, broadly speaking, anti-Jacobite, but in 1715 one of the focal points of the Rebellion was the country on either side of the political border with such nobles as Viscount Kenmure and the Earls of Nithsdale and Southesk leading the Scottish contingent, whereas in 1745, although Viscount Kenmure and Lord Nithsdale waited on Prince Charles at Holyroodhouse in September 1745, on retiring to

their homes they thought better of their actions and raised no men for the Stuart cause. Kenmure, indeed, wrote to the Lord Justice Clerk excusing himself for having visited Holyrood.<sup>1</sup> The pattern set by the nobility of the Borders was adopted by the rest of the community, and members of the gentry, such as Maxwell of Kirkconnel, who followed Charles were also in an extreme minority. Charles's march through the Borders en route for England attracted no recruits, and of the main contingents of the Jacobite army of 1745-46, not one was led by a Borderer.

The reasons for the change of attitude by 1745 of those men of property in the Borders who had participated in the 1715 Rebellion are easily comprehensible.

The generation of 1745 had before it the example of failure in 1715 and had learned the lesson of the penalties which had then been incurred. Viscount Kenmure had been executed in London in 1716, with his son by his side at the end.<sup>2</sup> The Earl of Nithsdale averted a similar fate only by an inspired escape from the Tower of London, but he was obliged to spend the rest of his life in exile with the Jacobite Court in Rome<sup>3</sup>. It was small wonder, therefore, that his son, after paying his compliments to Prince Charles at Holyrood, found that on returning home "... nothing but the most dreadful scenes of axes, Gibbets, and halters presented themselves to his weaking (sic) and sleeping thoughts... (and) he continued crazy for sometime".<sup>4</sup>

Not all of their reasons were negative. Between 1715 and 1745 a more viable economy was developing in the Borders, based on agricultural improvements and depending heavily on the export of wool and cattle to England. The great value of the cattle trade was emphasised by Adam Smith:-

1. Lord Elcho, A Short Account of the Affairs of Scotland in the Years 1744, 1745, 1746 (ed. E. Charteris, 1907), pp.283 and 287.
2. J. Baynes, The Jacobite Rising of 1715, p.188.
3. Ibid, p.210.
4. Elcho, op.cit., p.283n.

"Of all the commercial advantages ... which Scotland has derived from the Union with England, this rise in the price of cattle is perhaps the greatest. It has not only raised the value of all highland estates but it has, perhaps, been the principal cause of the improvement of the low country."<sup>5</sup>

Experiments with large enclosures for cattle had been begun in Galloway by Sir David Dunbar of Baldoon<sup>6</sup> and others in the 1680s, but it was not until the 1720s that this type of enclosure spread throughout the south-west, giving rise to riots by the Levellers on estates including that of Lady Mary Kenmure.<sup>7</sup> Throughout this period property owners in the Borders continued to be interested in agricultural innovations, an interest symbolised by the choice of Robert Maxwell of Arkland as Secretary of the Society of Improvers from its inauguration in 1723 until its demise in 1745.<sup>8</sup> Thus by 1745 there was more of value to be preserved than there had been in 1715.

In some respects the experience of the north-east Lowlands was similar to that of the Borders. Support for the Jacobites in this region was not homogeneous and in the counties of Angus, Moray and Nairn loyalties were divided.<sup>9</sup> In the heartland of Aberdeenshire and Banffshire, however, where the Rebellion had first sparked into life, there was very strong support of the Stuart cause in 1715.<sup>10</sup> During the 1745 Rebellion approximately one sixth of Prince Charles's recruits came from these two counties (a surprisingly high proportion in view of their population)<sup>11</sup>, but there was more difficulty in

5. Adam Smith, The Wealth of Nations, Vol. I, p.222. Quoted in H.Hamilton, "Economic Growth in Scotland, 1720-70", Scottish Journal of Political Economy, Vol. VI, June 1959, p.90.
6. T.C. Smout and A. Fenton, "Scottish Agriculture before the Improvers", Agricultural History Review, Vol.XIII, 1965, p.80.
7. I.L. Donnachie and I. MacLeod, Old Galloway, p.52.
8. R.H. Campbell, Scotland Since 1707, pp.33-4.
9. C. Rampini, A History of Moray and Nairn, p.210ff.  
J. Thomson, A History of Dundee, p.112ff.
10. Vide infra, p.12-13.
11. G. Pratt Insh, The Scottish Jacobite Movement, p.115. According to Webster's census of 1755 Aberdeenshire and Banffshire had 154,646 inhabitants - slightly less than  $\frac{1}{3}$  of Scotland's estimated population of 1,256,380. J.G. Kyd, Scottish Population Statistics, Scottish History Society, 3rd series, vol.43, 1952.

raising these recruits than there had been thirty years previously. The support of the nobility shrank to that of Lord Pitsligo and Lord Lewis Gordon (not himself the head of his family). It was largely due to the personal influence of these two men, and in particular to the high esteem in which Lord Pitsligo was held among the lairds of the north-east, together with the residual strength of the Episcopalian and Roman Catholic religions in this corner of Scotland, that such large numbers were able to be raised, albeit often under pressure.<sup>12</sup>

Thus it was the factors in which the north-east differed from the rest of the Lowlands - the greater strength of the feudal authority of those lairds who decided to support Lord Pitsligo and the Jacobite members of the Gordon clan and the attachment of many people to the older religions - which determined the reaction of the region to the events of 1745. On the other hand, analysis of the reasons of those who, having supported the earlier rising, withdrew that support in 1745 shows that insofar as the north-east was beginning to approach the pattern of the central Lowlands in political thought and economic experiences, it was also moving towards the southern counties in its attitude to the Stuarts.<sup>13</sup>

Even in the Borders and the North-east Lowlands support for the Jacobites in 1715 had been far from unanimous, but it was significant compared with the following which the Stuarts attracted in the Central Lowlands. Most historians have recognised that the potential for success in the 1715 Rebellion was greater than in the Rebellion of 1745, when only the personality of Prince Charles succeeded in launching the venture. Yet, despite a more favourable set of circumstances for the Jacobites in 1715, the response from the Lowlands population was on the whole equally adverse in 1715 and 1745.

The reasons for the staunchness of Central Lowland reaction to Jacobite insurgency are worth highlighting. If the inhabitants of the Borders and North-east regions were growing closer in their outlook to their Lowland neighbours through the emergence of a greater commercial awareness, then obviously the reasons which marshalled the Lowlanders

12. G.P. Insh, The Scottish Jacobite Movement, pp.115, 128-9.

13. Vide infra, p. 25

into an anti-Jacobite position in 1715 were likely to be adopted also by the Borderers and by some at least of the people of the North-east, by 1745. If it is accepted that Charles Edward's campaign would have stood a good chance of success had he received a substantial amount of support from Scots south of the Tay, then the reasons which kept the vast majority of Lowlanders in the opposing camp assume a greater significance, as being among the chief causes of the failure of the Stuarts to achieve restoration to the British throne.

After examining the causes of Lowland reaction to the rising led by Charles Edward Stuart, it may be profitable to assess the limited amount of support which he did receive in the lowlands to see if there was anything in its nature on which Charles should have capitalised, or whether it was of a type which merely underlined the ineffectiveness of the Stuart cause in the Lowlands.

All these lines of enquiry can be brought together in a study of the case of William Boyd, 4th Earl of Kilmarnock (1705-46), who in his decision to join the Prince in contradiction to his family background and local sympathies can be likened to a man swimming upstream in a deluge in a desperate attempt to escape a whirlpool. His possession of estates in both Ayrshire (Kilmarnock) and Stirlingshire (Callendar, near Falkirk) presents an opportunity to examine reactions to the Jacobite Rebellion of 1745 in two quite distinct Lowland areas. An examination at a more personal level of the reasons for the Earl of Kilmarnock's decision to join the Rebellion will show what sort of a man was Charles's most prominent Southern follower and how much reliance could be placed upon his support.

The whole attempts to contribute a new case study to research on Lowland reaction to the Rebellion of 1745.

CHAPTER I

CIRCUMSTANCES FAVOURABLE TO THE JACOBITES IN 1715.

It is generally agreed that the time was ripe for rebellion in Scotland in 1715 to a much greater extent than in 1745. There was still in 1715 a great groundswell of feeling in Scotland against the Union, which seemed to have brought no immediate benefits. In January 1707 the Duke of Atholl in his opposition to the Treaty of Union was able to state that "there is not one Address from any part of this kingdome in favour of this Union".<sup>1</sup> On the contrary, petitions against the Union were sent to the Scottish Parliament by about one-third of the shires, a quarter of the royal burghs and several presbyteries and parishes which feared for the security of Scotland's established religion.<sup>2</sup>

Nor had much love or respect for the Union grown up in the intervening years. Instead, some of the original enthusiasts had become disillusioned as the imagined economic benefits of the Union proved slow to materialise. Mercantile expectations of increased trade with both England and her colonies were initially frustrated, chiefly because of Scotland's dearth of marketable commodities which could stand up to free competition with English goods. Rather than looking inward to Scotland's economic deficiencies, however, it was easier to blame legislation at Westminster. In 1711 a tax was imposed on Scottish linen exports, which was regarded as a direct blow to one of Scotland's chief industries. Equally unpopular was a proposed malt tax of 1713, the terms of which Scots resisted as being patently contrary to Article XIV of the Treaty of Union.

The political repercussions of the Union also proved to be outrageous to patriotic Scots. The dissolution of the Scottish Parliament was integral to the Treaty of Union, but the extension of England's more severe law of treason to Scotland in 1700 following an abortive Jacobite insurrection in the previous year and a series of decisions barring the eldest sons of Scots peers from voting and election, although their English counterparts were allowed both privileges, were actions which had not been anticipated and which were bitterly resented.<sup>3</sup>

1. Acts of the Parliaments of Scotland, xi, 387.

2. J.D. Mackie, A History of Scotland, pp. 259-61.

3. W. Ferguson, Scotland, 1639 to the Present, (1978 edition), p.57-8.

To add insult to injury attempts were made to interfere with the established Church of Scotland. The case of James Greenshields, an Episcopalian minister whose imprisonment for using the English liturgy and flouting the authority of the Edinburgh presbytery was overruled by the House of Lords in 1711, caused immediate offence to Scottish Presbyterians.<sup>4</sup> Worse was to come in three ecclesiastical Acts of Parliament in the following year. The Yule Vacance Act, which restored the practice of a Christmas recess for the Court of Session, appeared to Presbyterians to be the revival of a Romish superstition and was construed by them as a deliberate and unnecessary insult flung in their faces by the English. This was mild mischief, however, compared with the Toleration Act, which recognised the right of Scottish Episcopalians to meet for worship, so long as they used the Anglican form of liturgy. In practice, this measure did not lead to the upsurge of open Episcopalian worship which might have been expected, for the majority of Scottish Episcopalians were non-jurors who shunned this concession from Anne's government and continued to use the Scottish Prayer Book of 1637, but the principle of interference in the Scottish ecclesiastical scene, contrary to the terms of the Treaty of Union, rankled among Presbyterians. More far reaching in its effects was the Patronage Act which restored to lay patrons their right to present nominees for church vacancies, a privilege which had been abolished in 1690. This Act was no doubt welcomed by the lairds, but it was extremely unpopular among the lower orders of society and among the merchant classes.<sup>5</sup>

The grumblings about the abuse of Scotland by her larger neighbour rose to more than mere empty talk. On June 2nd, 1713, the Earl of Findlater introduced a motion for the repeal of the Union. In support of his proposal Findlater cited numerous Scottish grievances:-

"... the dissolution of the (Privy) Council, the treason act, the incapacitating the peers - but above all our many taxes, especially the Malt tax bill, and the ruin of our trade and manufactories."<sup>6</sup>

It was a measure of the extent of genuine unrest in Scotland that this drastic proposal was defeated by only four proxy votes.

4. Ibid, p.59.

5. Ibid, pp.110-1.

6. Ibid, p.61.

When former Unionist supporters found that their ideal had turned sour and credence was given to rumours of an alliance between Cameronians and Jacobites largely because of hatred of the unequal Union, the climate seemed right for a victorious Jacobite uprising, but the opportunity was missed on the death of Queen Anne due to prompt action by the politicians who stage-managed the Queen's deathbed scene and failure of the tepid Jacobites on the spot to seize the initiative.

Although the chance of restoration immediately upon Anne's death was lost, the lack of action in 1714 was not utterly detrimental to the hopes of Scottish Jacobites. George I on his arrival in Britain did nothing by his unbending attitude to increase the popularity of the Hanoverian family. With his entourage of German favourites, his refusal to learn the English language and his haughty demeanour towards a number of Scots nobles who, like the Earl of Mar, were willing to support him for profit if not for love, King George seemed determined to underline the reproach which the King over the water launched at his tardy followers when in October 1714 he declared,

"We have beheld a Foreign Family, Aliens to our Country, distant in Blood and strangers even to our Language, ascend the throne."<sup>7</sup>

By 1715, therefore, the climate of opinion in Scotland was at its most favourable from the Jacobite point of view.

7. Baynes, The Jacobite Rising of 1715. p.18.

CHAPTER II

LOWLAND REACTION TO THE JACOBITE REBELLION OF 1715.

The course of the Jacobite Rebellion of 1715 lies outwith this thesis. It is important, however, for the sake of comparison with Lowland reaction to the 1745 Rebellion to examine the response of the Lowland population to the earlier rising and to establish why, with the exception of the men of the North-east, Lowlanders gave so little support to the Stuarts at a time when, as has been remarked, anti-English feeling in Scotland was running high and it might have been thought that a return to the Stuart dynasty would bring in its train a return to Scottish independence.

An examination first of all of support for the Jacobites in the North-east of Scotland will serve by way of contrast to highlight the poor showing of the rest of the Lowlands.

The North-east was one of the epicentres of the 1715 Rebellion, commencing with the Earl of Mar's hunting party at Aboyne and the raising of the standard at Braemar. King James was speedily proclaimed with little resistance in Aberdeen and Dundee, in both of which the magistrates were so tainted with Jacobite principles that they were summarily dismissed after the insurrection was quelled, a fate which they shared with many of the academics of Aberdeen's two Colleges.<sup>1</sup> In Inverness, where the accession of King George I had met with violent riots, incited by the magistrates themselves, the arrival of Mackintosh of Borlum to seize the city on behalf of King James met with no resistance.<sup>2</sup>

The pattern of support in the towns of the North-east was not entirely uniform. In Ferres, for instance the town clerk proclaimed the Pretender only under duress, having been "waukened" in the middle of the night and "trailled by force" to the town Cross "as if he had been ane malefactor". By way of justification he later claimed that "'Twas ill arguing with a Highlander's dirk at yer throat".<sup>3</sup> This bitter remark sums up the barbed relationship between the Lowlanders

1. W. Watt, A History of Aberdeen and Banff, pp.292-3.

W. Thom, The History of Aberdeen, vol.ii, p.5ff.

J. Thomson, History of Dundee, p.112ff

2. J.C. Lees, A History of the County of Inverness, pp.114-9.

3. C. Rampini, A History of Foray and Nairn, p.211.

of the coastal strip and the clans of the interior.

Allowing for such pockets of resistance, however, the amount of support for the Stuarts in the north-east was very considerable. Although loyalty to the Hanoverian cause prevailed in Moray and Nairn due to the influence of the powerful family of Grant and staunch landed gentry such as Forbes of Culloden and Rose of Kilravock<sup>4</sup>, the other North-eastern counties of Banff, Aberdeen and, to a lesser extent, Kincardine and Angus provided a high proportion of Jacobite supporters. The picture emerging from Aberdeenshire and Banffshire in particular is one of virtual solidarity, with support forthcoming from the nobility such as the Marquis of Huntly, the Earls of Mar, Panmure and Kintore, the Earl Marischal and his brother, Sir James Keith, and Lords Pittsligo and Fraser. Despite an initial reluctance among some of their tenants, the forces of these lords, together with the smaller followings of many of the landed gentry, raised on the old feudal basis, amounted to a considerable regional army whose calibre was high and whose morale was on the whole good, strengthened as it was by the ministry of the non-juring Episcopalian clergy and, in Gordon country, the Roman Catholic clergy, who preached adherence to a just cause.<sup>5</sup>

An interesting feature of Jacobite support in the North-east was the adhesion of a considerable number of merchants. Those who were concerned in Aberdeen's prominent woollen industry had every cause to fear the swamping of both their home and foreign markets with the superior products of their English rivals as a result of the Union. From such an anti-Union attitude it was an easy step to Jacobitism, especially for those who were also Episcopalian.<sup>6</sup>

In the Lowlands south of the Tay, however, the only area held by the Jacobites for any considerable length of time, was Fife,

4. Ibid, p.210. J. Baynes, The Jacobite Rising of 1715, pp.155-9.

5. W.B. Blaikie, Origins of the Forty-Five, pp. 130-1.

G.P. Insh, The Scottish Jacobite Movement, pp.115, 128-9, 133.

Evidence of the reluctance of some tenants to enlist is seen in the Earl of Mar's famous correspondence with his baillie, "Black Jock" Forbes. Quoted in J. Baynes, op.cit., pp. 37-8.

6. W.B. Blaikie, op.cit., p. 131.

C. Gulvin, The Union and the Scottish Woollen Industry, 1707-60, in Scottish Historical Review, vol.50 (1971), p. 124.

which was readily accessible from Mar's headquarters at Perth.<sup>7</sup> Support from other parts of the Central Lowlands was patchy and frequently boasts were louder than performances merited.

In Stirlingshire the Earl of Callendar and Linlithgow, who, according to the earl of Mar's calculations, should have been able to raise 300 men,<sup>8</sup> and his kinsman, Viscount Kilsyth, guided by their Episcopalian principles, threw in their lot with Mar, but the Master of Sinclair cynically reported that "The first of those Lords spoke a good dale of his interest, tho' it never appeared amongst us .... The other had no pretensions to that ... so it may be believed his equipage was very small, and his attendants verie few to be helpfull to us, which consisted onlie of two servants."<sup>9</sup> According to Sinclair, the total representation of Stirlingshire supporters was disappointing, being "but a weak squadrone at best".

In the Lothians there was brave talk of fortifying Seaton House, which was occupied by Mackintosh of Borlum in his strike towards the south in the absence of its owner, the Earl of Winton, who had gone to join the forces raised by Viscount Kenmure in the Borders. It was given out that from there Mackintosh would raise an army, "as well from the Borders and West Parts of Scotland, as from Edinburgh and the Country about".<sup>10</sup> In the event, orders from Mar propelled Mackintosh onwards to join forces with Kenmure, but it is exceedingly unlikely that a Jacobite army could have been raised from such barren recruiting grounds. The failure of Jacobite support from Edinburgh (where there undoubtedly were Jacobites despite the strong Whig profile of John Campbell, the Lord Provost) and the Lothians had, after all, been an important factor in Mackintosh's original decision to seize Leith rather than to make an attempt on Edinburgh. No sooner had the Duke of Argyle established himself in Edinburgh than "he was joined by the Horse Militia of Lothian and the Mers, with a good many Volunteers, both Horse and Foot".<sup>11</sup>

In the Covenanting country of the West the situation was even less promising for the Jacobites. The good Whig city of Glasgow

7. P. Rae, The History of the Rebellion, pp.220 and 234-6.

8. See Appendix I.

9. Master of Sinclair, Memoirs of the Insurrection in Scotland in 1715  
quoted in C.S. Terry, The Jacobites and the Union, p.63.

10. Rae, The History of the Rebellion, p.266.

11. Ibid, p.261.

upon hearing of Mar's rebellion "being now in a Readiness to serve their King and Country, wrote up to Court, and made Offer of 500 Men for sixty Days, upon their own proper Charges".<sup>12</sup> In the course of the campaign" ... the City and Inhabitants expended above 6000 Lib. Sterling; and reckon all that they did to have been their Duty, and but what they owed to GOD, to their King and Country."<sup>13</sup>

Glasgow's neighbours were equally praiseworthy in their loyalty. The men of Clydesdale and Lanarkshire were honourably mentioned by Rae for their good response to the mustering call, with sizeable contingents coming from quite small towns.<sup>14</sup>

"For instance; Hamilton, tho' but a small Town, sent 70 Volunteers to Glasgow ... and Strevan (Strathaven) sent 60 ... And other Towns Proportionally."<sup>15</sup>

Paisley also sent a strong contingent of men who, with the men of Greenock, Dumbarton and neighbouring villages launched a concerted attack on the McGregors, who were wreaking mischief around Loch Lomond. The enthusiasm of these loyalists is evident from an obviously sympathetic contemporary account:-

"The cheerfulness of the men who went on this expedition deserves to be notic'd and applauded. They were not forced to it, as the clans were by their masters and chiefs, who hack and butcher such as refuse to go along with them: witness Duncan Mcfarland in Rowardennin. But they offer'd themselves voluntarily to it. No wonder, for men begin now to be convinced that all is at stake."<sup>16</sup>

As loyal as any were the men of Ayrshire, although there is a hint in the following quotation that the southern part of the county was not as solidly Whig as the north. The dissenters may have been the Kennedys of Carrick, who had latent Jacobite sympathies.

12. Ibid, p.201.

13. Ibid, pp.315-6.

14. Ibid, p.204.

15. Ibid, p.225n.

16. Jas. Dennistoun (ed.), The Loch Lomond Expedition, MDCCXV (Glas., 1834). Quoted in Terry, The Jacobites and the Union, p.106.

"(At the beginning of the Rebellion) the Earls of Eglington, Kilmarnock, Glasgow, the Lord Cathcart, and others of the Nobility and Gentry in the Shire of Air, met at that Place to concert what was then to be done for the Safety of their Country, and Defence of the Government; and a Motion was then made, by such as were most hearty for King George's Interest, that they should offer his Majesty four thousand Men well furnish'd with Arms, Ammunition, and other things necessary to guard the Western Coasts, or to march wherever the King should command them; and that they should pay them for forty Days: As also, that they should at that Time enter into an Association with respect to the above Particulars. But some of them opposed these loyal and dutiful Motions, alledging that they could not muster nor rendezvous Men by Law; but it was answered, That it was not now Time for them to make Niceties about Punctilio's of Law, when the Sword of the Enemy was over their Heads. At last, it was proposed that they should send up to his Majesty a loyal and dutiful Address against the Pretender and his Adherents, as many others had done on this Occasion; and tho' it was not so particular as the well-affected Party wou'd have it, yet, to prevent a Division in such a populous Shire, which would, no doubt, (have) been encouraging to the Enemies of the Government, they unanimously agreed to it."

"And, after the Signing of the said Address, the Nobility and Gentry of the Bailliary of Cunninghame (which is one of the three Bailliaries within the Shire of Air) did enter into a Concert to train and discipline their Men, and appointed a general Rendezvous of the whole fencible Men in Cunninghame, at the Town of Irvine, on the Monday following, being the 22nd of August. At which time, upon a short Advertisement, there appeared on the Common of Irvine, 6000 effective Men, well arm'd and in good Order, with their proper Officers, who all made a handsome Appearance, and express'd a great deal of Zeal and Loyalty for his Majesty King George, and a firm Resolution to defend his Majesty's Person and Government, against the Pretender, and all his other Enemies whatsoever. The Town of Irvine had a Company of Artillery, besides their Train'd Bands, with three Pieces of Cannon mounted on an Eminence, wherewith they saluted the respective Nobility, Gentry, and Battalions, as

they came up: For there were the Earls of Bglinton, Kilmarnock and Glasgow, the Lords Semple and Boyd, with the haill other Gentry in that Jurisdiction and most of the Clergy. After they had perform'd their Exercise to Satisfaction, they dismissed for that Time."<sup>17</sup>

The Kilmarnock men were singled out by Rae as being particularly ardent for King George's cause:

"I must truly say of the Town of Kilmarnock (without detracting in the least from any of the rest) that, as their stedfast Adherence to the Revolution Interest, and to the Succession in the Protestant line of the Illustrious House of Hanover, had appeared on all Occasions; so now (1714), and at the late unnatural Rebellion (1715), they gave an eminent Proof of their Zeal and Forwardness for his Majesty's Interest and Service. This appear'd more early than in the most part, if in any of their Neighbours: For, upon the very Prospect of the doubtful Event of Affairs, after the late Queen's Death, they began very early to exercise themselves to the Use of Arms; and the whole substantial People of the Town, most liberally sign'd for certain Sums of Money, to be advanced by them for maintaining a considerable Number of Men for his Majesty's Service, if need were; and both the Ministers of the Place, contributed largely out of their own Pockets, for this End: As also, the several Corporations in the Town, freely offer'd certain Sums out of their several common Stocks. This common Zeal and Liberality of the Inhabitants was mightily excited and advanc'd by the Encouragement, Direction, and generous Example of the Earl of Kilmarnock; whose Attachment to his Majesty's Interest and Zeal for his Person and Government, as well as his loyal Behaviour and Fatigues in his Majesty's Service, during the whole time of the said Rebellion, deserves a larger Room than the proposed Brevity of this Undertaking can admit of."<sup>18</sup>

The Earl of Kilmarnock's "Fatigues" in 1715 included raising "above 500 of his own Men, well appointed, and expert in the Exercise of their Arms; who made the handsomest Appearance of any"<sup>19</sup> who

17. Rae, The History of the Rebellion, pp. 202-3.

18. Ibid, pp. 181-2.

19. Ibid, p. 203.

assembled at the Irvine muster on August 22nd. Some of these men were involved in the campaign against the Macgregors, being assigned to the garrison of Gartartan House "by far, the most dangerous of the three Garrisons."<sup>20</sup>

Rae may have overemphasised the valour of the Lowland militia and his account must be counterbalanced by the comment of the Duke of Argyle in a letter of 7th October, 1715, to Lord Townshend, in which he remarked that "a Lamb is not more affraid of a Lyon, than these Low Countrey people are of the highlanders".<sup>21</sup> Be that as it may, the numbers of Lowland volunteers and the spontaneity of their response demonstrate that the sympathies of the people of most of the Central Lowlands were overwhelmingly anti-Jacobite, and that it was the support from the Borders and the North-eastern regions which prevented the 1715 Rebellion from being an entirely Highland affair.

20. Ibid, p. 227.

21. State Papers (Scotland), SP 54/9, f.71 - Letters of Duke of Argyle to Lord Townshend, 7th October, 1715.

CHAPTER III

CAUSES OF ANTI-JACOBITE FEELING IN THE LOWLANDS IN 1715.

In his disparaging remark about the Lowland militia, the Duke of Argyle unwittingly hit upon one of the chief causes of anti-Jacobite feeling in the Central Lowlands. Afraid of the Highlanders the "Low Countrey people" may have been, but fear and contempt of an alien culture and apprehension and anger about attacks on their property were powerful agents compelling them to take up arms against their traditional enemies. They clearly saw the threat in terms of the northern theatre of the war and left the loyalists of the Borders to attend to their own domestic turmoil.

Apart from a deep, and often justifiable suspicion of the Highlanders who largely comprised Mar's army, the kernel of anti-Jacobite feeling in the south was religion, with politics playing only a secondary role. Just as in the North-east the Episcopalian and Roman Catholic religions provided an incentive for Jacobite support, so in the South the preservation of the Presbyterian form of religion and the Protestant (rather than specifically the Hanoverian) line of succession was the principle repeated in countless loyal addresses. James's repeated promises of religious toleration were not believed, or if believed, were not deemed acceptable by the majority of the population who had looked askance at the Toleration Act of 1712 with respect to Episcopalians and who viewed the prospect of toleration for Roman Catholics with as much enthusiasm as they would have accorded the return of the plague.

Rae, and probably most contemporaries, saw the division in the country in simple black and white terms of differences of religion:

"... as in all the disaffected Parts of Scotland, the Episcopal Tolerate Clergy, as well as the High-Church in England, influenc'd their Party to their rebellious Measures, and were firm to the Pretender's Interest, as has since too plainly appeared; So, in these Shires above-mentioned, and throughout the Nation, the establish'd Ministry of this National Church were stedly in their Duty and Loyalty to our Rightful Sovereign, King George, excited their People to take Arms for him, were present at their general as well as parochial Rendezvouzes, and gave frequently Spring to their Motions: Nay, to encourage them in their Duty,

they appeared often in Arms, and were ready to go on with them in the greatest Dangers, for his Majesty's Interest, and the Defence of our Religion and Liberties."<sup>1</sup>

Rae's comment underlines the influential role played by ministers in their communities and illustrates the righteous desire among the Presbyterian laity and clergy alike for vengeance for the losses, humiliation and hardship which they had suffered at the hands of the Highlanders who had been billeted upon them in the days of the "Killing Times" in the 1670s and 1680s, memories of which made the Lowlanders yet more staunch in their support of the now established Presbyterian Kirk.

Apart from the clergy, Lowland lairds, who were of the Presbyterian persuasion, urged upon their tenantry defence of the status quo for reasons very similar to those outlined by the clergy. This was the terminology in which exhortations were expected to be couched, and the lower orders of society, well steeped in such language, for the most part, rose to the occasion.

A simple, but eloquent and effective speech by Lady Greenock was probably typical:

"Next day being the 19th of September, the Greenock Companies were assembled in Arms, and after the Lady Greenock had told them that the Protestant Religion, with their Laws, Liberties, Lives, and all that was dear to them, as Men and Christians, as well as his Majesty, King George and the Protestant Succession, were all in Hazard by that unnatural rebellion, and exhorted them suitably on that Occasion (in which she was seconded by the Minister and Gentlemen present) 84 of the Men offered themselves readily to serve the Government for 40 Days."<sup>2</sup>

In the Stuart Pretender and his Highland supporters the vast majority of Lowlanders identified the antithesis of all the values which they held dear: "Protestant Religion ... Laws (and) Liberties". How could they believe the son of a despot and the protégé of "le grand Monarque" when he promised that these rights would be cherished?

1. Rae, The History of the Rebellion, p. 205.

2. Ibid, p. 227.

How could they trust his Highland followers whose culture glorified cattle-"lifting" exploits directed against the Lowland populace, who had worked hand in glove with the Stuart monarchs in their anti-Covenanter purges, and who for the most part were either idolatrous Papists or, at best, half-breed Episcopalians? When faced with the prospect of the restoration of a Stuart regime, supported by this motley "tail", the majority of Lowlanders instantly forgot their recently bemoaned grievances against the Hanoverian government, which suddenly seemed as mere pin-pricks in comparison with the dreaded sword of Damocles which now hung so threateningly above their heads.

Although no one would have supported the Hanoverian cause for love of King George's character, the Jacobites in 1715 also lacked a charismatic leader who could make men forget reason and appeal to their emotions. There was no inspiring Charles Edward, for whom at first all things seemed possible, but only the melancholic James, who arrived after the die was cast and whose reticent behaviour proved a disappointment even to ardent Jacobites. There was no magnetic, vivacious Montrose or Dundee to compensate brilliantly for the monarch's deficiencies, or even a Lord George Murray, who inspired respect if not always love, but only the "Bobbing John", Earl of Mar, whose apprehensive lack of decision was fatal.

There was no one to draw the Scots of the Central Lowlands to the Jacobite cause against their better judgment, and so that judgment prevailed.

CHAPTER IV.

LOWLAND REACTION TO THE 1745 REBELLION.

Broadly speaking, the pattern of Lowland reaction to the 1745 Jacobite rebellion was very similar to that of 1715. Supporters came largely from the northern and eastern fringes of the Lowlands, and chiefly from families which through Roman Catholic or Episcopalian principles or other ties of loyalty to the Stuarts had long been adherents to the Jacobite cause: the son of Lockhart of Carnwath from East Lothian; Lord Elcho and a number of Fife gentry; William Cochrane of Ferguslie, one of the few representatives from Renfrewshire; the sons of Rollo of Powhouse, the Stirlings of Keir and Craigharnet, Lord Balmerino and a number of other well-affected gentry from Stirlingshire; and from Aberdeenshire the faithful Lord Pitsligo and those who looked to him for their example.<sup>1</sup>

As in the earlier rebellion the counties of the north-east were well represented, although not as strongly as in 1715. The nucleus of the region was once again Aberdeenshire and Banffshire, from which one-sixth of the Jacobite army came.<sup>2</sup> The most complete list of Jacobites from these two counties amounts to almost 1,200 men, but many of these came from the Highland regions of the interior where Gordon of Glenbucket recruited so vigorously.<sup>3</sup> A contemporary Government account admitted that the coastal villages and towns "were mostly all disaffected", but estimated that the balance of opinion in Aberdeen itself was now in favour of the Government.

Where the pattern of the 1745 Rebellion differed from that of the earlier rising was in the attitudes of those whose influence swayed the behaviour of the community: the nobility, the leading citizens of Aberdeen, the clergy and the intellectuals of the city's two Colleges.

It is notable that whereas in the 1715 Rebellion the local Jacobite leaders had been of the first echelons of the nobility (Mar, Huntly, Marischal), the leaders in 1745, Pitsligo and Glenbucket,

1. Elcho, The Affairs of Scotland, pp. 285-7.

2. G.P. Insh, The Scottish Jacobite Movement, p. 115.

3. A. & H. Payler, Jacobites of Aberdeenshire & Banffshire in the Forty-Five, pp. 417-8.

were men of much smaller estates, while in the powerful Gordon family the Duke eventually threw his support into the Government camp and opposed his Jacobite brother, Lord Lewis.<sup>4</sup> Lord Kintore had learned by his father's mistakes in 1715 and chose discretion as the better part of valour<sup>5</sup>, while Lord Findlater, a Jacobite in his youth, was now described by the Sheriff of Banff as "The sheet anchor of the Government in Banffshire".<sup>6</sup> The old Countess of Erroll was active in raising men for Prince Charles, but she had no male relatives to lead a contingent into battle and had to content herself with putting pressure on her niece's husband, Lord Kilmarnock.<sup>7</sup>

Despite the decisions of the leading nobility, considerable numbers of the landed gentry in lowland Banffshire and Aberdeenshire took their example from Lord Pitsligo, whose stature in that region was larger than his estate. Through personal influence rather than feudal might he was able to raise a contingent of 132 horse and 248 foot, which he led to the Prince's camp at Edinburgh.<sup>8</sup> Moir of Stoneywood was able to recruit an additional 200 from the lowland region around Aberdeen for Lord Lewis Gordon's Aberdeen Battalion, while Crichton of Auchengoul (otherwise known by Jacobites as Viscount Frendraught) was among the "several little people in Banffshire and Buchan who raised a few men each".<sup>9</sup>

Although this response was incomparably better than that evoked anywhere in the Central Lowlands, it nevertheless represented a falling away by north-eastern standards. The anonymous author of the "Memoirs of the Rebellion in the Counties of Aberdeen and Banff" reckoned that "for all the noise they made about their strength in these parts (in 1745) it was nothing now in comparison with what it was then (1715)... Though the most be from Banffshire and Buchan, yet even there they are not one fourth of what they were in the 1715."<sup>10</sup>

This did not necessarily imply that there was strong, active support for the Government among the landed gentry of the north-east, however, as the author went on to explain:

4. W.B. Blaikie, Origins of the Forty-Five (1975 edition) pp.lix-lxi.

5. Ibid, p. lix.

6. A. & H. Tayler, op.cit., p. 70.

7. Ibid, pp. 309-11.

8. W.B. Blaikie, Origins of the Forty-Five, pp. lxi, 119-22.

9. W.B. Blaikie, Origins of the Forty-Five, p. 130.

10. Ibid, p. 130ff.

"Had the gentry that did not engage been all hearty, they might indeed have come together without any of the nobility's appearing to lead them, but undoubtedly a third of them were disaffected though they were wise enough not to embark in so desperate an enterprise; and of those that were not so, many were selfish, many were careless who governed, and many were timid and fearful, so that the few who were resolute had not sufficient strength nor influence to make a stand."<sup>11</sup>

In the city of Aberdeen itself it was reckoned that, in contrast with Banff and the other parts of the north-east, "full two-thirds (of the citizens) ... were very well affected to the Government". The two-thirds which favoured the Government included Aberdeen's most prominent citizens but they were in no position to dispute possession of the city with the invading rebels in late September 1745, because Cope had denuded the city of its cannon and small arms lest they should fall to the enemy. A Jacobite force led by John Hamilton, factor to the Dowager Duchess of Gordon, was therefore able to seize the city, interrupt the proceedings for the election of the Town Council, and in the face of resistance from the Provost, prevail upon the more pliable Sheriff-Depute, James Petrie, to proclaim King James from the town Cross. Rather than submit to further indignities, the Provost and some of the baillies left the town, which remained under the military rule of the rebels until the Jacobites withdrew from it on 25th February, 1746, followed by a further spell under the Duke of Cumberland and his deputy until the election of a new Town Council on 9th July, 1746.<sup>12</sup>

In an attempt to give the government of the city an appearance of normality, James Petrie was raised to the position of Sheriff and a number of former burgesses were nominated to act as a Council, but they refused to accept office, perhaps being only too well aware of the fate of their predecessors in 1715-16.<sup>13</sup> This was no mere token reluctance, for during the occupation of the city by the Jacobites,

11. Ibid, pp. 123-4.

12. J. Allardyce, Historical Papers Relating to the Jacobite Period, 1699-1750, Vol.1, pp. 195-200.

13. W.B. Blaikie, Origins of the Forty-Five, p. 128.

"the friends of the Government, seeing no end of this oppression while the Rebels were their Masters, sent several Messages to the President and Lord Loudoun to send some men to their relief".<sup>14</sup> On hearing from the Lord President that the Laird of McLeod was coming to their rescue, these Whig citizens refused to pay cess to the Jacobites, although some of them felt obliged to leave the city to avoid retaliation.<sup>15</sup>

The writer of "Memoirs of the Rebellion in the Counties of Aberdeen and Banff" may have exaggerated when he said, "There were several merchants of note appeared from the town in the 1715, but now none but a few smugglers and a very few trades-men".<sup>16</sup> The list of Jacobites from the two towns of Aberdeen and the immediately adjacent villages shows a sprinkling of skilled craftsmen (for instance, a glover and a silversmith's apprentice), men with small businesses (such as a tobacconist), a cluster of customs officials, a number of writers and some fifteen men who merited the title "merchant". Few of the latter, however, were among the leading traders in the city and several were the younger sons of landed proprietors, whose youthful enthusiasm perhaps saw an easier way to gain their fortunes.<sup>17</sup>

The clergy still played an important part in shaping public opinion. The Church of Scotland was by 1745 much better established in the region and therefore more effective in preaching resistance to the Jacobites and persuading parishioners not to enlist. Where the non-juring clergy still retained a foothold, however, they spared no efforts in counter-propaganda.<sup>18</sup>

The intellectuals of the city on the whole favoured the Government in 1745. The "purgation" of Jacobites from the two universities, King's College and Marischal College, after the 1715 Rebellion had been thorough, and where Jacobitism had once been rampant, the Masters now had their small stipends very severely cessed by the rebels as a penalty for their lack of support.<sup>19</sup>

14. Ibid, p.134.

15. A. & H. Tayler, Jacobites of Aberdeenshire and Banffshire in the Forty-Five, p. 39.

16. W.B. Blaikie, op. cit., p. 131.

17. A. & H. Tayler, op. cit., passim.

W. MacLeod, A List of Persons Concerned in the Rebellion, 1745-46, pp. 2-23, 298-301.

18. A. & H. Tayler, op. cit., pp. 8-9.

19. A. Watt, A History of Aberdeen & Banff, pp. 292-3.

W.B. Blaikie, Origins of the Forty-Five, pp. 135-6.

Principal Chalmers of King's College and some of his colleagues and students were captured at Inverurie in December, 1745, having fled the city, and were held prisoners until early February. Chalmers later testified of the kind treatment shown by his captors, but apparently the Jacobites made no converts, for no academic staff or students appear in the list of Aberdeen Jacobites whose occupations are known.<sup>20</sup>

The people of the coastal area west of Banffshire were chiefly Government supporters, under the influence of Duncan Forbes of Culloden, the Laird of Grant, the Earl of Findlater, Rose of Kilravock and other proprietors. The lists of rebels from this area show comparatively few from the coastal towns and those who joined the Jacobites did so as individual volunteers, not having any following of their own.<sup>21</sup>

Inverness played an equivocal role during the Forty-Five. It first became a focus of attention when General Cope arrived there on 29th August, 1745, having evaded the Jacobite army at the Corriearrick Pass. He was disappointed to find that, despite the help of Lord President Forbes, the only immediate support available was that of the Munros and so, with angry remonstrances about the lack of co-operation, he pressed on towards Aberdeen.<sup>22</sup> In the long run, however, the region was of more assistance to the Government than to Prince Charles, chiefly through the efforts of Duncan Forbes, who used Inverness as the base for twenty companies of loyalists who were put under the command of Lord Loudoun. This effort prevented some waverers from drifting into the Jacobite camp.<sup>23</sup> The difficulties which Duncan Forbes had in raising these troops, however, show that there was no burning desire to rise immediately against the Jacobites and the eventual decision of many clans to do so was governed entirely by the desire to protect their property from the depredations of rival Jacobite clans.<sup>24</sup>

20. A. & H. Tayler, Jacobites of Aberdeenshire and Banffshire in the Forty-Five, pp. 45-6.  
J. Allardyce, Historical Papers, 1699-1750, vol.II, p. 623.  
W. MacLeod, A List of Persons Concerned in the Rebellion, 1745-46, pp.2-23, 298-301.
21. C. Rampini, A History of Moray and Nairn, p. 214.  
W. MacLeod, ibid, 100-31, 334-7.
22. Ludovick Grant's Narrative. Quoted in W.B. Blaikie, Origins of the Forty-Five, pp. 272-4.
23. Elcho, The Affairs of Scotland, pp. 299-301.
24. The Grants particularly adopted a very pragmatic attitude to politics during the '45. See Ludovick Grant's Narrative in W.B. Blaikie, op.cit., pp. lxxv-lxxvi and p. 271ff.

Although Provost John Fraser and his still active predecessor, John Hossack, were Whig loyalists,<sup>25</sup> there was no opposition to the arrival of the Jacobites in the town in mid-February, 1746, except for a brief resistance of two days by the garrison in Fort George. This was hardly surprising as the Jacobites arrived literally at the heels of Lord Loudoun's fleeing troops after the rout at Moy and it would therefore scarcely have been provident of the townspeople of Inverness to have resisted. In any case, despite the politics of the Provost, there was an element of support for Prince Charles. In an effort to keep up appearances Charles "gave frequent balls to the ladies of Inverness". This bravado seems to some extent to have had the desired effect, for "the greater part of those that saw him cheerful and easy concluded he had resources which they did not know; (but) those ... that knew the true state of his affairs had a very bad opinion of them".<sup>26</sup> It soon became common knowledge, however, that the Prince was reduced to paying his army in meal and that "there was great discontent in his Army ... both amongst the Officers and Soldiers".<sup>27</sup> In these circumstances there was little incentive for local sympathisers to enlist, with the result that many went as spectators rather than as combatants to the Battle of Culloden.

On the eastern seaboard the retention of the ports was very important to the Jacobites, for it was into the harbours of Montrose, Stonehaven and Peterhead that a large proportion of the limited help which came from France and Spain arrived and it was here that Lord John Drummond's force of 750 men landed in late November, 1745.

Fortunately for Prince Charles, the inhabitants of the coastal area south from Aberdeen to Dundee were predominantly Jacobite in their sympathies. The lists of known rebels in their areas presented by the Supervisors of Excise in the Montrose and Dundee areas amounted to 397 and 498 persons respectively - a high proportion of support from a region which accounted for approximately 7% of the country's

25. J. Prebble, Culloden (1967 ed.), p. 151

26. Maxwell of Kirkconnell. Quoted in W. Duke, In the Steps of Bonnie Prince Charlie, p. 122.

27. Elcho, The Affairs of Scotland, pp. 414-5.

population.<sup>28</sup> The majority of those who were actively concerned in the Rebellion served in Lord Ogilvie's 300 strong infantry regiment, in his second battalion of 600 raised on Lord Ogilvie's orders by Sir James Kinloch, or in the smaller regiment raised independently by Sir Alexander Bannerman.<sup>29</sup> The city of Dundee itself was left in the charge of David Fotheringham, a merchant, as Governor,<sup>30</sup> although for most of the period of the Rebellion there was also a military presence in the city to enforce levies and requisitions and to guard the harbour.

According to a Dundee historian, "there was no pressing (of men around Dundee by the rebels) save in the case of some individuals who were taken for the purpose of being waggoners or sumpter men, and these were almost entirely the tenants and dependants of gentlemen engaged openly or covertly in the interest of the Pretender".<sup>31</sup> Support for the Jacobite regime was far from unanimous, however, and on 30th October, 1745 (King George's birthday), a mob of loyalists, chafing under Fotheringham's "Tyrannical manner" of governing, rose in protest and evicted him from the city.<sup>32</sup> The protesters may have been incited to action by the Church of Scotland ministers in Dundee, who, since the beginning of the Rebellion, had "earnestly exhorted their respective congregations to remain firm in their loyalty and stedfast in their duty to their country and their king". The situation was rapidly retrieved, however, by Sir James Kinloch's troops, who stopped public worship in Dundee in mid-November, as a means of stamping out adverse propoganda.<sup>33</sup>

The Jacobites of Edinburgh were more conspicuous in 1745 than in 1715, but the capital had not been seized by the rebels in the earlier rebellion and, besides, Provost Archibald Stewart was a

28. W. MacLeod, A List of Persons Concerned in the Rebellion, 1745-46, pp. 150-95, 320-3; 196-243, 351-2. J.G.Kyd, Scottish Population Statistics.
29. Elcho, op. cit., pp. 282-4, 320.
30. Ibid, p.284.
31. J. Thomson, History of Dundee, p. 118.
32. Elcho, op. cit., p. 306. W. MacLeod, op. cit., pp. 212-3.
33. J. Thomson, History of Dundee, pp. 117-8.

less resolute defender of the city than had been his predecessor in 1715. Elcho in his "Journal" went so far as to say that Stewart was a "zealous supporter of the Prince", who contrived that the arms in the capital should not be sent in time to the Castle, with the result that they fell into the hands of the Jacobites.<sup>34</sup> While this seems to be an overstatement, it is possible to agree with the assessment of another contemporary who stated that "The Provost's conduct cast a damp upon all, he was slow in his deliberations, backward (sic) in executing things agreed".<sup>35</sup> Whatever the true measure of Stewart (whose name under the circumstances was an unfortunate burden), he was tried in 1747 for neglect of duty and acquitted only after a long trial.

Alexander Carlyle, himself one of the loyalist volunteers from Edinburgh University, was told by "a well-informed citizen" that two-thirds of the men in the city were "friends to Government", whereas the proportions among the ladies were reversed.<sup>36</sup> Many of the Edinburgh Jacobites were fair weather supporters who were romantically attracted to "this extraordinary person".<sup>37</sup> After giving a vivid description of the crowds who thronged the park of Holyroodhouse to see Prince Charles on his arrival in Edinburgh and who "fill'd the Air with their Acclamations of joy", Lord Elcho commented bitterly that "not one of the Mob who were so fond of seeing him Ever ask'd to Enlist in his Service, and when he marched to fight Cope he had not one of them in his Army".<sup>38</sup> Col. John Roy Stewart's infantry was colloquially known as the Edinburgh Regiment, but, according to Elcho, "he inlisted a great many of Copes Soldiers, but they mostly all left him".<sup>39</sup> Even with the addition of these doubtful troops, Stewart still required a supplement of 50 men from the Atholl Brigade to make up his regiment to full strength. Edinburgh Jacobites evidently were of the convivial and not of the fighting variety.

34. Elcho, The Affairs of Scotland, p. 252n.

35. Woodhouselee Ms., 15-16.

36. Alex. Carlyle, Anecdotes and Characters of the Times, ed. J. Kinsley, p. 58.

37. John Home, History of the Rebellion in the Year 1745. Quoted in D. Daiches, Charles Edward Stuart, p. 131.

38. Elcho, The Affairs of Scotland, pp. 259 and 261.

39. *Ibid.*, p. 284.

It is surprising, therefore, to discover that there was still a fair amount of sympathy for the Jacobites in Edinburgh long after the tides of fortune had turned against them. As late as 27th March 1746, James Pringle in a letter to the Earl of Marchmont (both Whigs) from Edinburgh remarked:

"I don't know what is the Matter with the Whigs in this Town, or what has become of them, but so it is that one would think they were all dead or turn'd Jacobite; and were an Englishman to come here it would Confirm him in the Notion they have, that the Scots are all Jacobites; for nothing is to be heard upon the Streets but their Lyes, and if one see three or four People gathered together upon the Streets its Ten to One but they are of the same Kidney."<sup>40</sup>

But however much caballing or whispering there may have been, either openly or secretly, few Edinburgh Jacobites were ready to throw in their lot with Prince Charles. As for "the Mob", as Elcho scathingly called the commoners of Edinburgh, when the verdict of Culloden was announced, the citizens who had pressed through the crowds in Holyrood-park to stare at Prince Charles were equally ready to join in the day of public thanksgiving, in which they "set on bonfires, brought on liquor and celebrated the area of their freedom".<sup>41</sup>

If Edinburgh's population was fickle, there was little doubt about the sympathies of the people of Glasgow, who were Whigs almost to a man, and, interestingly enough, to a woman. On 19th August, 1745, Provost Cochrane wrote to the Marquis of Tweeddale, assuring him that "nothing shall be wanted on the part of my brethren and me for preserving the public peace within our bounds. Our inhabitants are all firmly attached to his Majesty's government, but, believe, poorly armed".<sup>42</sup> Early in September "the Magistrates set on foot and promoted a subscription for five hundred men to be raised for defence of the town and government, which was cheerfully gone into, part signing for money, part for personal service".<sup>43</sup>

40. Marchmont's Correspondence in Miscellany of the Scottish History Society, (Vol. 5), 3rd series, S.H.S., Vol. XXI (1933) p. 345.

41. John Frebble, Culloden, (1967 ed.) p. 141.

42. Cochrane Correspondence Regarding the Affairs of Glasgow, 1745-46, p. 1

43. Ibid, p. 3.

The desired arms, however, were not forthcoming despite repeated requests. The problem was the Disarming Act, one of the consequences of the earlier rebellion, which in effect paralysed loyalists while dissidents ignored it. The Lord Justice Clerk was obviously in a quandary when he wrote to Provost Cochrane on 9th September, explaining that he was unable to be of assistance at that time:

" ... nobody can tell why no person here (is) vested with power to distribute arms and ammunition, or to direct what way his Majesty's faithfull subjects may be made usefull to themselves and to the government at this time, a circumstance I have represented in the strongest way I was capable without being empowered to give you or any others the satisfaction I could wish."

Lord Milton's regrets were of little use, however, when a Jacobite delegation came to Glasgow, demanding a tribute of £15,000. The best that the city fathers could do was to whittle the amount down to £5,500, but as soon as possible after this humiliating experience Provost Cochrane felt constrained to write to the Duke of Argyle "to beg the continuance of your favour and protection, and that we may not be misrepresented to His Majesty, towards whose person and government we shall always have the most inviolable attachment, whatever hardships or injuries we may thereby be subject to".<sup>44</sup>

This protestation of loyalty was genuine, for several weeks later Provost Cochrane was able to write to Patrick Crawford of Auchinames in the following vein:

"They have for six weeks been masters of Scotland, yet not one man from this place joined them, nor I believe ten from the western countys in the neighbourhood; and all things considered, the junction to them in general is not very great, either Highlanders under the arbitrary power of there (sic) chiefs, or men of desperate fortunes. The estates of all who have embarked in this, I hope desperate affair, is not £10,000 per annum".<sup>45</sup>

Despite the Whig solidarity of the western counties, the raising of Lowland militia seems to have been less efficient and less vigorous than in 1715. Although in mid-November the Glasgow

44. Cochrane Correspondence, p. 8.

45. *Ibid*, p. 22.

46. *Ibid*, p. 31.

magistrates reported to the Lord Justice Clerk that "we are persuaded 600 or more (Glasgow Men), able bodied and fit to be trusted with arms, if duly authorized, may be induced, on a proper occasion, being recompensed in some measure for the loss of there (sic) labour, to march to Stirling in the service of the government".<sup>47</sup>; yet in his letter to Patrick Crawford the Lord Provost remarked on the problems involved:

"No doubt a number of men could have been got out of this and the neighbouring towns to assist the military, and more really if the commander-in-chief had been a person of any note. The raising of militia is a work of longer time, but when the troops were sent away and no general left, no more could be expected than for every town to take care of the peace in there (sic) bounds".<sup>48</sup>

By the beginning of December, however, these problems had been overcome, and the Lord Provost was able to report to the Duke of Argyle the raising of "600 volunteers from this place, and 60 from the Barony parish, 600 from town and shire of Stirling, 200 from Kilsyth, and some other places talking of and making attempts to levy more".<sup>49</sup>

Glasgow's greatest ordeal was yet to come, for on Christmas Day the Highland army arrived in the city on its retreat north. Apart from free quarters in and around the city, demands were made for "6000 cloth short-coats, 12000 linnen shirts, 6000 pairs of shoes, 6000 bonnetts, and as many tartan hose, beside a sum of money". The magistrates protested the impossibility of meeting such exorbitant demands, but much as it went against the grain to comply, "the inhabitants ... for fear of being plundered agreed to do all in there power", although the magistrates refused to bargain for "an abatement" by directing a Royal address to Charles. In the end the city fell short of these orders, but its total losses amounted to over £10,000 and two hostages were taken as security for the balance.<sup>50</sup>

Although they had been coerced into complying with Charles's demand, the Whig citizens of Glasgow were determined not to give

47. Cochrane Correspondence, p. 32.

48. *Ibid*, p. 32.

49. *Ibid*, p. 47.

50. *Ibid*, p. 62.

the Young Pretender the satisfaction of flattery or even curiosity. Charles's valet asserted that "The Prince dressed more elegantly when in Glasgow than he did in any other place whatsoever"<sup>51</sup>, but Provost Cochrane sourly declared:

"He appeared four times publicly on our streets without acclamations or one huzza; no ringing of bells, or smallest respect or acknowledgement paid him by the meanest inhabitants. Our very ladys had not the curiosity to go near him, and declined going to a ball held by his chiefs. Very few were at the windows when he made his appearance, and such as were declared him not handsome. This no doubt fretted."<sup>52</sup>

This conflicts with Elcho's statement that while in Glasgow "the Prince Supp'd every night in publick and their (sic) was always a great deal of Company came to see him".<sup>53</sup> Unfortunately Elcho did not elaborate on this statement, so that the composition of this "Company" is unknown. It seems likely to have consisted of Jacobite supporters who lived within easy travelling distance of Glasgow - such as the Walkinshaws of Barrowfield and Scotstoun and the Cochranes of Ferguslie - rather than the solid burghers of Glasgow, putting a mask over their true feelings.

At any rate, Parliament in 1749 eventually reimbursed the city of Glasgow for its losses to the extent of £10,000, which suggests that it was completely satisfied as to the inhabitants' loyalty to King George.<sup>54</sup>

Loyalties in Stirlingshire were more mixed, as was perhaps understandable in the northernmost county of the Central Lowlands area, where there was still a fair remnant of Episcopalians. Such support as there was for the Jacobites came from some of the county lairds, while in the town of Stirling itself there seems to have been a considerable degree of hostility to the Jacobites.

In the early stages of the rebellion 400 Stirling men enrolled in a militia company and the Town Council agreed to pay 8 shillings

51. Rev. R. Forbes, The Lyon in Mourning, (Scot. Hist. Soc., 1895) Vol.ii p. 125.

52. Cochrane Correspondence p. 63.

53. Elcho, The Affairs of Scotland, pp. 355-6.

54. Cochrane Correspondence, p. 130.

scots per day to those who suffered loss of earnings because of military training.<sup>55</sup> On being besieged by the Jacobites in January 1746, the town held out for three days before surrendering. Even then some citizens felt that the surrender represented a betrayal by the Town Council as witnessed an inhabitant who wrote to the "St. James's Evening Post" in London, protesting that on hearing Prince Charles's terms of capitulation, "some ... of the townspeople were for defending the town till General Hawley's army came to its relief".

General Blakeney on hearing of this came down to the town (from the Castle) and went round all the guards exhorting them to this effect:-

" 'Gentlemen, be true to your religion, King and country, and defend your posts to the last extremity: and if you are overpowered by the rebels make a handsome retreat, and I'll keep ane open door for you (in the Castle)'

On this the convener (of the tradesmen) caused the drum to beat to arms, upon which above 900 men, well armed, drew up in the mercate place before the general, who desired all those who were for defending the town to give three loud huzzas which was immediately done. Notwithstanding which, the Provost with two of the bailies went out again in the afternoon to make some other agreement with them."<sup>56</sup>

The Town Council immediately opposed this slur on its reputation by issuing a statement to the effect that:-

"... the town council, ministers, and many of the principall inhabitants and others conveyed ... and here by far the greatest part of those present, and who are known to be as zealously affected to his Majesty King George as any in Britain, gave it as their judgement that to continue the defence of the place would be dangerous and a fruitless attempt."

According to the Council, sympathy with the Jacobites was not among their motives in taking this decision, the sole reasons being

55. R. Renwick (ed.), Extracts from Records of the Royal Burgh of Stirling, 1667-1752 (1889). Quoted in L. Lawson (ed.), The Jacobites of Stirlingshire, p. 16.

56. St. James's Evening Post, London, 30th January, 1746. Quoted in L. Lawson, *op.cit.*, pp. 18-19.

the superior numbers of the enemy, the inadequacy of the town's defences and the townsmen's "want of experience in military affairs".<sup>57</sup>

Whichever version is to be believed, Stirling proved to be a barren recruiting ground for the Jacobites and few were sorry to see the Jacobite army begin its retreat towards the north on February 1st, 1746.

As might have been expected from their reputation in 1715, the shires of Ayr, Dumbarton, Lanark and Renfrew provided little support for Prince Charles, and as a result they suffered plundering at the hands of the Highlanders. In the Lanarkshire village of Douglas it was traditionally recounted that "men were thrown down on their backs so that the Highlanders could with greater ease strip off their shoes". The higher ranks of society were no more co-operative, for the Duke of Douglas at first refused entry to his castle to Lord George Murray and upon the arrival of Prince Charles, it was only because "the Prince had Cannon with him his Grace was obliged to open his Gates and receive him".<sup>58</sup>

Feeling in Ayrshire was equally anti-Jacobite, again particularly in Cunninghame,<sup>59</sup> although the town of Ayr felt "that it was proper for the town to settle the demand made upon them (by Murray of Broughton in October 1745) as His Majestie King George had at present no standing army in Scotland and other royal burrows had complied with the demands made on them and that our compliance could be no ways derogatory from the alleadgiance we are known to bear to his Majesty. Therefore and to prevent the ruin and destruction with which this place is threatened the committee resolve and agree that ... deputys should be sent to ... settle and adjust ... the sum to be payed."<sup>60</sup>

Ayrshire liked to boast of being "the only shire in Scotland out of which there had not issued a single rebel in 1745".<sup>61</sup> As will be shown, this was not strictly true, but exceptions to the

57. Renwick. Quoted in Lawson, op.cit., pp. 19-20.

58. J.D. Hutchison and G. MacFeat, Douglasdale, pp. 72-6.

Elcho, The Affairs of Scotland, p. 352.

59. Cochrane, Correspondence, p. 119.

60. Jas. Fergusson, John Fergusson, 1727-50, p. 101.

61. Alex. Carlyle, Autobiography, p. 399.

general feeling in the county were certainly rare.

William Cochrane, 7th Earl of Dundonald, was only sixteen years old at the time of the rebellion, and being much under the influence of his guardian, William Cochrane of Ferguslie, an avid Jacobite, the young Earl ran off to Edinburgh to join Prince Charles. Unfortunately, on entering Edinburgh by the West Port in company with Lochiel's family, he came under fire from General Preston's garrison in Edinburgh Castle and his servant was killed. Thus brutally disenchanted with the war, Dundonald did not join the Jacobite army and stayed in Edinburgh for only two days before departing for the west.<sup>62</sup>

The Kennedys kept a low profile in 1745, as did their kinsmen, the Montgomeries of Eglinton. The Earl of Eglinton was at that time a carefree, extravagant youth of 22 and important family decisions were made by his indomitable mother, Susanna, Countess of Eglinton. The Countess was a Jacobite sympathiser, whose wisdom and beauty had been lauded by the Jacobite poets, Allan Ramsay and William Hamilton of Bangour, and some contemporaries in 1745 expected that under his mother's influence the young Earl might declare for the Stuart cause. A letter from Robert Ross of Perth to John Reid of Kilwinning dated 12th October, 1745, expressed this opinion:

" ... let me hear from you by the first (post) how affairs goes in the West Country and if my Lord Eglinton be upon that honourous cause concerning prince Charles, or if he be rising any principle men in that case, or if you are to arise in his behalf yourself, for its your Honour to dy in the Field of Battle as I hope I shall do in that cause."<sup>63</sup>

But although the Countess interceded with Lord Milton, who had been the family's mentor since her husband's death, on behalf of a number of unfortunate prisoners,<sup>64</sup> she did not lend active assistance to the Jacobite cause, as did one of her daughters, Lady Margaret Macdonald of Sleat, who assisted Flora Macdonald in arranging the flight of Prince Charles although her husband was a Government supporter.<sup>65</sup> Doubtless the Countess remembered the counsel of

62. Wm. Robertson, Ayrshire: Its History and Historic Families, Vol. ii, pp. 380-1. Elcho, The Affairs of Scotland, pp. 292-3.

63. D. Nicholas, Intercepted Post, p. 21.

64. Saltoun Mss., 130/26, 130/28, 130/32, (Nat. Lib. of Scotland)

65. D. Nicholas, Intercepted Post, p. 21.

her late husband in a letter written for the guidance of his heir:

"You are ... not to intermeddle with either (the Houses of Stuart or Hanover), but live abstractly at home, managing your affairs to the best advantage, and living in a good understanding with your friends and neighbours; for since we are under the misery and slavery of being united to England, a Scotsman, without prostituting his honour, can obtain nothing by following a Court, but bring his estate under debt, and consequently himself to necessity."<sup>66</sup>

It is interesting to note the strongly anti-Unionist tone of this letter, but the prescription was not participation in Jacobite activities but rather the admonition "cultiver son jardin", a piece of advice which the tenth Earl took very literally to heart, for in his mature years he became one of Ayrshire's most influential agricultural improvers.

Even apart from this advice, however, the Countess was too shrewd a business-woman to throw away the achievements of a lifetime for a cause which she, living in so hostile a county, was probably astute enough to judge could not succeed, however much she might wish the verdict to be otherwise. Since her husband's death in 1729 Countess Susanna had assumed the burden of the management of the Eglinton estates and had risen magnificently to the task.

Under the Countess's supervision the Eglinton mine workings were considerably extended and the saltworks at Ardrossan were extensively improved.<sup>67</sup> As a diversification of interests the Countess established a small brewery at Cromwell's former Citadel in Ayr in the 1730s.<sup>68</sup> Such hard won progress was not lightly to be imperilled by a rash venture on a doubtful prospect. To a woman who wrote of her affairs, "I must provide for time to come, and penorie having no share in my heart, my head must work my relieve",<sup>69</sup> the Jacobite cause was not to be openly supported until

66. Robertson, Ayrshire, Vol. II., p. 93.

67. C.A. Whatley, The Process of Industrialisation in Ayrshire, 1707-1871, pp. 72-3. (Ph.D. Thesis, Uni. of Strathclyde, 1975)

68. Robertson, Ayrshire, Vol. II p. 103.

69. A.I. Dunlop, "Susannah, Countess of Eglinton", Kilmarnock Standard Annual, 1957, p. 37.

it could ensure security of property.

Throughout most of the rest of Ayrshire there was scarcely a murmur of sympathy for Prince Charles. Apparently, Dr. Alexander Cunninghame, son of Sir William Cunninghame of Caprington, Kilmarnock, was a keen Jacobite, having been a member of the predominantly Jacobite Lodge of Freemasons at Rome in 1737. He is reported to have been asked to accept the post of Secretary to Prince Charles in 1745, which he declined but brought forward for consideration and acceptance his second cousin, Andrew Lumisden.<sup>70</sup> It appears, however, that Dr. Cunninghame played no part in raising men for the Stuart cause in Ayrshire, and the fact of his Jacobite connections is missing from local history books.

The town of Ayr, despite having paid a cess of £172.3s.3d. to the Jacobites for reasons similar to those outlined by the magistrates of Glasgow, raised a troop of local militia at the request of the Earl of Glencairn, who, like the more notable Earl of Loudoun, was on active service for the Government.<sup>71</sup> In the south of the county there was no doubt about the Whig principles of men such as Lord Kilkerran, a Court of Session judge and a keen agricultural improver.<sup>72</sup> The second tier of Ayrshire society was also represented by men of the stamp of Lord Kilkerran's cousin, Colonel Charles Whitefoord, who manned Cope's artillery at Prestonpans almost singlehanded when his motley crew of gunners turned and fled.<sup>73</sup>

Given this picture of solidarity of opinion and action in Ayrshire in 1745, it is all the more surprising to discover a man whose principles by inheritance, education and association appeared to be Whig, and whose home town had been a perfect example of loyalty to the Hanoverian regime in 1715, throwing in his lot with the Jacobite cause. This man was William Boyd, 4th Earl of Kilmarnock.

70. W.J. Hughan, The Jacobite Lodge at Rome, pp. 19-23.

A. & H. Talyer, The Stuart Papers at Windsor, p. 227.

71. Scottish Record Office, B6/18/13 Ayr Town Council Minutes, Oct.-Dec. 1745.

72. Sir. J. Fergusson, John Fergusson, 1727-50, passim.

73. Ibid, p. 94.

K. Tomasson & F. Buist, Battles of the '45, p. 68.

CHAPTER V.

THE EARL OF KILMARNOCK'S ROLE IN THE REBELLION OF 1745.

As far as can be determined, the Earl of Kilmarnock's first contact with Prince Charles Edward Stuart occurred on 14th September, 1745, when Charles on his march towards Edinburgh "took up his quarters att (the Earl of Kilmarnock's) House of Kallender (Callendar, near Falkirk)".<sup>1</sup> It is uncertain why the Prince chose these lodgings. The answer may be simply that Callendar House was the largest and most convenient mansion for the Prince at a day's march from his previous resting place, Leckie House,<sup>2</sup> on the way to Edinburgh. At any rate, no commentator infers that the Prince came at Lord Kilmarnock's express invitation. Indeed, when the Prince arrived at Callendar House, the Earl was away from home, dining with Colonel Gardiner and his officers at Linlithgow.

It was almost certainly from Colonel Gardiner that Lord Kilmarnock first gained the impression, before ever meeting Prince Charles, that the Jacobites were marching on the tide of victory. In a few short weeks the Prince had gathered an army, outwitted General Cope and was now posing a serious threat to Edinburgh, a feat which the Earl of Mar in 1715 had come nowhere near to achieving after months of stalemate at Perth. Opposed to him were only two troops of dragoons, Gardiner's and Hamilton's, and these, according to Brigadier Thomas Fowke, who arrived at Edinburgh on 15th September to review them, were not fit to stand on parade, let alone prevent the advance of a numerically and physically superior force of enthusiastic rebels.<sup>3</sup>

Lord Kilmarnock learned from Gardiner in the course of conversation that he planned to defend Linlithgow Bridge against the Highland army, but he must have discovered also Gardiner's assessment of the prospects of doing so successfully. According to various commentators, Gardiner, who had recently suffered from a severe illness, was in a state of mental depression, which seems to have included a presentiment of his own death. On the day after

1. J. Murray, Memorials of John Murray of Broughton, 1740-47, p. 192.
2. W.B. Blaikie, Itinerary of Prince Charles Edward Stuart, p. 13.
3. Tomasson and Buist, Battles of the '45, pp. 32-5.

his meeting with Lord Kilmarnock, Gardiner made a most gloomy report to Brigadier Fowke, in which he

" ... represented to the Brigadier very strongly ... the bad Conditions his Regiment was in; in particular being harass'd and fatigued for eleven Days and eleven Nights, little or no provision for the Men, or Forage for the Horses ... and that if they stay'd another Night on that Ground, it was to be feared his Majesty would lose two Regiments of Dragoons; But added, the Brigadier might do as he pleased; for his Part he had not long to live."<sup>4</sup>

Having heard Gardiner's pessimistic forebodings, it would have been an exceptionally stalwart man who, upon finding the reputedly victorious Prince installed in his house, would have risked retribution by attempting to refuse him lodgings. What passed between the Prince and the Boyds is nowhere recorded. It is known that the Earl passed on to the Prince the information that Gardiner's dragoons were in Linlithgow<sup>5</sup> and that they planned to defend the bridge there, but without knowing the tone and the manner in which this information was imparted, it is impossible to say whether it was given in such a way as to encourage Prince Charles to think that the Government troops were demoralised, or whether the suggestion was made that here was a serious obstacle to the advance of the Jacobite army. This is a case in which the manner of passing on the information rather than the fact that the news was given ought to be of more interest to historians, for Murray of Broughton spoke of "all the County about agreeing that (the dragoons) were still there"<sup>6</sup>; so that presumably it would have been an easy matter for Prince Charles to have discovered the situation from other sources had Lord Kilmarnock not volunteered the information. Unfortunately, no contemporary commentator shed light on this intriguing issue.

There is a suggestion, however, in the "Memorials" of John Murray of Broughton that Prince Charles at this stage did not altogether trust Lord Kilmarnock:

4. Ibid, p.35.

5. R. Chambers, History of the Rebellion in Scotland in 1745, 1746, Vol.1, p. 92.

6. J. Murray, Memorials, p. 192.

" ... the Chevalier determined to attack (the dragoons) before day, and with that view, provided himself with guides, and ordered a detachment of five hundred men to be ready on a minute's warning. Having supped he retired as if going to bed, to prevent any intelligence being given of his designs, and went privately to the camp, where he put himself at the head of the detachment, and marched with a view to pass the river of (Avon) att a foord half a mile above the bridge and attack the dragoons in flank".<sup>7</sup>

Whom did Charles mistrust? - the servants of Callendar House? - or his perhaps reluctant hosts? Suspicion of Lord Kilmarnock on Charles's part would have been perfectly natural. Had not the fathers of the two men been ranged in opposing camps in the 1715 Rebellion? Was it not true that two of Lord Kilmarnock's three sons were enlisted on active service in the British Army and Navy respectively? It was hardly surprising therefore that Charles should have behaved with caution during his short stay at Callendar House. The wonder is that he chose this resting place at all. It has traditionally been assumed that he did so at the invitation of Lady Kilmarnock in her husband's absence, but there is no evidence either to prove or to refute this theory. It is interesting to reflect that no one has ever accused the Countess of being a Whig because she entertained General Hawley at Callendar House on the eve of the Battle of Falkirk.

Whatever the Earl's feelings towards the Jacobites may have been at that stage in the Rebellion, he did not leave Callendar with the Prince, nor did he join him immediately upon his occupation of the capital. It was only sometime after the Prince's signal victory at Prestonpans on 20th September, 1745, that Lord Kilmarnock, together with what Elcho rather patronisingly called "a great many people of fashion", decided that it would be a wise move to join the winning side.<sup>8</sup>

The exact date of the Earl's arrival in the Prince's camp is uncertain, but Elcho says that Lord Kilmarnock "gott a commission to raise a troop of horse Grenadiers, but in the meantime was appointed to Command the Perthshire 120 horse Squadron".<sup>9</sup>

7. Ibid.

8. Elcho, The Affairs of Scotland, pp. 282-3.

9. Ibid.

This statement by Elcho hints at the problem which the Earl of Kilmarnock encountered in trying to recruit followers from among his own tenantry. Whether he tried to recruit men before joining the Prince is not known, but he himself seems to have been rather slow to enlist in the Jacobite army. A letter to his wife dated 18th October shows that he was at Callendar at that time and that he had just reached a final decision, and was "now in (his) Boots to join the Prince".<sup>10</sup>

The "Caledonian Mercury" of October 21st, 1745, confirms the impression that this was Lord Kilmarnock's first approach to the Prince:

"Friday Night last (i.e. 18th October) the Right Hon. the Earls of Kilmarnock and Nithsdale, and the Right Hon. Lord Viscount Kenmure, came to the Palace of Holyroodhouse, and after kissing the Prince's Hands, put themselves under his Royal Highness's "Standard".

There was an odd report in the same newspaper on 14th October from the Jacobite camp at Duddingston to the effect that:-

"Several Persons of Character have joined the King's army since our last, particularly the Hon. \_\_\_\_\_ (blank in text) Boyd, Brother (sic) to the Earl of Kilmarnock, with a Body of Gentlemen."

This is peculiar since William Boyd was an only child. It may be that the Earl's son, Charles, or another Boyd joined the Prince on October 14th, but the Earl makes no mention of this incident in his letter of October 18th, nor in a letter of October 15th to his wife.<sup>11</sup>

The letter of October 18th mentioned that the Earl hoped to return to Callendar on the following Monday or Tuesday, and that "next week there shall be no want of money". It is possible that he hoped to be given funds from the Jacobite war chest to facilitate recruitment on his own estates. Certainly he could not afford to pay men from his own empty coffers, and all he could bring to the Prince's camp was the prestige of the name of a Lowland earl.

Jacobite funds, however, were not abundant, and there were other problems about recruitment, which will be examined later. Out of a

10. Saltoun Mss., SC104, f.108.

11. Ibid., SC104, f.107.

total of 88 men who have been identified as having almost certainly served in Lord Kilmarnock's regiment at some stage in the campaign,<sup>12</sup> only 12 came from the Falkirk area and most of these had close ties of obligation to the Earl. One was his son, Charles Boyd, two were servants, two gardeners, one a wig-maker, one a "coal-hewer to Lord Kilmarnock", one a drummer-boy of 14 years of age, and the remainder tenants or sons of tenants on the Callendar estates.

The largest contingent from any one county on this list came from Aberdeenshire, where Lady Kilmarnock's aunt, the domineering Countess of Erroll, exerted her influence on behalf of the Stuart cause. Much of the source material for this list refers to the period mid-February to mid-March 1746,<sup>13</sup> which may account for the high proportion of Aberdeenshire men. By that time the Jacobite army was in the north and it is possible that some of these men may have been recruited, if not pressed, into the army at that stage without having served in the English campaign. It is possible also that more Falkirk men may have followed the local landowner initially, but may have deserted before the Jacobite army began its northward retreat, not being prepared for a winter campaign in the Highlands, especially for a cause which was beginning to appear increasingly doomed. Despite a lack of positive evidence, however, it seems safe to assume that there was no large following from Falkirk in Lord Kilmarnock's regiment.

The representation from Ayrshire was even worse. The list reveals the presence of only one man from Ayr, although this may have been used as a loose expression for the county. This was Charles Shedden, listed variously as a "servant" or a "coal grieve", aged 70 years! If this age is accurate, it is difficult to believe that this man saw much service, yet he is said to have been "taken in actual rebellion".<sup>14</sup> His age may be in error, however, as Kilmarnock's Register of Mortality for 1745 lists the death of an infant son of a Charles Shedden.

12. See Appendix II.

13. State Papers, 36/84/40 (Public Record Office)

14. Sir B. Seton and J.G. Arnot, The Prisoners of the '45, pp. 304-5 and 310-11.

In all probability this was the same Charles Shedden, "indweller in Kilmarnock", who on 10th December, 1740, presented at the Head Court of Kilmarnock "a Commission from the Earl of Kilmarnock Nominating Him officer of the Lands & Barony and Burgh of Barony of Kilmarnock".<sup>15</sup> This office may have included supervision of the Earl's mine at the Dean, Kilmarnock. Shedden's status appears to have been totally dependent on the Boyds, which may explain his loyalty in the hour of crisis.

Reliable local source material is lacking, but, according to local traditions, Lord Kilmarnock came to his home town, presumably in October, 1745, to recruit for the Jacobite cause. Not only was he unable by any means to induce the local men to follow him or at least to part with money and weapons for the cause if they would not support it in person, but he was even warned by some of the bolder spirits in the town that if he did not desist in his efforts, they would turn their weapons against him "rather than engage in so foolish and unnatural a rebellion".<sup>16</sup>

This tradition conflicts with the Earl's statements in his trial and in his petitions for mercy addressed to King George and his sons. At his trial he said:

"I have endeavoured as much as my capacity or interest would admit to be serviceable to the Crown on all occasions, and even at the breaking out of the rebellion I was so far from approving their measures or showing the least proneness to promote their unnatural scheme that by my interest in Kilmarnock, and places adjacent, I prevented numbers from joining them and encouraged the county as much as possible to continue firm in their allegiance."<sup>17</sup>

In his petition to the King after sentence had been passed the Earl went even further in his claims. He said that after the battle

15. Record of the Head Court of the Town & Baronies of Kilmarnock & Grougar, 10th Dec., 1740. (2/1/1, p. 234.)

16. Recounted in A. McKay, History of Kilmarnock, (5th ed., 1909), p. 73. Although McKay first wrote his account in the 19th century, he may have been quoting contemporary sources which are not now available, for the phrase "unnatural rebellion" was very much in vogue in the 18th century. It appeared, for instance, in Kilmarnock Town Council's petition to King George III on behalf of Lord Kilmarnock, 19th July, 1746. (State Papers, 36/85/256)

17. C. Whitefield, The Life of William Earl of Kilmarnock, (1746) p. 64.

of Prestonpans and before joining the rebels he had gone to Kilmarnock and influenced its inhabitants and those of neighbouring burghs to rise in arms on behalf of King George; "which had so good an effect that two hundred men of Kilmarnock appeared very soon in arms, and remained so all winter at Glasgow or other places as they were ordered".<sup>18</sup>

It is very difficult to believe that these statements are true, especially as the Earl before his execution confessed to the minister who was assigned to him that he had lied about the manner of his capture, having said at his trial that he had surrendered, recognising the folly of the Jacobite cause, although he could have escaped, whereas in truth he had approached a party of Government troops in error, thinking that they were Jacobites.<sup>19</sup> No account of such tactics by Lord Kilmarnock survives elsewhere than in his own statements. Admittedly, there was a gap of five weeks between the Earl's first meeting with Prince Charles at Callendar House and his joining the Prince's camp at Edinburgh, but it surely requires a suspension of logic to believe that the man who by 18th October, 1745, was convinced "that every Scots Man in his Sences will go the Same way",<sup>20</sup> (i.e. enlist with the Jacobites) was only a few weeks earlier actively encouraging those over whom he had influence to enlist in the opposite camp.

Besides, to anyone who was acquainted with the staunchly Presbyterian folk of north Ayrshire, proud sons of the Covenanters, the vision of them champing at the bit to go off to join the Jacobites, and being restrained only by the loyalist eloquence of their superior must have smacked of the ridiculous. As has been shown, there were apparently no supporters (with the exception of Charles Shedden) from Kilmarnock in the Earl's regiment. Surely if at the end of September or early in October there had been a substantial amount of potential Jacobite support in the town which the Earl had had to restrain, it might have been expected that when he revised his opinions (as he would have his judges believe) by mid-October, some of these supporters might have been encouraged to follow him into the Jacobite army, but there is no evidence of this having happened.

18. J. Foster, An Account of the Behaviour of the late Earl of Kilmarnock, (1746), p. 46.

19. Foster, *op. cit.*, p. 21.

20. Saltoun Mss., SC104, f.108, Letter of Lord Kilmarnock to his wife, 18th October, 1745 .

Unfortunately, the petition to the King on the Earl's behalf from the magistrates and ministers of Kilmarnock is not quite explicit enough to establish conclusively the facts of the situation, although its tone decisively contradicts the suggestion that there was at any stage a latent body of support for the Jacobites:

"As we live in the Western part of Scotland which to its Immortal honour stands Recorded ffor ane inviolable attachment to the True principles of Liberty, ffor which our forefathers were expos'd to the resentment of those in power, during the reigns immediately preceding the ever memorable Revolution; So We their posterity Have now a proportional feeling sense of the Happiness we enjoy under Your Majesty's mild and gracious Government. For the Support whereof We of this Town and Corporation encouraged by the Patronage and Example of the Earl of Kilmarnock (our Overlord) and his predecessors, Have on all proper occasions, As in duty and interest bound, Shown a Becoming Zeal. The Influence and Example of this Family in the Cause of Loyalty to your Majesty's person and Government, We were allways bless'd with; Till a litle (sic) after the commencement of the late, Unnatural Rebellion, The present Earl, Did to our great surprise and unspeakable Grief, Join with Your Majesty's and our Enemies Against all the principles He formerly promoted amongst us."<sup>21</sup>

The document goes on to declare the petitioners' horror of "being Suspected of any undue attachment to the Earl of Kilmarnock or any other of your Majesty's Enemys" and to note the way in which they "did ... Cheerfully and Unanimously associate, Raise, Train and Discipline Three Companys of our Best men Whom we offered to General Guest to serve on the Town's charge Wherever Your Majesty's Service Should require".

No mention is made of efforts by the Earl to raise men for either army. It would perhaps not have been politic in a petition for mercy for the Earl, in "remembrance of the Steady attachement of the Family of Kilmarnock, To the Revolution principles and Interests, And the long course of Loyalty to your Majesty's person and government

<sup>21</sup>. State Papers, 36/85/256, The Humble Address of the Magistrates, Common Council and Ministers of the Town of Kilmarnock ...  
19th July, 1746.

Wherein the present unhappy Earl (till very lately) always persisted", to mention any attempts by him to recruit troops for the Jacobites. It would obviously have been to his advantage, however, to have stressed any assistance he had lent to the Government in the early stages of the rebellion by dissuading potential Jacobite supporters from following their inclinations. The absence of such mention in the town's petition suggests that the Earl's claim was a fabrication.

The Earl's cousin, George Rosse, tried his best to contradict the reports of "Some Cruel People ... that several parts of his Speech is false". Writing on 2nd August, 1746, from Leicesterfield, he told Lady Kilmarnock that he had

"... by this post ... sent Mr. Paterson (the Earl's factor) the paragraph that relates to his behaviour at Kilmarnock and desired him to send me by Express a Memorial Certificate Syned by the Magistrates of the truth of what he avers. If you can pick up anything properly authenticated as proofs of what he avers in his Speech send it me by Express."<sup>22</sup>

No document was apparently forthcoming as a result of this plea, which suggests that George Rosse was loyally trying to prove something which was not true.

Apart from the tradition of a citizen by the name of Auld Soulis, who out of sheer curiosity went to see the Jacobite army when it was at Stirling and who came back a few days later minus his shoes, of which he had been stripped by Highlanders,<sup>23</sup> there is no recorded case of a Kilmarnock man joining the rebels (with the exceptions of Charles Shedden and George Boyd, a family servant, listed as living at Callendar House). As will appear from evidence to be cited later in connection with the townspeople's opinion of their "overlord", despite what the Earl might claim about using his influence, there was a point beyond which his influence could not prevail when it came to a disagreement on fundamental principles of politics or religion.

22. Tait Papers. Letter of George Rosse to Lady Kilmarnock, 2nd August, 1746.

23. McKay, History of Kilmarnock, pp. 76-7.

The rest of the Earl's story - the march into England, his valuable local knowledge at the Battle of Falkirk, his wife's role in keeping General Hawley from the field, his journey with the Prince's contingent via Blair Atholl and Ruthven to Inverness, his capture on the field of Culloden, his trial, unsuccessful appeals and execution on 18th August, 1746 - is well known, and not of immediate relevance to the examination of Lowland reaction to the 1745 Rebellion. It is time, therefore, having examined the pattern of Lowland response, with particular relation to the estates of the Earl of Kilmarnock, to turn to a consideration of the reasons for the attitudes adopted by Lowlanders, and especially those of the people of Falkirk and Kilmarnock.

CHAPTER VI.

CAUSES OF ANTI-JACOBITE FEELING IN THE LOWLANDS IN 1745.

By 1745 the advantage of anti-Unionist feeling which the Jacobites had had in 1715 had largely vanished as far as the Lowlands were concerned. Thirty years' experience of Hanoverian rule had bred familiarity if not love. The Royal Family was not personally popular and never attracted the sort of emotional attachment expressed by some followers of the Stuarts, but George II was not considered so tyrannical as to warrant his overthrow in favour of the descendant of a King who was considered to have been a despot; a claimant who himself had lived abroad for his entire life and was now depending upon French assistance in his bid to regain his throne. If there was little personal loyalty to the reigning monarch, who after all was even more foreign than James, there was much staunch advocacy of the "Revolution principles" of 1688. The Hanoverians were regarded as the guarantors of the Protestant religion and of the Parliamentary freedoms and limited monarchy which had been established in 1689. In vain did Charles on his father's behalf promise religious toleration and the assembly of free Parliaments.<sup>1</sup> For the most part he was simply not believed.

An address by Mr. Plenderleath, a retired minister of Ormiston, which was published by the "Scots Magazine" in October, 1745, is typical of the feelings of sceptical Whigs:

"Under the British government since the revolution (of 1689), for a long track of years (longer than any former period of British liberty), we have had the free exercise of our religion, and the secure enjoyment of property - Husbandry, trade and manufacture, (particularly in the linen in this little place of late), since the union of the two nations, which the pretender condemns as illegal, and promises to destroy, these arts of industry and labour have been in Scotland in a more flourishing way than ever. Shall Britons then, at any rate, part with these valuable privileges? For these Britons should contend, and for Royal Families only as subservient to the publick cause. By this family on the throne, the laws were never dispensed with, nor

1. Sir C. Petrie, The Jacobite Movement, I. 366.

the British national rights incroached upon; numerous were the arbitrary incroachments of the family Stuart. Antiquity of blood conveys no real worth. For any family will a true Briton contend (were he to put the controversy of this point of families) rather than that of Stuart, tho' originally Scots, while the most of their numerous race have been remarkable for an enslaving spirit, and stretching the prerogatives of the crown in the most arbitrary manner. - But it is for their country, and for their King while a friend to his country only, that free Britons will contend and fight. Our privileges as free-born Britons, shall we give them up for any family, however ancient?"<sup>2</sup>

It is interesting to observe that the sentiments here expressed are patriotic rather than royalist. The reasons advanced for supporting the Hanoverians are couched in terms of national self-interest rather than the mysticism of divine right. No heed is paid to the Stuart claimant's promises to preserve civil and religious liberties, but the sins of the last Stuart monarch are visited without justification upon the generations of his son and his grandson. It was as if for a large proportion of Scotland's population the Stuarts had been typecast in the roles of villains and the poison of the debonair Prince was considered to be all the more subtle because of his handsome appearance and his affable manner.

According to the General Assembly, it was easy to show that Charles's promises were false:

"Tho' the pretender's son would seem to acknowledge some miscarriages in former reigns, is it not evident, that he treads in the steps of the late King James, by levying money in an arbitrary manner, as he did immediately after his accession? Has he not treated the country as a conquered nation, by enforcing his exorbitant demands with the threatening of military execution? If such things are done whilst he courts a crown, what may we not dread if he should be possessed of it?"<sup>3</sup>

Education was drawing the upper-classes of the two nations together. Despite the continuing tradition of the sons of lairds

2. Scots Magazine, October, 1745.
3. Exhortation of the General Assembly, 15th November, 1745, Scots Magazine, November, 1745.

and ploughmen receiving the early stages of their education shoulder-to-shoulder, it had become increasingly common since the Union for the elder sons at least of the nobility to go to English public schools in their teens. Susanna, Countess of Eglinton, for instance sent the young Earl in the 1730s to Winchester "publicke schoole", believing that "as he is not yete quite good at reading English, it you'd be best to have him poot to schoole in the country of England for some time".<sup>4</sup>

Another Ayrshire laird, Lord Kilkerran, followed suit in 1743 by sending his heir to Doddridge's Academy in Northampton, which was one of the finest dissenting academies in England. The desire of the Lowland nobility to give their sons the type of education which would stand them in good stead anywhere in the United Kingdom is vividly portrayed in a letter of 10th November, 1743, to Dr. Doddridge from Lord Kilkerran, in which he asks advice on the wisdom of sending a Scottish servant with his son:

"... I grudg nothing that is proper nor would I chuse to do anything that is unnecessary; my own objection to it is, that as I hope for a great improvement in his language, which in this country is wretchedly bad, I am affraid a Scotch servant might do him harm that way, and a discreet boy of your choice may do better if a servant be necessary."<sup>5</sup>

Even Lord George Murray's eldest son was sent, at his uncle's expense, to Eton, although not out of any pro-Unionist sympathies of his father, but so that he would not be spoilt and flattered if he attended "an insignificant county school".<sup>6</sup>

It was not only those who had been educated in England who were beginning to feel that they were British as well as Scots, and to realise that the interests of Scotland ought not to conflict with those of the United Kingdom. It no longer made sense for Scotland to operate a separate foreign policy and to horrified supporters of the House of Hanover it was not only treason, but a contradiction of all that "true Britons" cherished for the Jacobites to connive with France to achieve their ends.

4. Dunlop, "Susannah, Countess of Eglinton", p. 37.

5. Fergusson, John Fergusson, 1727-50, p. 31.

6. Unpublished letter of Lord George Murray at Blair Castle. Quoted in K. Tomasson, The Jacobite General, p. 9.

The reaction of a Berwickshire gentleman, Mr. George Carre of West Nisbet, on first hearing of the rebellion was shared by his Lowland compatriots:

"... tho' I have no other connection with Highlanders than in the common appellation of Scotsman, I blush this moment at the thoughts that these wretches are acting as Allies of France and Traitors to Great Britain."<sup>7</sup>

Scots who lived much farther north than Berwickshire shared Mr. Carre's feelings about Highlanders. The mountainous terrain northwest of Stirling was as unknown and as undesirable to most Lowlanders as it was to any Englishman. The distance separating the cultures of the two sections of the country was equally mountainous, and each section tended to despise the values of the other. The Highlanders nourished a culture which cherished martial exploits, whereas war to most Lowlanders had come to represent an annoying interruption of trade. There was a mysticism about the Gaelic race which led clansmen to trace their genealogies back into the realms of fantasy and which made it easy for them to accept the claim of the hereditary line of succession as opposed to the rival House of Hanover which the more pragmatic Lowlanders found it expedient to accept.<sup>8</sup>

In religion too the majority of Highlanders and Lowlanders were ranked in opposite camps. Most of the clans were of either the Roman Catholic or the Episcopalian faith, whereas throughout the Central Lowlands the Kirk was dominant and Roman Catholic and Episcopalian congregations had to struggle for survival.<sup>9</sup> These differences naturally affected the attitudes of the two groups not only to the Stuart claimants, but also to one another. It was with considerable surprise, therefore, that a "Gentleman Volunteer" from Glasgow discovered after his capture by the Jacobites at the Battle of Falkirk that it was possible for him to have more in common in terms of religion with the Highlanders than with Englishmen:

"The Highlanders are not so cruel as we thought them, by their Behaviour to us; I cannot see whether there are any Papists among

7. Misc. of Scottish History Society, (Vol.V) 3rd ser., S.H.S. vol.XXI (1933), p. 316. Letter of George Carre to the Earl of Marchmont, 10th September 1745.

8. Col.D. Stewart, Sketches of the Highlanders of Scotland, vol.1, pp. 67 & 93ff.

9. W.Ferguson, Scotland: 1689 to the Present, pp. 127-31.

them, for in one End of the Kirk, the Minister of Fala reads the Bible, and we all sing Psalms and the Guards take off their Bonnets: But I am sorry to tell you, that the English Red-Coats go to the other End of the Kirk, and, all the Time of our Worship, they are cursing and swearing, and damning the Presbyterian Dissenters".<sup>10</sup>

Before 1745, however, the only contact which many Lowlanders had had with Highlanders, or had heard about from their elders, had been the costly and humiliating visitation of the detested "Highland Host" of 9,000 soldiers who were billeted in the homes of the local people in the Covenanting county of Ayrshire and the south-west for six weeks in 1678. This bitter experience will be discussed at greater length in considering the shaping of opinions in Ayrshire.<sup>11</sup>

Not all Lowlanders, however, were Presbyterian. Many who considered themselves to be Lowlanders in terms of location, language and culture were adherents of the Episcopalian religion. In the north-east, particularly in Aberdeenshire, there remained, despite the penal laws which had followed the 1715 Rebellion, a small body of ardent non-juring clergymen, together with a substantial number of congregations whose ministers were "qualified", in that they had taken oaths of allegiance to the Hanoverian royal family, and which kept themselves within the letter of the law.<sup>12</sup>

Often the dividing line between non-juring and approved Episcopalianism was debateable. Captain Burt, an English visitor to Aberdeen around 1726, was shocked to discover that in the only Episcopal church with a qualified minister at that time, the respects paid to the reigning monarch were a mere charade:

"... when the Minister came to that part of the Litany where the King is prayed for by Name, the People all rose up as one, in Contempt of it, and Men and Women set themselves about some trivial Action, as taking Snuff, etc., to show their Dislike and signify to each other they were all of one Mind; and when the Responsal should have been pronounced, though they had been loud in all

10. Loudoun Collection, L.C. 1464, "Copy of a Part of a Letter written from Falkirk, 29th January, 1746".
11. Vide infra, pp. 76-77.
12. W. Watt, History of the Counties of Aberdeen & Banff, p. 292.  
W. Ferguson, Scotland: 1689 to the Present, p. 127.

that preceded, to our Amazement there was not one single Voice to be heard but our own."<sup>13</sup>

Whereas in Edinburgh and Stirlingshire some Episcopalians were to be found who did not wish to jeopardise the survival of their religion by involvement in civil disobedience, the attitude of their co-religionists in the north-east was such that their religious and political principles were inextricably mingled and their conformity was never more than a fine veneer, liable to be ruptured when circumstances seemed favourable. Captain Burt recognised this in 1726 when no rebellion was imminent:

"The Nonjuring Ministers have made a kind of Linsey-Woolsey piece of Stuff of their Doctrine, by interweaving the People's civil Rights with Religion, and teaching them, that it is as Unchristian not to believe their Notions of Government as to disbelieve the Gospel."<sup>14</sup>

The author of "Memoirs of the Rebellion in Aberdeen and Banff", looking at the events of 1745-46 in retrospect, expressed his views of the untrustworthiness of the Episcopalians even more strongly:

"... though most of them had the address to keep themselves free from open acts of Rebellion, yet they were excessively instrumental by every sly act to poison the people and debauch them to rebellion, and accordingly all their hearers, almost without exception, were rank Jacobites, and the being so was esteemed so very essential to salvation, that even before the Rebellion they have been known to refuse to admit some of their hearers to the Communion ... if by going to a qualified meeting of the Church of England they had heard King George prayed for, unless they solemnly professed their repentance for their crime. After the Rebellion broke out, several of them turned so insolent as to pray for the Pretender by name."<sup>15</sup>

Differences in religion, therefore, go a long way towards explaining not only the Highland-Lowland split in 1745, but also the varying responses to the Jacobite Rebellion in the various regions within the Lowlands.

13. F. Jamieson (ed.), Burt's Letters from the North of Scotland (1974 ed.), vol.1, pp. 223-4.

14. Ibid, p. 224.

15. W.B. Blaikie, Origins of the Forty-Five, p. 126.

The inhabitants of the northern fringes of the Lowlands were acquainted with Highlanders in one connection: namely, that of the cattle trade. Lowlanders and Englishmen travelled to the great trysts at Crieff and soon after the Union trysts were established near Falkirk, although it was not until 1770 that the latter attained a position of eminence among Scotland's cattle marts. The description of the dealers at a tryst in Crieff in 1723 must have been very similar to scenes at Falkirk before 1745:

"The Highland gentlemen were mighty civil, dressed in their slashed waistcoats, a trousing (which is breeches and stocking of one piece of striped stuff) with a plaid for a cloak and a blue bonnet. They have a poinard, knife and fork in one sheath hanging at one side of their belt, their pistol at the other, and a snuff mull before with a great broadsword at their side. Their attendance was very numerous all in belted plaids, girt, like women's petticoats down to the knee; their thighs and half of the leg all bare. They had also each a broadsword and pistol."<sup>16</sup>

This noble picture, however, did not tell the whole story. The Lowland traders were glad of the business brought to them in the form of the Highlanders' black cattle, but there was also a looser interpretation of the cattle "trade", in which the Lowlanders were always the losers. This was the practice traditionally exploited by Highlanders of supplementing their own herds by raids on the livestock of Lowland farmers, a custom which kept relations between the uneasy neighbours at vendetta pitch. In 1745 the annual losses of the Lowlands from Highland raids was calculated as being approximately £37,000, composed as follows:

Cattle lifted	valued at	£5,000
Blackmail to avoid cattle-lifting	" "	£5,000
Cost of attempting to recover lifted cattle	" "	£2,000
Expenses of guarding against thefts	" "	£10,000
Loss from understocking for fear of plundering	" "	£15,000
		<u>£37,000</u> <sup>17</sup>

16. Macky, Journey through Scotland (1723). Quoted in A.R.B.Haldane, The Drove Roads of Scotland, p. 24.
17. P. Hume Brown, History of Scotland, vol. iii, p. 261.

The last item on this list was perhaps an exaggeration, but cattle raids were certainly a serious drain on the resources of Lowland farmers living near the Highland Line.

For good reasons, therefore, the people of the Lowlands in the 18th century looked on the Highlanders as a race apart, and one with which they wished to have as little contact as possible. If these were the followers upon whom Prince Charles was depending, there was not much incentive for the average Lowlander to enlist with him, brought up as he was to believe that the values and interests of the two communities were diametrically opposed, especially when this belief was sanctioned by the Kirk:

"What abuses might not be expected from the army (the Young Pretender) employs to raise him to the throne? a great part of which is made up out of the barbarous corners of this country; many of whom are Papists under the immediate direction of their priests, trained up to the sword, by being practised in open robbery and violence; void of property of their own, the constant invaders of that of others and who know no law, but the will of their leaders."<sup>18</sup>

Loyalist Lowlanders were concerned to learn that in England the Jacobite rebellion was regarded as being a Scottish national uprising, and they did their best on every possible occasion to disabuse their southern neighbours of this erroneous idea. Lord Kilkerran in a letter of 22nd November, 1745, to Dr. Doddridge explained the situation:

"The behaviour of the town of Edinburgh may have led your people to think oddly of Scotland, but they will by this be let to see that they are not from the behaviour of one place to form the character of the whole people. You may depend upon it that the Presbyterians of Scotland are to a man firm to the present happy establishment. The distinction of partys here is so far different from what it is with you that the Episcopalians only in this country are generally Jacobite, and you will not wonder at it when I tell you such has been the levity of the government that their meeting houses are not restrained, even while they not only do not pray for the King but in such works as can not

18. Exhortation of the General Assembly, 15th November, 1745.

Quoted in Scots Magazine, November 1745.

be mistaken pray against him. And what can be expected of a young generation brought up in that way? ..."19

On December 2nd Lord Kilkerran, in writing to the Earl of Halifax, tried to demonstrate that only reprobates among the Lowlanders had joined the Young Pretender and that there was a clear Highland - Lowland division in the county:

"I have let the Doctor know with how little reason it is that the generality of this county are in England suspected of disloyalty. I can assure your Lordship that but a small number of the low country other than persons of desperat circumstances have joyn'd the Highlanders, and that the greatest, the far greatest and best part of this part of the United Kingdom are firmly attached to our present happy constitution and ardently wish success to the measures for preservation of religion and liberty and for the glory and peace of the country."20

By way of assurances of the loyalty of the "greatest and best part of the Scottish nation", the General Assembly sent the following address to King George:

"Happy under the government of a prince, whose glory it is to rule by laws over a free people, we abhor the thought of ever becoming the property of an arbitrary power. Blessed with a legal security for our religious and civil rights, under your Royal protection, we shall never give up with this, to depend on promises from a tool of France and Rome."21

It was not simply for love of abstract principles, however, that the majority of Lowlanders ranged themselves in opposition to the Jacobites. By 1745, far more than in 1715, they had material possessions, trade and industry to safeguard. Writing of Ormiston in East Lothian, the retired minister, Mr. Plenderleath, observed that it was since the Union that "Husbandry, trade and manufacture ... in this little place" had flourished.22 But the local laird, Sir John Cockburn of Ormiston, was a pioneer in agricultural improvements and the establishment of the linen industry. Elsewhere there

19. Fergusson, John Fergusson, 1727-50, 113-4.

20. *Ibid*, p. 119.

21. Address of the General Assembly to King George, 13th November, 1745. Quoted in Scots Magazine, November 1745.

22. Mr. Plenderleath's address, October 1745. Quoted in Scots Magazine, October, 1745.

were similar instances of isolated enterprise, but most recent economic historians agree that it was not until the 1740s that the upward trends in investment in industry and the expansion of trade and agriculture became significant.<sup>23</sup>

Among the counties of the Central Lowlands men such as Cockburn in the Lothians led the way in agricultural improvements such as enclosure, the planting of trees; the introduction of new crops and the proper rotation of crops, but by the 1740s the new methods were spreading to the west country, finding first root in the estates of such enlightened landlords as the Earl of Loudoun and the Earl of Stair.<sup>24</sup>

Even in the north-east, where the sowing of fifteen or more crops in succession in the same field was still being practised as late as the 1790s<sup>25</sup>, there were pioneers in agricultural methods, most notably Sir Archibald Grant of Monymusk and his brother-in-law, Alexander Garden of Troup, and the Barclays of Urie. Despite objections by reactionary tenants, millions of trees were planted, partly to beautify the estates of the improvers and to shelter crops, but chiefly as a long term investment for the sale of timber in competition with Scandinavian imports. Enclosures and improved rotation systems increased the profitability of the land and in turn permitted substantial rent increases over a number of years.<sup>26</sup>

At Monymusk there was the incentive to persevere with such long term planning because of the nearness of Aberdeen as a ready made market. Elsewhere in the north-east, however, problems of transport

23. S.G.E. Lythe & J. Butt, An Economic History of Scotland, 1100-1939, Chaps. 8 & 9. R.H. Campbell, Scotland Since 1707, p. 40 et passim. T.C. Smout, A History of the Scottish People, 1560-1830, p. 226.

24. Beginning in 1733 the Earl of Loudoun planted over 1,000,000 trees in Ayrshire. - H.Hamilton, Economic History of Scotland in the 18th Century, p. 65.

See also Lythe & Butt, op.cit., p. 115; and Col.W. Fullarton, General View of the Agriculture of the County of Air, p. 16ff.

25. A.R.B. Haldane, The Drove Roads of Scotland, p. 118.

26. H. Hamilton (ed.), Life & Labour on an Aberdeenshire Estate, 1735-50. Rev. D.G. Barron (ed.), The Court Book of the Barony of Urie, 1604-1747, p. 148ff.

R.H. Campbell, Scotland Since 1707, pp. 28-34.

S.G.E.Lythe & J.Butt, An Economic History of Scotland, pp.77, 84-5.

and the lack of large market outlets acted as disincentives to all but a few enlightened landowners. Along the coast of Moray and Nairn, where transport was not a problem, "nearly all the landed gentry" shipped their agricultural produce via Findhorn to the Low Countries, but for this trade they depended upon the natural fertility of the soil and they were not involved to any marked extent in the reforming movement until the innovations of the Earl of Findlater began in the second half of the century.<sup>27</sup>

These beginnings were but the first flush of the improving movement which was to grow into an obsession among many landlords from the 1760s onwards. Once landlords began to make investments in land which would take years to mature, their appetite for revolution became considerably dulled and their stake in maintaining the status quo increased proportionately.

Another sphere of economic activity in which the east coast led the way was coal mining. In Fife and the Lothians the mining of coal had been organised on a commercial basis for centuries. By the end of the 17th century, however, the industry was beginning to be taken seriously in other parts of the Lowlands. Coal borings on the Auchendarvie estate at Stevenston had begun in 1674<sup>28</sup> and by the 1740s both coal and salt were being produced in this area on a very professional basis. Mining developments were also well advanced on the nearby Eglinton estate, where in 1725 there was a waggonway established from the pits at Fergushill to Irvine, which was only the second of its kind in Scotland.<sup>29</sup> Lanarkshire was the other western county whose output of coal was considerable, notably on the Duke of Hamilton's estates, but there were adventurous mine owners elsewhere, for instance in Stirlingshire where one of the earliest steam-pumps in Scotland was installed at the Elphinstone Colliery around 1720.<sup>30</sup> Thus, although it was not until the nineteenth century, with the introduction of more reliable machinery and better ventilating systems, that coal production figures began

27. B. Lenman, An Economic History of Modern Scotland, pp. 77, 84-5.

T.C. Smout, Scottish Trade on the Eve of the Union, p. 74.

R.H. Campbell, *op. cit.*, p. 29.

28. B.F. Duckham, A History of the Scottish Coal Industry, vol.i, p.155.

29. Whatley, The Process of Industrialisation in Ayrshire, 1707-1871, pp. 72-3.

30. R. Bald, A General View of the Coal Trade of Scotland (1812) p.20.

to show their most dramatic increases, already by the 1740s several mineowners had sunk considerable amounts of capital into the development of the mining industry, and naturally they hoped for settled conditions so that an expanding economy would enable them to reap the rewards of their efforts and investment.

If the heyday of coal mining was yet to come, the linen industry, with encouragement from the Board of Trustees for Manufactures in the form of subsidies, prizes and the importation of foreign skilled workers, had just entered upon a period of steady expansion. 1742 was a significant year for the industry, for it saw the introduction of the Bounty Act, which inaugurated the payment of bounties for exports of British Linen and thereby stimulated linen production.<sup>31</sup> The beneficial effects of these measures can be seen in the production figures for the years 1733-47. Whereas the average annual yardage of linen stamped had fallen in the five years from 1738-42 compared with the previous five years, the next few years saw a striking rise in the amount stamped, despite a considerable drop in the manufacture of coarse linen in Perthshire, Kincardineshire and Angus during the Rebellion.<sup>32</sup>

Quantity and value of linen goods stamped in Scotland, 1733-47.<sup>33</sup>

<u>Period</u>	<u>Average annual yds.</u>	<u>Estimated annual value</u>
1733-7	4,750,827	£179,451.
1738-42	4,673,372	189,844.
1743-7	5,645,417	231,056.

The woollen industry, on the other hand, had never fully recovered from the effects of the Union, when competition with finer quality English woollen textiles had proved calamitous to the Scottish industry. The Board of Trustees for Manufactures had seen fit in its first year of operations to grant £2,650 to the linen trade, but only £700 to the coarse wool industry.<sup>34</sup> In 1740 and 1743 the amount allocated to the

31. R.H. Campbell, Scotland Since 1707, pp. 61-2.

32. R.H. Campbell, State of the Annual Progress of the Linen Manufacture, 1727-54, p. 92.

33. A.J. Warden, The Linen Trade (1867), p. 480. Quoted in Lythe & Butt, Economic History of Scotland, 110-1939, p. 248.

34. W. Ferguson, Scotland: 1689 to the Present, p. 180.

linen industry rose to £3,650, but the sum set aside for the development of the "coarse-tarred wool" industry remained static at £700.<sup>35</sup>

Ayrshire, however - and Kilmarnock in particular - seems to have been somewhat exceptional.<sup>36</sup> Carpet weaving was introduced to KIL Kilmarnock in 1728 and in both Kilmarnock and Stewarton the bonnet trade flourished, while in the larger town the long established stocking trade continued on a domestic basis. Further south in the county Thomas Kennedy of Culzean and John, Earl of Cassillis, also showed interest in the woollen industry for which their large estates were well able to supply the raw material.<sup>37</sup>

Woollen manufactures were also important in Aberdeenshire, which had carried on a flourishing trade in plaidings, fingsams and hosiery with Scandinavia, Hamburg and Scotland's staple town of Campvere throughout the seventeenth century. The Gordon's Mills Company was established on the Don in 1703 for the manufacture of high quality cloths and skilled workmen were brought from France to instruct the local work force.<sup>38</sup> There was not a large expansion in this particular aspect of the industry, but the hosiery trade flourished throughout most of the eighteenth century. Merchants in Aberdeen supplied country people with local or English wool, according to the quality of goods required, and marketed the finished products, the finest going to London and Hamburg where they sold at prices up to three guineas.<sup>39</sup>

Rapid developments were also taking place in the tobacco trade,<sup>40</sup> in which Glasgow had already reached a position of dominance in Scotland, before going on later in the century to achieve the same position in Britain as a whole. Scotland's imports of tobacco (much of which were subsequently exported to France and elsewhere) rose from a mere 2½ million lbs. in 1715 to 7¼ million lbs. by 1728. There then followed a period of slow growth to a figure of 10 million

35. Minutes of the Board of Trustees for Fisheries, Manufactures & Improvements in Scotland, 6th June, 1740, and 3rd June, 1743. (S.R.O., NG1/1/6, pp. 13-16, & NG1/1/7, pp. 2-5)

36. Vide infra, p. 80ff.

37. Whatley, Industrialisation of Ayrshire, p. 340.

38. W. Watt, History of the Counties of Aberdeen and Banff, p. 316.

39. Old Statistical Account, vol. 19, pp. 200-7.

40. H. Hamilton, Economic History of Scotland in the 18th Century, pp. 255-60. T.M. Devine, The Tobacco Lords, pp. 55-9.

lbs. by 1743, after which the rate of expansion increased rapidly, giving a figure of 24 $\frac{1}{4}$  million pounds imported in 1755.

The success of the Glasgow merchants can be gauged by the complaints in the 1740s and earlier of their evasion of customs duties by their rivals in Liverpool, Bristol and Whitehaven, who refused to accept the Glasgow traders' claims that the shorter journey from Glasgow and the superiority of their "store system" of dealing in tobacco enabled them to cut their costs and so sell at competitive prices. This system, which involved the purchase of the planters' tobacco in the colonies by the traders instead of their acting merely as agents who brought the tobacco to Britain for sale on behalf of the planters, called for large outlays of capital. Unsettled conditions of war or hostile levies upon Glasgow's mercantile population could lead to bankruptcies, the uncomfortable awareness of which helped to explain the city's hostility to Prince Charles.

An idea of the amounts of capital tied up in industrial ventures is given by the statistics for fire insurance policies.<sup>41</sup> Pollock and Keir, linen manufacturers of Paisley, for instance, in March 1745 took out two policies insuring their factory, "Wareroom" and its contents, and an adjoining house for a total of £1,200. Shortly after the Rebellion, in 1747, a consortium of Kilmarnock woollen merchants<sup>42</sup> insured their factory, storehouse, looms and woollen textiles for the sum of £1,400, while in the following year Thomas Bell and James Murray, linen manufacturers in Leith, put a value of £1,600 on their weaving shops, warehouse and stocks.

To men with such large amounts of capital tied up in business ventures which required peaceful conditions in which to flourish the prospect of rebellion against the regime under which their interests seemed to be progressing must have been totally abhorrent. Something of the uncertainty created by the disturbed conditions produced by the rebellion is evident in an unsigned letter of 6th November, 1745, sent to Patrick Letham, "Innkeeper in Bridge Gate, Glasgow":-

"Our best yarn has of late fal'n to 2l and 20d pr. spindle, since I have ventured to buy up some 100 sps in expectation of its being better in sometime, as it certainly would were we to

<sup>41</sup> Lythe & Butt, Economic History of Scotland, 1100-1939, pp. 170-1.

<sup>42</sup> Vide infra, p. 84.

have peaceable times. But as its possible the contrary might cause it yet be lower in price, beg you'd do me the favour to consult my good friends anent it and write me their opinion as soon as possible you can."<sup>43</sup>

About a week later Alan Whitefoord, who until recently had been Cashier of the Royal Bank of Scotland, gave his cousin, Lord Kilkerran, a very gloomy account of the adverse effects which the Highlanders' occupation of Edinburgh and their subsequent invasion of England were having on the affairs of Scottish businessmen:-

"Credit has been at such a low pass for sometime past, that scarce anybody at London would accept a bill for such a small sum as even that you ordered, things have been on such a foot as I never knew before, so great was the panick occasioned by the progress of these disturbers of our peace."<sup>44</sup>

Politics tended to be shaped by personal interests. In Inverness, for instance, the chief industry was the production of malt which by 1745 had gone into a serious decline mainly because of the Government's attempts to impose a malt tax in 1713 and 1725. This grievance tended to encourage Jacobitism among the farmers, the maltsters and the merchants concerned in the industry.<sup>45</sup> A similar aversion to the salt tax explains in part the presence in the list of Jacobite supporters of a number of salmon fishers in the Aberdeenshire area.<sup>46</sup> One common means of protest against an iniquitous tax system was smuggling. This was by no means confined to those of Jacobite opinions, but it is significant that in a notoriously Jacobite area such as Montrose smuggling was elevated almost into a civil war, with looting raids by local mobs on the Customs warehouse.<sup>47</sup>

It is interesting to note that no fewer than 22 Dundee merchants are included in MacLeod's list of Jacobite supporters, a far higher

43. D. Nicholas, Intercepted Post, p. 81.

44. Fergusson, John Fergusson, 1727-50, p. 108.

45. W.B. Blaikie, Origins of the Forty-Five, p. 122.

W. Ferguson, Scotland, 1689 to the Present, 61, 141-2.

J.C. Lees, A History of the County of Inverness, p. 139.

46. A. & H. Tayler, Jacobites of Aberdeenshire & Banffshire in the Forty-Five, passim.

47. B. Lenman, An Economic History of Modern Scotland, p. 61.

proportion than in the larger merchant community in Aberdeen.<sup>48</sup> This may be a reflection of the fact that by 1745 there had not been a great deal of capital investment in industry, in Dundee and consequently there was less of a sense of commitment to the status quo. An attempt to establish a branch of the Bank of Scotland in Dundee had failed in 1733 after a life of only two years (a fate common among branch banks at that time) and it was not until 1763 that the city had its own bank.<sup>49</sup> "Some small quantities of Osnaburg linsens" began to be produced in both Dundee and Arbroath from 1742 with the support of the Board of trustees for Manufactures,<sup>50</sup> which had also sponsored the establishment of a bleachfield in the city in 1732, but it was not until the latter part of the century that the further expansion of the linen industry and later the development of the jute and cotton industries brought prosperity to Dundee. The town, which in 1745 had only one carter and whose harbour had not yet been improved,<sup>51</sup> tended to be backward looking and this attitude flavoured its politics as well as its economic thinking.

Even in a formerly Jacobite town such as Aberdeen, however, political views were apt to change when they came in conflict with material interests. The long disruption in trade caused by the Rebellion provoked from the Town Council, many of whose members were themselves "principal merchants"<sup>52</sup>, an anguished lament about the "total Interruption of the Trade of this place ever since the commencement of this wicked Unnatural Rebellion, whereby all Trading people have suffered greatly, and unless Trade be allowed to goe on many of their familys will be reduced to Straits, particularly those who deal in Manufactures of Cloath and Stockins, and in use to transport them to London about this season of the year, and as they are a perishing commodity, they run a risque of spoiling when kept on hand besides losing the mercat to the merchant."<sup>53</sup> This understandable concern to safeguard an established livelihood explains

48. W. MacLeod, A List of Persons Concerned in the Rebellion, 1745-46, pp. 196-243, 351.

49. J. Thomson, History of Dundee, pp. 122, 131.

50. R.H. Campbell, States of the Annual Progress of the Linen Manufacture, 1727-54, p. 72.

51. J. Thomson, op.cit., pp. 126, 276.

52. W.B. Blaikie, Origins of the Forty-Five, p. 124.

53. J. Allardyce, Historical Papers Relating to the Jacobite Period, 1699-1750, vol.1, pp. 240-1. Letter of Aberdeen Town Council to Sir Everard Fawkener, 9th April, 1746.

why the number of merchants supporting the Jacobite cause in Aberdeen was so much smaller in 1745 than in 1715, when the survival of the Scottish woollen trade had seemed in jeopardy.

For the most part, men with business interests - agricultural, industrial and commercial - were not only unwilling to imperil what they had built up by actively supporting Prince Charles, but they fervently desired the victory of the forces of law and order and a return to the peaceful conditions which were essential for the expansion of internal and overseas trading.

Even hard-headed merchants and entrepreneurs, however, concerned as they were about profit margins, did not base their objections to the Stuarts solely on economic factors. One of the most crucial factors in determining people's reactions to the Stuarts was the matter of religion. Contemporaries commonly described the demarcation lines between the opponents and the supporters of the Jacobites in terms of religion, as did Lord Kilkerran in his letters to English friends.<sup>54</sup> The General Assembly in its address of 13th November, 1745, to King George spoke for the vast majority of Presbyterians in saying:

"We are sensible that the Church of Scotland must stand or fall with the interests of the revolution (of 1689) supported by your Majesty."<sup>55</sup>

Stuart promises of freedom of worship for Roman Catholics, Episcopalians and Presbyterians alike foundered upon the rock of the nationalistic attitude of the majority of the population towards religion. Although divisions patently existed in reality, the ideal form of religious settlement was still held to be a strong, united, national church. Even such splinter groups as the Cameronians clung obstinately to this ideal, persisting in regarding themselves as "the suffering, bleeding remnant of the true church of Christ in Scotland".<sup>56</sup>

The prospect of complete toleration of worship as either an end in itself or a step towards the establishment of their own "true church" might appeal to Roman Catholics and Episcopalians, whose public

54. Vide supra, p. 56.

55. Address of the General Assembly, 13th Nov. 1745 - Quoted in Scots Magazine, Nov., 1745.

56. W. Ferguson, Scotland : 1689 to the Present, p. 119.

worship was on the one hand banned and on the other hand severely circumscribed, but it made no sense to the Presbyterian majority of Lowlanders to exchange the present situation, defective as they knew it to be in practice, for one which they would have regarded as a state of anarchy in religion, shortly to be followed, as they genuinely feared, by the re-establishment of allegiance to Rome.

The attitude of adherents of the established Church to the problem, as they saw it, of Roman Catholic and non-juring Episcopalian minorities was summed up in the work of the Scottish Society for Propagating Christian Knowledge, which was established in 1709 and was active until the 19th century. The purpose of the Society was to establish in backward regions of the country (chiefly the Highlands) schools in which were to be taught not only the rudiments of education, but also the Presbyterian creed and loyalty to the Hanoverian monarchy. Looking back in the second half of the 18th century, those who supported these goals flattered themselves that they were being achieved:

"Christian Knowledge is increased, heathenish customs are abandoned, the number of Papists is diminished, disaffection to the Government is lessened, and the English language is so diffused that in the remotest glens it is spoken by the young people and in the low country (Moray and Wairn) ... where till of late public worship was performed in Irish, there is now no occasion for Ministers having this language."<sup>57</sup>

Annihilation of rival sects rather than the integration of all into a tolerant society was the aim of Scotland's Presbyterian majority, and they would not be dissuaded from it by the glib manifesto of a Roman Catholic prince whose grandfather was branded as a bigot in the memories of Kirk folk, whose mother's premature death in a convent had been hastened if not caused by self-inflicted fasting, and whose brother was reported already to be showing a similar obsession with the Roman Catholic religion. Besides, was not James in receipt of a Papal pension, and were not the Catholic French reported to be supporting his son? Such facts spoke louder to the popular mind than the Old Pretender's choice of a Protestant tutor for his sons and Charles's own tolerant attitude to religion as observed

57. Lachlan Shaw, History of the Province of Moray (Edin. 1775), p. 381. Quoted in T.C. Smout, A History of the Scottish People, 1560-1830, p. 436.

in Edinburgh, where "he order'd all the Ministers to Continue their worship in their Usual way, and not to Abandone their kirks as they had done, and Assured them they Should not be molested".<sup>58</sup>

For too long Presbyterian Scots had been accustomed by tradition to regard the Stuarts as the upholders of anti-Christ and they therefore could not bring themselves to listen with unbiased ears to promises of religious toleration, which in any case they did not want.

An examination of attitudes to the 1745 Rebellion shows that while the leadership of the Jacobite cause was incomparably more inspiring in 1745 than in 1715, a combination of other factors meant that the seed fell on ground which was much less fertile than that of the first year of George I's reign. The strong anti-Unionist feeling of the first decade after the Union of the Parliaments had largely faded away in the Lowlands as trading connections and the education and marriage alliances of the Lowland gentry brought England and the southern half of Scotland closer together than they had ever been. Commerce, industry and agriculture were on the verge of an era of unprecedented expansion, a climate which reinforced the belief of those who were prospering in the superiority of their Calvinistic, English speaking society over that of the Gaelic clans with their alien religion and culture, and, by implication, their co-religionaries in the Lowlands whose ability to prove their equality was severely hampered by legislation debarring them from holding public office.

In the northern Lowlands there was still a fairly strong residual loyalty to the Stuarts in many areas. This was particularly marked among adherents to the Episcopalian religion, whose non-juring ministers virtually enshrined Jacobitism as an article of faith. Even in the north, however, the majority of the most enterprising elements of the population, such as pioneering agricultural improvers and the woollen merchants of Aberdeen, detested the upset of rebellion and called for a speedy return of law and order so that they could proceed with their business concerns.

The Stuarts were unfortunate, therefore, in that both the economic factor in Scottish society which had changed and the religious factor which had not changed since 1715 worked against them.

58. Elcho, Affairs of Scotland, p. 280.

No matter how charismatic a leader may be he cannot hope to succeed unless those whom he wishes to influence are radically dissatisfied with the society in which they are living and the alternative which he offers them is manifestly more attractive than the status quo. In the Lowlands of 1745 neither set of conditions was fulfilled as far as the majority of the population was concerned, and so the only supporters who rallied to Prince Charles tended to be those whose religion predisposed them to accept his father's claim and as Lord Kilkerran remarked, a few "persons of desperat circumstances",<sup>59</sup> who hoped to restore their fortunes in a wild venture on a gamble against all odds.

59. Fergusson, John Fergusson, 1727-50, p. 119. Letter of Lord Kilkerran to Earl of Halifax, 2nd December, 1745.

CHAPTER VII.

THE ATTITUDES OF THE PEOPLE OF FALKIRK AND KILMARNOCK IN 1745.

Apart from certain fundamental beliefs and attitudes which were shared by the majority of Lowlanders as a group, there was another layer of circumstances which was equally important in determining reactions to the Jacobite Rebellion. This was a variety of local conditions and traditions, of strengths and clashes of personalities. In an age when a man could quite easily pass his life without ever going further than a day's journey from his home, and when roads were bad, communications slow and magazines were the preserve of the wealthy, local opinions and conditions were all important in shaping people's decisions.

It is an instructive exercise, therefore, to examine local factors in the cases of two medium sized towns, namely Falkirk and Kilmarnock.<sup>1</sup> Situated almost at opposite extremes of the Central Lowlands, the two towns were nevertheless connected through the marriage of William Boyd, 4th Earl of Kilmarnock, and Ann Livingston, sole heiress of James, 5th Earl of Linlithgow and 4th Earl of Callendar, Falkirk. Judging from correspondence during their married life, the Boyds seem to have spent at least as much of their time at Callendar House as at Kilmarnock. Falkirk was, of course, much nearer to Edinburgh, which offered the attractions of fashionable society which the West of Scotland could not rival. The north-east corner of the Central Lowlands and the capital itself were also more congenial than the Covenanted country of the West to the Earl's Episcopalian wife, who sometimes attended services in Edinburgh meeting houses and was the motivating force behind projects to "set up a Meeting house for the English service at the Bridgend of Linlithgow" and "a fine large Meeting House ... at Falkirk".<sup>2</sup>

In view of the fact that the Boyds were not notoriously absentee landlords (although the Earl seems to have travelled abroad at some periods in the 1720s and 1730s<sup>3</sup>) it may seem strange at first appearance

1. Populations of parishes in 1755:- Kilmarnock - 4,403  
Falkirk - 3,932

Scottish Population Statistics, Sc. Hist. Soc., vol.44, 1952 (Reprint)

2. R. Wodrow, Analecta, vol.III, p. 415 - entry for 1727.
3. Erroll Writs, Box A4. In a contract dated 27th June, 1733, between the Countess of Kilmarnock and the Countess of Erroll reference is made to the Earl being in France at Tournon.

that the Earl was able to raise only a handful of followers in Falkirk and apparently none from Kilmarnock. His father-in-law does not seem to have had much greater success in 1715, although the towns-people were sufficiently well disposed towards him to arouse a commotion with the militia who came to arrest him after the failure of the Rebellion, thus giving him time to escape.<sup>4</sup> In Kilmarnock on the other hand, his father had been able to raise over 500 men for the muster at Irvine in 1715, of whom some 340 were later engaged in active service on behalf of King George I.<sup>5</sup> Why then was the 4th Earl unable to hold similar sway over his Kilmarnock tenants?

(i) POLITICS.

Looking first at Falkirk, it is easy to see that the townspeople in 1745 had before them a perfect example of the precept that rebellion did not pay. The penalty paid by James, Earl of Callendar and Linlithgow in 1715 had been the forfeiture of his estates, which were first of all taken over by the Government and then in 1720 sold to the York Buildings Company. Despite having valuable woods, the Callendar estate was not well cultivated and the Company found difficulty in attracting tenants for this property, especially as it was anticipated that the local people were likely to prove unco-operative towards any new landlord bold enough to sever the 370 years old heritage of the Livingstons of Callendar. In 1721, therefore, the Company granted a lease of the Callendar estate to Alexander Glen of Longcroft and Alexander Hamilton of Dechmont, friends of the forfeited Earl, who held it in trust for the child heiress, Lady Ann Livingston.<sup>6</sup> As for the Earl's estates at Linlithgow these were granted by the Crown to the Duke of Montrose, who fortunately for the Livingstons, "applied the rents of it to (the Earl's) use while he lived, and after his Death gave them to (Lady Ann)".<sup>7</sup> Thus it was on sufferance only that the Livingston heiress continued to occupy the estates which had belonged to her family by right since 1346, although admittedly the

4. R. Kier, "Interesting Passages from the History of Falkirk", in Falkirk Monthly Magazine, 1828.
5. Rae, History of the Rebellion, pp. 181-2; McKay, History of Kilmarnock pp. 69-70.
6. D. Murray, The York Buildings Company, p. 49.
7. National Library of Scotland Mss., vol.V, ms. 7047, f.24. - Letter of Lord Kilmarnock to Sir Charles Erskine, Lord Advocate, 10th May, 1742.

rent was low in comparison with the value of the estate and the Earl and Countess of Kilmarnock were able in 1742 to negotiate a new lease to run for 30 years from Whitsunday 1750.<sup>8</sup> Although the situation had turned out as well as might be expected for Countess Ann, the lesson of 1715 had been clearly spelled out for the people of Falkirk: rebellion meant loss of property and, for the late Earl, a lonely death in exile.

It was not only the Livingstons who had suffered by the Earl's actions in 1715, however, for the town of Falkirk lost its status as a burgh of regality and was reduced once more to a burgh of barony.<sup>9</sup> This meant that the Baron's Court at Falkirk reverted to supervision by the Sheriff of Stirling.<sup>10</sup> Economically too the town may have suffered a temporary setback in its rivalry with the royal burgh of Stirling. According to local tradition, Falkirk's market cross was demolished by a troop of soldiers from Stirling and "the Burgh of Falkirk was blotted out of the catalogue of nations".<sup>11</sup> This lesson would be remembered when next rebellion stalked in the land.

If the people of Falkirk had profited from the example of the penalties exacted for misplaced loyalty, Kilmarnock's citizens had taken their lead in 1715 from a laird who was utterly committed to the Hanoverian cause. Even before the outbreak of rebellion, at the time of George I's accession, the third Earl had presided over the town's coronation celebrations, for which the stairhead of the Council House was "covered with carpet" (apparently a noteworthy incident in an age prior to the establishment of the town's carpet industry) and the "hail inhabitants" rejoiced around a bonfire at the Cross.<sup>12</sup> In the testing days of the 1715 Rebellion the Earl's zeal for King George, as has already been shown, was singled out by contemporary chroniclers as worthy of particular remark.<sup>13</sup>

8. Murray, *op.cit.*, p. 49.

9. Macfarlane, Geographical Collections, vol.I, p. 319.

10. Scottish Record Office, SC/67/2/6 - Stirling Sheriff Court Records, 1772-5.

11. Kier's History. Quoted in J. Stewart, Falkirk: Its Origins & Growth, p. 74.

12. According to Mr. Lewis Lawson this story is somewhat dubious.

12. McKay, History of Kilmarnock, p. 69 - cited from Burgh Records not now extant.

13. Vide *supra*, pp 17-18.

According to the town's petition on behalf of the fourth Earl,<sup>14</sup> he too had never until the autumn of 1745 shown his tenants anything but a good example of loyalty to the reigning monarch. In recording the muster of the Fencibles of Cunningham at Irvine in 1715 Rae had rather effusively noted "the early blossoms of the loyal principle and education of my Lord Boyd who, though but eleven years of age, appeared in arms with the Earl, his father, and graciously behaved himself to the admiration of all beholders".<sup>15</sup> Obviously, a boy of eleven would care little for politics, but the stirring scene of his father leading a large force of his tenants in defence of what he would have described as a patriotic cause was bound to rub off upon the impressionable youth and play a major part in shaping his opinions.

The Earl's marriage to the heiress of a notorious Jacobite is inexplicable in political terms, but apparently the Earl's political opinions were not changed by his marriage, for on the death of King George I in 1727 he sent an express message from London to the town council urging the baillies to have "the trainbands in readiness for proclaiming the Prince of Wales".<sup>16</sup>

During the 1730s and until the fall of Walpole, the Earl was "on the Privy Purse for a pension of four hundred a year",<sup>17</sup> a reward for using his influence in county elections to encourage support for Walpole's protégés. The loss of his pension after Walpole fell from power was a blow, but there is no evidence of an embittered turning to Jacobite intrigues. Meanwhile, the next generation of Boyds was being brought up in Whig principles<sup>18</sup>, an education which culminated in commissions for Lord Boyd in the army and for his brother, William, in the navy. Here, apparently, was a fine example of loyalty to be emulated by the townspeople.

No coercion to loyalty was required. The reason for the town's magnificent response to the third Earl's call to arms was that it had

14. Vide *supra*, p. 46.

15. Rae, History of the Rebellion, p. 203.

16. McKay, History of Kilmarnock, p. 72.

17. National Library of Scotland Mss., vol.V, Ms 7047,f.24 - Letter of Lord Kilmarnock to Sir Charles Erskine, Lord Advocate, 10th May, 1742.

18. Lord Kilmarnock's speech at his trial, July 1746. Quoted in C. Whitefield, The Life of William Earl of Kilmarnock, (1746), p.64.

been given not out of fear of loss or property as happened on some northern estates,<sup>19</sup> but spontaneously because of a mutuality of interests and principles shared by landlord and tenants alike. The name of Stuart to Ayrshire people evoked memories of the loss of religious and civil liberties, the invasion of the privacy of their homes by uncouth Highlanders and even loss of life for failure to conform to an imposed religious settlement. Their choice at the Revolution was therefore obvious and at each future crisis and time of decision, the people of Kilmarnock and of Ayrshire maintained faith in their original choice.

(ii) RELIGION.

Interwoven with politics in the framing of attitudes to the 1745 rebellion were religious beliefs. In matters of religion both towns were Presbyterian, Kilmarnock exclusively and Falkirk predominantly so. In the latter there had been a struggle among Episcopalian and moderate and extreme Presbyterian factions for over a century. In the Civil War of the 1640s the first Earl of Callendar (at that time Lord Livingston) had initially fought as second-in-command to General Leslie in the Covenanting army, but in 1646 he was among the loyalists who accepted King Charles's promise to establish Presbyterianism in both England and Scotland for a three year trial period and with 73 Falkirk men the Earl fought for the King against Cromwell at the disastrous battle of Preston. This engagement created a serious division in Falkirk between the Earl's supporters and those of the Presbytery of Linlithgow, which kept a close watch on Falkirk's minister, Edward Wright, who since "he (did) not separate betwixt ye wicked and ye people of God" and "(did) not make the people wise against James Graham" (Marquis of Montrose), was definitely classed as one of the weaker brethren.<sup>20</sup>

It was hardly surprising, therefore, that with the establishment of Episcopacy at the Restoration a portion of Falkirk's population remained recalcitrant. In 1673 the Bishop of Edinburgh noted "Having heard a confused report of several disordelie and seditious conventicles held in the fields within the boundis of the Presbyterie of Linlithgow". In a survey investigating these rumours Falkirk was among the parishes which reported evidence of conventicles being held by Presbyterian

19. E.g., the Earl of Mar's tenants in 1715 and the Atholl men in 1745, to quote only two examples.

20. L. Lawson, The Church at Falkirk, pp. 43-5.

dissenters. Various penalties were introduced in an effort to enforce uniformity, but the most determined Covenanters chose to flee from their homes rather than submit. Eventually a "Captain's troupe" was moved into the area, with its headquarters in Callendar House, for the second Earl was known to have Covenanting sympathies and to be guilty of attending Conventicles.<sup>21</sup> There appear to have been no dramatic incidents of loss of life or serious damage to property as in the south west, but the Presbyterians of Falkirk knew and would remember what it was like to be persecuted for religious beliefs.

Ironically, by the time that Presbyterianism again became the established religion of Scotland, the laird of Callendar was Alexander, third Earl, who was committed to Episcopacy as his uncle and predecessor had been to the Covenanting cause. On the issue of the first post-Revolutionary appointment to the church at Falkirk, the Earl went as far as petitioning the Privy Council in defence of his right to dispose of the vacancy as he saw fit. After losing his case, he nevertheless managed to engineer all kinds of obstacles in "the surrender of the keys and pertinents of the Church of Falkirk", and he persistently vetoed every nominee put forward by the heritors until eventually a minister was appointed and installed by the Kirk Session backed by the Presbytery of Edinburgh, but without the Earl's approval.<sup>22</sup>

Although the campaign was lost, the losers were not annihilated, for under the strong protection of the Livingstons and latterly with the legal protection of the Toleration Act of 1712 it was possible for a small congregation of Episcopalians to maintain corporate worship. The fourth Earl's daughter, Ann, Countess of Kilmarnock, was particularly devoted to the propagation of the Episcopal faith, as was noted by the disapproving Robert Wodrow in 1727:

"I am told ... that Lady Ann Callendar ... married on the Earl of Kilmarnock, hath set up a Meeting House for the English service, at the Bridgend of Linlithgow; but its not much frequented: That by her means, a fine large Meeting-house is setting up at Falkirk, and a great many of the country thereabout are contributing to it."<sup>23</sup>

21. Ibid, pp. 47-8; E.B. Livingston, The Livingstons of Callendar, pp. 176-7.

22. Lawson, op.cit., pp. 51-3.

23. R. Wodrow, Analecta, vol.III, p. 415. Unfortunately, it has proved impossible to trace records of these congregations or of the building of the "fine large Meeting house at Falkirk".

In order to worship openly these congregations had to pledge loyalty to the reigning monarch, thus separating themselves publicly from the non-juring Episcopalians who staunchly supported the Stuarts. Wodrow obviously suspected that the loyalty of the former group was merely skin-deep and that they were liable to act as a fifth column within the realm. His concern about the growing strength of Episcopacy, as expressed in the following statement, although exaggerated, implies that the Episcopalian worshippers around Falkirk numbered more than a mere handful:

"I believe in all these, though the people who attend are Jacobites, yet the King is prayed for and the act of Toleration is the foot upon which they go. At this rate, we shall very soon have a very generall setting up of Meeting-houses for the English service .... our gentry and nobility .... are all tinctured with that way by their being in England, and the Jacobites .... countenance them from their regard to Prelacy, and to bring over young gentlemen to Jacobitism, and weaken the Established Church ...."<sup>24</sup>

As long as such suspicions were rife among Presbyterians, that section of the Episcopalians which accepted the conditions imposed upon their worship by the Toleration Act was particularly careful to walk on the right side of the law and to stress its separation from the non-jurors who continued to meet illegally. Although some of the conformists who adopted this attitude may have cherished secret sympathies for the Stuarts, a large number, probably a majority, did not wish to risk the repeal of their precarious rights as the result of supporting openly the cause of the Young Pretender.

It would be interesting to discover the religious affiliation of those men from Falkirk who did follow Lord Kilmarnock into rebellion. Because of the disappearance of Episcopalian records for the period prior to 1745 it is not possible to know this, but as their leader himself, as will be shown, joined in spite of rather than because of his religion, it seems reasonable, in the absence of concrete evidence to the contrary, to suppose that religion did not play a large part in spurring them on to join Prince Charles. On the other hand, the background of religious strife in the town's history motivated Falkirk's ruling Presbyterian sect to maintain its supremacy and the cautious, law-abiding element of the Episcopalian congregation to safeguard its

grudgingly conceded right of worship by supporting the Hanoverian regime.

In Kilmarnock the pattern was less confused. Always radically Protestant, the Cunningham district of Ayrshire had first shown heretical leanings in the late 15th century and by the time the Reformation was officially recognised by Act of Parliament in 1560, there was virtually no contest in north Ayrshire.<sup>25</sup> In view of the degree of zeal with which the new faith was adopted it is perhaps not surprising that, despite the support of some of the lairds (including the Boyds) for the Crown, the people of Cunningham on the whole were supporters of the Covenanting party in the battle over Episcopacy in the middle of the 17th century. Once the battle had been lost at the official level after the Restoration, many Ayrshire Covenanters kept up a dogged guerrilla resistance, a campaign in which Kilmarnock was deeply involved.

By the mid 1660s there was virtually a running battle under way between the Covenanters and the Government forces, a fact which was brought home by the setting up in Kilmarnock of the heads of John Ross and John Shields, ringleaders of the Covenanting force defeated at Rullion Green in 1666. In the following year General Dalziel set up the headquarters for his grim and difficult work in Ayrshire at Kilmarnock, where the first Earl, who owed his enhanced rank to Charles II, was a staunch Royalist. The 1670s brought no relief as the cruel treatment of persistent law-breakers was recorded by the faithful in an ever-lengthening catalogue and inspirational leaders such as Alexander Peden and John Welsh passed into legend.

This uneasy state of rebellion resulted in 1678 in the quartering of some 8,000 Highland troops upon the unruly people of Ayrshire and Renfrewshire in an effort to stamp out conventicles and encourage conformity. The invasion lasted for only six weeks, but the indignities and the loss of property which it entailed were branded indelibly upon the memories of those who endured it. Soldiers were quartered in private homes, and many were the tales of assault and damages to property, not to mention the expenses of feeding the troops. The parishes of Kilmarnock and Fenwick suffered particularly badly, Wodrow's estimate for expenses accountable to "quarters and plunder"

25. W. Robertson, Ayrshire, vol.i, pp. 199-208.

amounting to £14,431-0s-8d Scots. a huge drain on the town's resources.<sup>26</sup>

Such coercion did not have the desired effect, however, for the next year six Kilmarnock men were among those sentenced to transportation to America for having engaged in the rising which ended at Bothwell Brig, although shipwreck cost them their lives before the sentence could be carried out. Similar persecutions, such as the execution in Kilmarnock of John Nisbet, another participant at Bothwell Brig, continued in the 1680s, adding to the roll of martyrs revered by the local population.

In 1683 Dean Castle, Kilmarnock, became once more the headquarters for the Government's dragoons and under the charge in that area of Captains Paton and Inglis the systematic persecution and punishment of outlaws and law breakers continued, dubbed by its victims and their sympathisers as "The Killing Time".<sup>27</sup>

In looking back objectively at this remove in time it is possible to see that the Covenanters were deliberate law-breakers, who, if order was to be maintained, had to be punished by the servants of the Crown. Furthermore, although cruel measures were undoubtedly used against them, perhaps at times with little justification, they themselves were not innocent of the blood of their enemies. Nevertheless, completely biased accounts of the Covenanters' sufferings became standard reading matter in Ayrshire homes and to this day uninformed passions lead the majority of Ayrshire people to regard the Covenanters as saints and martyrs, so enduring is the folk memory. Certainly, it was in this light that most Ayrshire contemporaries and their immediate descendants regarded them, as can be seen from the clumsy, but sincere inscriptions on Covenanters' tombstones.

It was scarcely surprising that with this history of events still within living memory, the instinctive reaction of Kilmarnock people to the rebellion of 1745 should have been to oppose it. In their minds the words "Highlanders", "Stuart" and "persecution" were permanently linked and almost synonymous. To the best of their knowledge they harboured no Roman Catholics or Episcopalians (other than Lady Kilmarnock) in their midst and they saw no reason in the world to encourage such undesirables by calling back a dynasty at

26. McKay, History of Kilmarnock, Chap. V.

27. Ibid, Chap. VI.

whose hands their parents and grandparents had suffered. On religious grounds, therefore, their reaction was automatic and inevitable.

(iii) ECONOMY.

If religious feelings had changed little in either Falkirk or Kilmarnock since 1715, the economic growth of the two towns had caused changes, modest in Falkirk, but significant in Kilmarnock.

According to the first Statistical Account of Scotland, the land around Falkirk, although fertile and well wooded, was not as productive as it should have been until an extensive programme of enclosure and improvement was begun by William Forbes after he purchased Callendar Estate in 1783. Prior to that,

"The whole estates, together with some other farms which were purchased by him about the same time, amounted to about 8,000 Scotch acres .... Excepting about 500 acres, it was all arable; but little more than 200 of it were inclosed."<sup>28</sup>

This gloomy picture demonstrates both the lack of interest of the Earl of Kilmarnock in agricultural matters and the conservative outlook of his tenants. Despite this lack of innovation in agriculture, Falkirk was a market rather than an industrial town. Nearly one hundred years after the last Jacobite rebellion it was said of Falkirk:

"With the exception of leather, no goods are to any extent manufactured in the town, it being chiefly supported by an extensive inland trade, and by the iron-works, canals, and collieries in the vicinity."<sup>29</sup>

The iron-works and canals were post-1745 developments, but apart from these, this statement might have been applied to the Falkirk of 1745. Apart from agriculture, local collieries offered employment to mining families who, because of the degradation of their occupation, normally kept themselves apart from the rest of the community. According to an account of 1723 these mines in "the wood of Callendar .... are very good coal-pits which serves the village and countrey about it at very reasonable prices"<sup>30</sup> The output of these pits,

28. Old Statistical Account, vol. XIX, p. 82.

29. New Statistical Account, vol. VIII, p. 21.

30. Macfarlane, Geographical Collections, vol. I, p. 319 - Account of Mr. Johnston of Kirk land, 1723.

however, was sufficient to supply little more than local needs - and in any case, transport was inadequate to have coped with a greater traffic in coal.<sup>31</sup> Mining therefore was not the mainstay of the town's economy. Nor did the limited industries of brewing, spinning, weaving and bleaching linen earn for the town great revenues, although the linen industry was of sufficient importance to cause the merchants of Falkirk in 1728 to appeal successfully to the Board of Trustees for Manufactures for the appointment of a Stampmaster because of the "Great Inconveniency and Loss Falkirk is at for want of a Stampmaster". Unfortunately, some of the incumbents of this post left much to be desired, one at least being dismissed in 1733 for being "exceeding remiss in the execution of his office and particularly in noticing the Yarn Mercats".<sup>32</sup>

In the first half of the 18th century Falkirk's economy depended much more upon its status as a centre for the sale of agricultural produce than on any connection with industry. Despite the legend of the destruction of the mercat cross in 1716<sup>33</sup> the town was evidently thriving commercially by the early 1720s, no doubt because of its favourable situation on "the publick road from Edinburgh to Glasgow, lying in the center, being 18 miles distant from each of them".<sup>34</sup> In 1723 Mr. Johnston of Kirkland reported:

"This village has an excellent weekly market upon Thursday, where there is not only all kinds of vivars to be sold necessarie for human life, but a great abundance of pease and beans, frequently there has been in the market at once more than four hundred bolls of pease and beans with a considerable meal market."<sup>35</sup>

Obviously the convenience of a market at Falkirk had triumphed over the attempts of the Stirling merchants to crush their Falkirk rivals, whose profits enabled them to maintain "very good houses ... and yards" and "the church a very considerable fabrick finely repaired within with seats in regular maner".<sup>36</sup>

31. Hamilton, An Economic History of Scotland in the 18th Century, p.94.

32. L. Lawson, A History of Falkirk, p. 92; Minutes of the Board of Trustees for Manufactures, 19th Ap. 1728, 20th July, 1733, et passim (SRO-NG 1/1/1, p. 99; NG1/1/3, pp.127-8).

33. Vide supra, p. 71.

34. Macfarlane, Geographical Collections, vol. I, p. 320.

35. Ibid.

36. Ibid, pp. 320-1.

The most significant economic development which occurred in Falkirk between the years 1715 and 1745 was the establishment of the Falkirk Trysts, twice yearly live-stock markets. According to a document of 1768, "these trysts have uniformly been kept upon these muirs immediately above the town of Falkirk at least from 1716".<sup>37</sup> Thirty years later Falkirk was well on its way towards challenging Crieff as the chief cattle market, and in 1747 the traveller Pococke complained of being turned off the road by droves heading for Falkirk.<sup>38</sup> Twice a year Falkirk became the cosmopolitan meeting place for Highland drovers and Lowland and English dealers. The Kirk Session might bemoan the desecration of the Sabbath caused by "driving cattle through ye towns" and "drinking wi' Hielandmen",<sup>39</sup> but the trade which such events brought to the town was very welcome and Falkirk's citizens prospered by its increase. Obviously they would not favour events which threatened to disrupt this lucrative trade.

If Falkirk had found a valuable source of income, Kilmarnock too was prospering by different means. Although Colonel William Fullarton in looking back on the Ayrshire of the 1750s described it as a poor district with "hardly a practicable road in the county", with farm houses that were "mere hovels ... the cattle starving; and the people wretched"<sup>40</sup> he nevertheless mentioned some exceptions in this perhaps overly pessimistic view in the case of trade and manufactures:

"The harbours of Ayr, Irvine and Saltcoats were too defective to admit of trade sufficient to produce a direct influence on the character of Ayrshire husbandry; and there was no manufactures in the county, except of wretched articles for home consumption. (The shoe and carpet manufactures of Kilmarnock only excepted)"<sup>41</sup>

Well might he make these exceptions, and there were others which he might have added, for the bonnet and stocking making industries had been established in the town on a commercial basis at

37. Division of Commonties, 1768 (Signet Library) Quoted in A.R.B. Haldane, The Drove Roads of Scotland, p. 138.

38. Pococke, Tours in Scotland, p. 295. Quoted in Haldane, op.cit., p. 138.

39. Falkirk Kirk Session Minutes. Quoted in L. Lawson, The Church at Falkirk, p. 81.

40. Fullarton, General View of the Agriculture of the County of Ayr, p.9.

41. Ibid., pp. 75-6.

least since the beginning of the seventeenth century<sup>42</sup>. By the last quarter of the century a flourishing trade with Ulster, chiefly through Saltcoats, had developed,<sup>43</sup> and Kilmarnock's textiles were also becoming well known in Holland. The latter trade was sometimes carried out by the intermediary services of Glasgow merchants, such as the enterprising Gavin Hamilton, who in 1683 reported to Andrew Russell, factor for the Scottish wool trade at Rotterdam, that he had scooped the pool of woollen cloth products in the west of Scotland by bulk purchases at local fairs. The resultant "thirty-nine sea-packs was purchased mainly at Kilmarnock, with four packs at Glasgow and five or six in Galloway".<sup>44</sup> Russell also dealt directly with at least one Kilmarnock merchant, Robert Rogers, who exported skins and scrap metals as well as textiles in return for Dutch manufactures.<sup>45</sup>

In the dispute between royal and unfree burghs over trading rights which came to a head in the last three decades of the 17th century, Kilmarnock played down its commercial activities in an attempt to have its tax contribution reduced. In a petition from the third Earl of Kilmarnock on behalf of the town to Parliament in 1699 it was claimed that "There are few or noe tradeing mercats in that Toune" and emphasised the disadvantage of Kilmarnock's situation "at ane considerable distance from the sea".<sup>46</sup>

The royal burghs of Ayr and Irvine, however, would not allow this claim to stand for a moment and offered in 1700 to prove from their customs books "that the trade of Kilmarnock in import and export to France Holland Norraway virginia England Ireland and other forraigne pairts has been very considerable thir severall years bygone and about if not above half of the trade of both the two Burghs of Ayr and Irvine".<sup>47</sup>

Apart from the customs books of the two chief Ayrshire ports, a petition in the previous year from the town of Bo'ness gives additional evidence of Kilmarnock's growing foreign trade. In discussing the ships which frequented their busy harbour the Bo'ness

42. McKay, History of Kilmarnock, pp. 42-3.

43. T.C. Smout, Scottish Trade on the Eve of the Union, pp.93, 148.

44. S.R.O., Russell Mss 308/1 - letters from Gavin Hamilton, 18th Sept., and 9th Oct. 1683. Quoted in T.C. Smout, op. cit. p.110.

45. Smout, op. cit., p. 72.

46. Acts of Parliament of Scotland, Vol. X, Appendix, p. 115.

47. Ibid, p. 137.

petitioners remarked that "there are few merchants in Edinburgh, Glasgow, Stirling, Air, Lanerk, Linlithgow, Kilmarnock, Falkirk, Alloway, etc, but have a share in these Ships, and even some of themselves are owners of a part of them".<sup>48</sup>

The Scottish woollen industry was fraught with problems around the time of the Union, partly because of direct competition with finer quality English products in the home market, and partly through a sharp decline in trade with some traditional markets (France, Sweden) for a variety of political and economic reasons.<sup>49</sup>

Something of the uncertainty of this period is reflected in a Kilmarnock Town Council minute of 1711 which deplored "the great abuse and decay of the trade in milned stockings" and laid down regulations for the maintenance of higher standards in their manufacture, hoping that good quality would make their products attractive in more competitive markets.<sup>50</sup> The same insistence on high quality is evident in legislation of 1722, relating to the manufacture of serge, which because of "the manifold abuses and Corruptions which have of late Creipt in .... whereby that valuable Branch (of trade) is likely to be Intirely ruined both at home and abroad to the Irreparable loss of the Burgh." As well as detailed legislation regarding the length and quality of webs of serge, provision was made (before the institution of the Board of Trustees for Manufactures) for the cloth to be inspected and given an official seal of approval by measurers and stamp-masters in whom "a great trust (was) Reposed".<sup>51</sup> In 1725, in line with Parliamentary legislation, this regulation was extended to cover "fingrums, playding and linen clothes" as well as serge.<sup>52</sup>

The appointment by the Board of Trustees of Robert Boyd as wool sorter for Kilmarnock in December 1728<sup>53</sup> coincided with new developments in the local woollen industry. The carpet industry is said to have been introduced to the town by Dalkeith weavers brought in

48. Ibid, p. 121.

49. C. Gulvin, "The Union and the Scottish Woollen Industry, 1707-60", in Sc. Hist. Rev., vol, 50 (1971) pp. 121-137.

50. Town Council minute (no longer extant) quoted in folder on "Woollen Trade in Kilmarnock," Dick Institute, Kilmarnock.

51. Minutes of the Head Court of Kilmarnock, 6th Nov.1722 (2/1/1, p.136)

52. "Woollen Trade in Kilmarnock".

53. Minutes of the Board of Trustees, 20th Dec.1728, (SRO, NG1/1/1,p.180)

by the Earl's half-aunt, Charlotte Maria Gardiner, in 1728<sup>54</sup>, but there is no evidence of this. In this connection there may be significance in a grant by the Town Council to Robert Boyd of a piece of ground "to build a work place with store-house and grass field at the Old Dean".<sup>55</sup> This new venture, which was to become one of the mainstays of town's economy,<sup>56</sup> showed early signs of success and Lord Kilmarnock was justly proud of the flourishing state of the town when he wrote in 1730 to thank Lord Milton, who as a member of the Board of Trustees' Committee on Wool had promised "all reasonable Incouragement to the Manufactures of Kilmarnock":

"I need not assure your Lordship of the Washer and Stapler you plac'd there, nor of the present Condition of the Wool Manufacture, since Mr. Cunningham can inform you fully; I will only assure your Lop: that whatever incouragement is given to that place, is a nationall good, since their knowledge and Industry will not allow any Publick money to be either Ille or misapply'd."<sup>57</sup>

Lord Milton evidently took these glowing words at face value, for in 1735 he "bespoke" from the Kilmarnock carpet makers "Six Yards of Rug",<sup>58</sup> which was surely a significant compliment when Dalkeith was so much more convenient for an order from Edinburgh. Apparently his Lordship found his purchase satisfactory, for the next year the Board gave a grant of £20 to John Murchland of Kilmarnock to set up four looms for the "Manufacture of Coverlets or Paislim (Faceloom) Coverings for Floors".<sup>59</sup>

The use of the coarsest quality of wool in the manufacture of carpets had the beneficial side-effect of improving the quality of Kilmarnock serges. There had already been regulations laid down about the length of webs of serge, conforming to the model of Exeter

54. D. Loch, "Essays on the Trade & Fisheries of Scotland". Quoted in McKay, History of Kilmarnock, p. 103.

55. Town Council minute quoted in J. Paterson, History of the Counties of Ayr & Wigton, vol.iii, p. 388.

56. In 1790 the annual value of carpets produced in the town accounted for \$21,400 of a total value of \$86,850 for all manufactures. Carpets were the most value single item in the list of manufactures Old Statistical Account, vol.II, p. 88.

57. Saltoun Mss, 8042, f.13. (Nat. lib. of Sc.) - Letter to Lord Milton 12th March, 1730.

58. Saltoun Mss, 8059, f.65. - Letter of Lord Kilmarnock to Lord Milton, October, 1735.

59. Minutes of Board of Trustees, 10th Dec. 1736. (SRC, NG1/1/4, p.128)

serges as a result of a Board inquiry in 1731, initiated by overtures from "the Gentlemen of the shire of Ayr".<sup>60</sup>

Robert Boyd's heart obviously lay more towards technology than to administration, for although his salary as a Sorter was eventually reduced because of his failure to attend diligently to his duties of inspection<sup>61</sup>, the Board's minutes of 1730 glowed with praise of his inventive genius and doubled his salary from £20 to £40, "After Considering a Memorial from Sundry Heretors about Kilmarnock in favours of Robert Boyd Sorter there, and the attestations of Flannel made in Imitation of Irish Flannel by him to great perfection, As also to the Recovering the Credite of the Woollen Caps and Stockings by his means".<sup>62</sup> The latter comment no doubt referred to local legislation of 1729 which, in an effort to maintain standards, confined the production of "wisecaps, commonly named striped capes" to those who were "incorporated in the trade".<sup>63</sup>

By the 1740s there were signs of an appreciable expansion in the town's woollen industry. For a time John Murchland had a subsidiary manufactory at Dalmellington,<sup>64</sup> but this appears to have been short-lived. More important was a society formed in 1743 for the purpose of establishing a woollen factory, for which the Town Council gave the Society a piece of land to erect "a house at the Greenhead for manufacturing coarse wool" for a nominal annual feu duty and permission to raise stones from the town's quarries.<sup>65</sup> In the following year Alexander Cunningham, one of the leading partners of the new Society, reached an agreement with the Board of Trustees for an annual grant of £20 on condition of manufacturing at least 400 stones of wool per annum, and began negotiations for the transfer of disused copper boilers from Tunland in Kirkcudbrightshire to Kilmarnock.<sup>66</sup> By 1747 this highly successful company (whose partners by then included Robert Boyd) was able to insure its factory, looms, warehouse and materials for £1,400.<sup>67</sup>

60. Ibid, March-Sept., 1731. (SRO, NGL/1/2, pp. 151, 157, 176, 185)

61. Minutes of the Board of Trustees, 10th Dec. 1736. (SRO, NGL/1/4, p. 128)

62. Ibid, 4th Dec. 1730 (SRO, NGL/1/2, pp. 123-4)

63. J. Paterson, History of the Counties of Ayr & Wigton, vol.iii, pp. 383-9.

64. This enterprise is mentioned in the Board of Trustees minute of 21st Dec., 1739, but does not appear when John Murchland is next mentioned in February, 1743. (SRO, NGL/1/5, p. 204 and NGL/1/6, p. 235)

65. Paterson, op. cit., p. 388; McKay, History of Kilmarnock, p. 104.

66. Minutes of the Board of Trustees, 2nd Nov. 1744. (SRO, NGL/1/7,

67. Lythe & Butt, An Economic History of Scotland, 1100-1939, pp. 110-1

The success of the Kilmarnock woollen manufacturers in the years of the Rebellion show to what a remarkable extent they managed to keep themselves aloof from the commotions in other parts of the country. In the year ending 25th December, 1745, Robert Boyd manufactured "491 stones 15 lbs" (sic) of woollen goods, but unfortunately could be credited with only the 400 stones for which he had contracted with the Board. In the same year John Murchland, with a total output of 396 stones 8 lbs, fell only 3s.6d. short of his target premium of £20, a performance which was only marginally worse than that of 1744. In the first nine months of 1746 Robert Boyd produced a total of 358 stones 10 lbs, which put him almost on target for a result as good as that of the previous year, while John Murchland with a figure of 359 stones 6 lbs. seemed set for a record production.<sup>68</sup>

Even more astonishingly Alexander Cunningham and Co., who "Did not gett their Workhouses Built and their Utencills fully provided till June last, when they began to work, From that time to the 29th September they appear to have manufactured Into Raw plain Cloth and White Cloth for Virginia 591 stones". Admittedly, the period from June to September fell in peacetime, but this was nonetheless a remarkable record and it was a pity that the firm's contract had been for 400 stones and so they could claim only a proportionate premium. The partners' boundless confidence, however, encouraged them to contract for an incredible 1,000 stones and a premium of £50 in 1747.<sup>69</sup>

Woollen rather than linen textiles were always Ayrshire's specialty, but the Earl and the Council did their best to encourage the manufacture of linen in accordance with a national effort to increase production. In 1726, following an Act of Parliament regulating the production of linen, the Town Council agreed "to give £30 Scots for the encouragement of the linen trade in the town and parish of Kilmarnock to the owner and £6 Scots to the weaver, of the best linen web of 84 ells or above, divided as the law directs, and spun and wrought within the town or parish of Kilmarnock".<sup>70</sup> These efforts seemed to be successful, for in 1735 Lord Kilmarnock in writing to Lord Milton on behalf of the merchants of Kilmarnock to recommend a candidate for the post of

68. Minutes of the Board of Trustees, 27th June & Dec., 1746 (SRO, NGL/1/8, pp. 30, 100-1).

69. Ibid, Dec., 1746, and 23rd Jan., 1747. (SRO, NGL/1/8, pp. 101, 131)

70. Paterson, History of the Counties of Ayr and Wigton, vol.iii, pp. 385-6.

stampmaster of linen at Irvine remarked that Kilmarnock's merchants were "by much the most considerable Traders in that Branch hereabouts".<sup>71</sup>

Another industry which had long been established in the town was that of leather tanning and shoe-making. Three of the town's six corporations in the 17th century pertained to leather products, these being the incorporations of the skimmers, the shoemakers and the glovers.<sup>72</sup> The work of the latter group apparently embraced a wider scope than their name suggested, for on 17th September, 1729, they complained to the Town Council that some craftsmen had "sold leather breeches without being stamped", the result of which was a stringent law against such practices.<sup>73</sup> An idea of the importance of the trade in skins to the town's economy is obtained from the list of exports in Appendix III.

The picture emerging from such complaints by trade incorporations (as from the complaints of the royal burghs of Ayr and Irvine against unfree burghs such as Kilmarnock) is of a modest yet steady expansion of trade which was outgrowing the restrictions of the old system of guilds and incorporations. The complaints of the craftsmen were partly motivated by a desire to maintain standards, but as the demand for manufactures increased, largely because of the rapid growth of the Clyde-based trade with the American colonies which gathered momentum from the 1740s onwards, the old restrictive system began to wither away in the face of a healthy spirit of free enterprise.

Through the Customs Accounts of various ports<sup>74</sup> it is possible to trace the pattern of trade in Kilmarnock's manufactures. Woollen and linen textiles, shoes and other leather goods were transported through the west coast ports of Ayr, Irvine and Saltcoats to Ireland and Virginia, with occasional cargoes, such as William Gilchrist's large assignment of 3,200 ells of "British Sarges" in April 1743, to the Scots' Dutch staple port of Campvere from the same ports.

For the trade to Europe, however, it was much commoner to transport goods overland by packhorses for shipment from the busy port

71. Saltoun Mss, SC59,f.62. (Nat. Lib. of Scotland) - Letter of Lord Kilmarnock to Lord Milton, 7th March, 1735.

72. J.Strawhorn, "Industry & Commerce in 18th Century Ayrshire", Ayrshire Collections, 2nd ser., vol.IV (1958), p. 183.

73. Paterson, op. cit., vol.iii, p. 386.

74. Customs Accounts for Ayr, Bo'ness and Irvine, Sept. 1742, - Sept. 1746. (SRO, E504/4/1, E504/6/1, E504/18/1) Some of these records are incomplete and so totals of exports may be inaccurate.

of Bo'ness. In the period from April 1743 to March 1746 Alexander Cunningham, sometimes in conjunction with his associates, John Glen, John Lymburner and James Wilson, exported through Bo'ness to Campvere and Rotterdam at least 66 tons 6 cwts of woollen goods, almost 13 tons of which were sent out in the critical months of March and April 1746. His cargoes also included large quantities of skins and beeswax. As well as occasional exports through Irvine, William Gilchrist sent through Bo'ness to Campvere and Rotterdam a total of 46 tons 15 cwts of woollen manufactures and 78 yards of unbleached linen. At the same time other Kilmarnock merchants were sending smaller, but regular quantities of goods through Bo'ness to the Continent.<sup>75</sup>

It was not only in the textile industry that fresh ground was being broken in the Kilmarnock area, for this, quite literally was happening at the Dean estate in the 1730s, when a large scale effort was made to extract coal. There is mention of mining activity on the Caprington estate in the reign of Charles II,<sup>76</sup> but this was probably a limited project for private use. The 1736 venture at Dean was much more serious. Although it was the brainchild of the Earl of Kilmarnock, the total capital required was far beyond his means, and so the Town Council on 15th June, 1736, contributed £30 sterling towards the scheme, this contribution apparently being equal to that of other investors.<sup>77</sup>

The historian Paterson thought that "the coal ... was wrought without sinking",<sup>78</sup> but the Earl's correspondence refutes this suggestion. In a letter of June 16th, 1736, to Lord Milton, the Earl informed him that "I am at present setting down a Coall with a water machine"<sup>79</sup>, probably a bob-engine. The use of the phrase, "setting down", and the fact that pumping machinery was necessary implies that a shaft was being sunk. Unfortunately, the coal seam at the Dean estate was of no great depth and many bores were made unsuccessfully. In the settlement of the affairs of Robert Paterson,

75. See Appendix III.

76. J. Strathorn & W. Boyd, Third Statistical Account of Scotland: Ayrshire, p. 424.

77. Paterson, History of the Counties of Ayr & Wigton, vol.iii, p.392.

78. Ibid, pp. 392-3.

79. Saltoun Mss, SC 64,f.47. (Nat. Lib. of Scotland) - Letter of Lord Kilmarnock to Lord Milton, 16th June, 1736.

factor to the Earl, his son mentioned among his father's expenditure on behalf of the Boyds the "filling up above Thirty Coal pitts" after the workings at Dean ceased in 1748.<sup>80</sup> Thus, although ill-starred, coal workings at Dean represented an ambitious project, in which the town had a vested interest.

At a much later date, when more productive coal seams were being worked to the south of the town, the problem of transporting such a heavy commodity from an inland source to the sea for export to Ireland and elsewhere presented difficulties which were eventually resolved by the opening of the Kilmarnock to Troon railway. In the first half of the 18th century Ayrshire's roads were in a very primitive condition, being little more than tracks and methods of transport were equally elementary. According to Colonel Fullarton, the roads were so bad and the outlook of the local population so conservative that in the middle of the century Lord Cathcart was unable to give away carts free to his tenants.<sup>81</sup> Around Kilmarnock, however, there were early signs of progress. The first use of wheeled carts in Ayrshire was reported there in 1718<sup>82</sup> and in 1726 carts were again used in the building of a bridge over the River Irvine between Kilmarnock and the neighbouring village of Riccarton, which facilitated communications between Kilmarnock and Ayr.<sup>83</sup> Further up the Irvine Valley the fourth Earl of Loudoun, an enthusiastic improver, built another bridge over the river at Galston and as early as 1733 he began a scheme of road making in Loudoun parish, the first stage of which was a road from his home at Loudoun Castle to the nearby village of Newmilns, "the first made road in Ayrshire".<sup>84</sup>

Progress elsewhere was slow and even in the time of Burns the

80. Erroll Writs, Box 37 - Robert Paterson's "accompts of his own handwriting", 1751.

81. Fullarton, General View of the Agriculture of the County of Ayr, pp. 40-41.

82. McKay, History of Kilmarnock, p. 103. McKay says that according to a Council minute carts were used in Kilmarnock before the building of the bridge at Riccarton.

83. W. Aiton, General View of the Agriculture of the County of Ayr. (1811) Quoted in J. Strawhorn, "Industry & Commerce in 18th Century Ayrshire", Ayrshire Collections, 2nd ser., vol.IV, p. 195.

84. *Ibid.*

centre of Kilmarnock was still a rabbit warren of wynds and closes, but it is interesting to note that in the first steps towards improvements Kilmarnock, the county's most flourishing community, and the surrounding area were among the pioneers.

In both Falkirk and Kilmarnock, especially in the latter, there was a desire for progress. Falkirk was just beginning to build up to its heyday when it was to become the scene of the country's main cattle trysts, superseding even Crieff in importance. Kilmarnock, on the other hand, was poised even in the 1740s on the brink of the Industrial Revolution and had already asserted itself over the royal burghs of Ayr and Irvine in terms of population and volume of manufactures. Considerable sums of money were being invested in ambitious industrial projects which absorbed all the interests and energies of the town's most enterprising and ambitious citizens, who had the full backing of the Town Council. For none of these achievements did the citizens of the two towns feel obliged to the Stuarts and they could not foresee any benefit accruing from a change of regime and so those who had a vested interest in future developments were automatically predisposed against the Stuarts.

#### (iv) RELATIONS WITH THE EARL OF KILMARNOCK.

Had the feudal ties between landlord and tenants been stronger, some degree of coercion might have been used to ensure the provision of at least an honourable escort for the Earl of Kilmarnock from his two estates. The few men who can be identified as having followed him from Falkirk were either his tenants or were in his employ in some capacity.<sup>85</sup> There is no mention in surviving contemporary correspondence of coercive measures used by the Earl, as happened in the Highlands where the chiefs' power over their clansmen was much more compelling and even in the conservative north-east Lowlands where Lady Kilmarnock's aunt, the Countess of Erroll, forced out men by threats of eviction.<sup>86</sup> Obviously the absence of such evidence cannot be automatically construed as evidence of innocence, but it is possible to say that physical violence against his tenants would have been quite out of keeping with what is known of the Earl's character. It is much more likely that those who followed him did

85. See Appendix II.

86. W. Macleod, A List of Persons Concerned in the Rebellion, pp. 92, 95, 304.

so out of fear of loss of employment or pressure of arrears of rent, out of a sense of adventure, or perhaps because of personal loyalty to the Earl. Their views have not been recorded and it is impossible to determine with certainty their motivation, but these, rather than awe of their landlord, are the most probable explanations.

It is quite evident from the pages of Town Council and Kirk Session minutes and from his own correspondence that the Earl of Kilmarnock was not a man of whom people stood in awe, possessing neither the aloof dignity nor the material wealth which usually lift aristocrats onto such a pedestal, although he was sufficiently popular in some quarters to be elected Master of St. John's Lodge of Freemasons in Kilmarnock in 1734 and of the Falkirk Lodge from 1740 until at least 1743. An even more surprising proof of popularity is the fact that he was re-elected preses of the Merchants Society of Falkirk in November 1745, by which time he was engaged in the Jacobite army.<sup>87</sup> Having been deprived of his father at the difficult age of thirteen years, the Earl seems to have spent a rather profligate youth both before and after his impulsive marriage at the age of nineteen to a fifteen year old bride whose family's political and religious background apparently made her an unsuitable choice. The exact nature of his extravagance is difficult to discover, but it seems to have been well known. The Earl certainly remained of a convivial nature even in poverty, with a wide circle of friends,<sup>88</sup> and so his "dissolute youth" may refer to nothing more than a general living above his means in travelling abroad,<sup>89</sup> entertaining, gaming and horse racing.<sup>90</sup>

His reputation as a spendthrift was difficult to cast off, even when he tried to manage his affairs more prudently on his limited means. In writing on 14th November, 1735, to ask a favour of Lord Milton the Earl complained that:

"... in my little way of living keeping credit is the only

87. J. Love, Local Antiquarian Notes and Queries, vol.1, pp. 222-4 and 228.

88. See Tait Papers (Glas.Univ.Library) and the letters of Horace Walpole for expressions of genuine sorrow among his relatives and acquaintances at the turn of events.

89. Paterson, History of the Counties of Ayr and Wigton, vol. iii, pp. 380-1. According to Town Council minutes the Earl was abroad at least in 1723 and again in 1732-3.

90. Saltoun Mss., SC45,ff 37-8. A letter of Lord Kilmarnock to Lord Milton, 1731, mentions their attendance at horse racing "upon the sands".

way to preserve either that or Character and putting people off from Lambas till after Martinmas only serves to make the World believe I am going on in the same heedless way as formerly: had I laid my account with this (an appointment or a business transaction which had not materialised) I could have reduc'd my Expence proportionally, since I have learn'd to live as I can, when I cant as I will."<sup>91</sup>

Unfortunately, good intentions were not sufficient to retrieve the situation. The Earl, despite the painstaking attention of Robert Paterson, his factor, was not a good manager of his affairs and he ended his life considerably in debt, including "a Bond which ... Mr. Kerr, director to the Chancery, has of me for a considerable sum of money, with many years' Interest on it, which was almost all Play Debt".<sup>92</sup>

The Earl's perpetual indebtedness detracted from the esteem in which he was held locally. A detailed settlement of accounts between Lord Boyd and Robert Paterson in 1751 shows the large number of bad debts which the factor had settled on behalf of the Boyds, ranging from large amounts such as the gambling debts mentioned above or sums borrowed from the substantial gentry around Kilmarnock down to trifling amounts of one pound or so owed to people in humbler walks of life - shoemakers, gardeners, coppersmiths, weavers, a glover, a staymaker.<sup>93</sup> In Falkirk too the Boyds were running up large bills. A surviving bill dated December 1736 from James Gaff, butcher in Falkirk, shows a lengthy list of outstanding items for the years 1732, 1735 and 1736, amounting to a total of £285.18s. (apparently in Scots money).<sup>94</sup>

91. Saltoun Mss., SC59, f.67 - Letter of Lord Kilmarnock to Lord Milton, 14th November, 1735.
92. Letter of Lord Kilmarnock to Robert Paterson from the Tower, 16th August 1746. Quoted in McKay, History of Kilmarnock, pp.94-5. In a settlement between Lord Boyd and Robert Paterson in 1751 this gambling debt and the interest amounted to £578.13s.5 $\frac{1}{2}$ d. (sterling).
93. Erroll Writs, 4th Notebook, 1751, "Accompt betweene the Right Honourable James Lord Boyd and Robert Paterson Writer in Kilmarnock now deceast". See Appendix Va.
94. Erroll Writs, Box 36.

If the Boyds had a reputation as bad debtors, it must have been difficult for them to maintain the degree of respect which their position entitled them to expect. Evidence of this dilemma appears in contemporary records. For instance, when the Session of Laigh Kirk, Kilmarnock, agreed to admit the Earl as a member, it was only "with an admonition to him with respect to the good of his family, and due attendance on the ordinances".<sup>95</sup> The Earl evidently was not insensitive to this attitude of censure, for in writing to Lord Loudoun a few years later asking him to present a protégé for a vacancy at Sorn church, the Earl knew his limitations as to what he could do to return the favour:

"If your Lop will accept of him to the Sorn, I shall use all my Interest at Kilm<sup>k</sup> for any one of your Recommendation, except presenting him, which I find in this Town woud set the People against an Angell."<sup>96</sup>

In fairness to Lord Kilmarnock, and as proof of the stubborn nature of the townspeople, it should be noticed that in 1764 the Earl of Glencairn, the patron at that date, experienced an even rougher time when at the attempted induction of the unpopular Rev. William Lindsay he was struck on the cheek by a dead cat aimed by one of the mob, while others in the procession had their wigs wrenched from their heads in the incident immortalised in Burns's poem "Ordination".<sup>97</sup> The veiled hostility of the Kirk Session towards Lord Kilmarnock was therefore not entirely due to a personal vendetta, but rather was part of a longer struggle between Session and patron for the control of Church government. It is possible, indeed, that the Session's disapproval of the Earl was considerably muted after 1739, when his half-aunt's husband, Rev. Laurence Hill, succeeded to the first charge at Laigh Kirk.<sup>98</sup> The fact remains, however, that on matters of principle the people of Kilmarnock, had no qualms about standing up in defiance of their superior.

A more serious encroachment on the Earl's rights had occurred during his time abroad. In 1723 and again in 1732 the Town Council itself nominated two bailies instead of presenting the usual list of

95. Laigh Kirk Session Minutes, 1st January, 1736.

96. Bute Papers, Dumfries House, TD75/52 - Letter of Lord Kilmarnock to Lord Loudoun, 10th April, 1738.

97. McKay, History of Kilmarnock, pp. 136-7.

98. Ibid, p. 146.

five nominees to the Earl.<sup>99</sup> This, said the Council, was "conform to the town's right, granted by the late Earl of Kilmarnock", but the fourth Earl was alert to the danger of allowing this extraordinary measure to become a regular practice and in 1733, when he again found himself abroad at the time of the election of magistrates, he authorised his wife to choose the bailies in his absence. This device was accepted only reluctantly by the Council after what the 19th century historian, Paterson, called "an assertion of independence ... commensurate probably with the growing importance of the burgh, but hardly to be expected from a small body of burgesses towards their feudal superior". To safeguard its rights for the future, the Council minuted its decision to

"judge it expedient to avoid disputing (the Earl's right to delegate his power) for the present year, out of regard for the family, and agrees to sustain the Countess's commission as sufficient to authorise her, but prejudice allways to the Town Council to quarrell the validity of any such commission for the future, and declare that their present acquiescence shall noways homolgate the same."<sup>100</sup>

For the rest of his life the Earl was present to exercise his right at the time of election, and it was not until the turmoil of 1746 that the Council was again able to step in and maintain its claim. This constitutional tussle, however, is further evidence of the town's determination to shape its own destiny as far as possible.

To the town of Falkirk the Earl of Kilmarnock was an incomer, but the Falkirk "Bairns" did have considerable ties of affection with the Countess Ann. The Kirk Session of Falkirk had not been slow to record gibes against her father for being an absentee landlord, as in 1714 when it decided that a delegation should wait "on the Rt.Hon. the Earl of Linlithgow and Callendar wherever he is for the time and represent to the noble Earl their present vacancie and the desolate condition of their numerous parish".<sup>101</sup> Despite such remarks and the apparent failure of the Earl to raise the amount of support which he had anticipated, local legend records that on returning to his home after the failure of the 1715-16 Rebellion, the Earl was alerted of the approach of dragoons, whose efforts to arrest him were impeded

99. Paterson, History of the Counties of Ayr & Wigton, vol.iii, pp.380-1.

100. Ibid. Town Council minute of 29th September, 1733.

101. Falkirk Kirk Session Minutes. Quoted in J.Stewart, Falkirk, pp.72-3.

by local people so that he was able to make good his escape.<sup>102</sup>

It was partly owing to this local loyalty towards the Livingstons that Lady Ann was able to enjoy occupancy of the Callendar estate after her father's forfeiture, although her zeal for the Episcopal Church must have tried sorely the patience of the fathers of the Kirk.

It was for her eldest son, however, that the Kirk's greatest displeasure was reserved because of an unsavoury scandal that dragged on through the Session's minutes for months. On 13th May, 1744, "Anna Hardie compeared and confessed that she was with child to My Lord Boyd". Unfortunately, Lord Boyd was conveniently "indisposed" and so the Session was unable to verify this allegation but appointed "Mr. Heugh ... to speak with his Lop when an opportunity offers". Try as he might, it was not until early September that poor Mr. Heugh was able to find the right moment to pursue his delicate enquiries and in due course he reported to the Session that the charge was flatly denied by Lord Boyd. Anna Hardie, however, persisted in her claim and the question was never completely resolved. Although the allegation was not substantiated, the incident had raised Lord Boyd's name in a most unflattering light at no less than eight Kirk Session meetings and no doubt in countless gossiping sessions around the town.<sup>103</sup> Such an incident handled so publicly was bound to diminish respect for the Boyds, especially when malicious tongues could recount the youthful follies of the father as well as the sins of the son. The record of the Boyds was not one to inspire confidence and unquestioning loyalty.

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A review of the political and religious principles of the majority of the people of Falkirk and Kilmarnock and of the dawning promise of economic development shows that these Lowlanders were automatically predisposed to prefer the existing regime to the return of the Stuarts, who promised them nothing that they valued. The degree of resistance to the Jacobite movement was stronger in Kilmarnock than in Falkirk, a circumstance which can be explained by a detailed examination of the history of the two towns and by the much greater degree of investment in industry in the Ayrshire town.

102. J. Stewart, op.cit., p. 73.

103. Falkirk Kirk Session Minutes, 13th May to 8th September, 1744.

In both towns, however, it is quite clear that there was no strong feudal relationship between the townspeople and their superior which would enable him to exert pressure upon them and insist on his rights to their military service against their will. Such power was beginning to atrophy in the Lowlands in the 18th century, and Lord Kilmarnock, affable as he was and well liked among his peers, was an easy target for the perennial criticisms of Kirk Sessions and the self-assertion of civic dignitaries. It was therefore only by persuasion and not by coercion that he could have influenced the attitudes of the townspeople to the Jacobite Rebellion of 1745, but any efforts that he might have made towards this end were frustrated by his record of irresponsibility and failure to manage his own affairs. When it came to decision making, therefore, the vast majority of his tenants preferred to trust their own judgement rather than that of their superior, knowing that they could do so with impunity.

CHAPTER VIII.

REASONS FOR THE EARL OF KILMARNOCK'S SUPPORT OF THE JACOBITES IN 1745.

In view of this background which was decidedly hostile to the Stuarts, it seems all the more surprising that the Earl of Kilmarnock, who by birth and education was a Presbyterian and a Whig, should have come out in support of Prince Charles in 1745. Local tradition explains this phenomenon by placing the blame not only on his financial problems, but also on the influence of Lady Kilmarnock, who, as the story says, as an ardent Episcopalian<sup>1</sup> and Jacobite, urged her weak, spendthrift husband to join in the Rebellion, and then died herself of grief and remorse scarcely more than a year after his execution. A close examination of the facts, however, reveals serious flaws in this picture of the two leading characters. Since the number of the Prince's supporters in the Lowlands was small, it is important to discover the motivation of a man like Lord Kilmarnock who went against the trend of reaction amongst his peers and to attempt to assess the extent of reliance which Prince Charles could place on his support.

Prior to August 1745 the Earl's adherence to the established church and monarchy had never been in doubt, despite his wife's religion. His statement of this background at his trial was not to be disputed and was confirmed by the Town Council in its petition to the King for mercy:

"My father was an early and steady friend to the Revolution and was very active in promoting every measure that tended to settle and secure the Protestant succession in these kingdoms. He not only in his public capacity promoted these events, but in his private supported them, and brought me up and endeavoured to instil into my early years those Revolution principles which had always been the rule of his actions. .... upon the strictest enquiry it will appear that the whole tenor of my life, from my first entering into the world to the unhappy minute in which I was seduced to join in this rebellion, has been agreeable to my duty and allegiance, and consistent with the strictest loyalty."<sup>2</sup>

1. She is sometimes said to have been a Roman Catholic - so erroneous is the legend : e.g. McKay, History of Kilmarnock, p. 73.
2. Lord Kilmarnock's statement at his trial, July 1746. Quoted in C. Whitefield, The Life of William Earl of Kilmarnock, p. 64.

As if urging his critics to judge the tree by the fruit thereof, the Earl pointed out that his heir had remained untainted by Jacobitism:

"For the truth of (my loyalty) I need only appeal to the manner in which I have educated my children, the eldest of whom has the honour to bear a commission under his Majesty and has behaved like a gentleman. I brought him up in the true principles of the Revolution and an abhorrence of Popery and arbitrary power. His behaviour is known to many of this honourable House, and therefore I take the liberty to appeal to your lordships, if it is possible that my endeavours in his education would have been attended with such success, if I had not myself been sincere in those principles and an enemy to those measures which have now involved me and my family in ruin? Had my mind at that time been tainted with disloyalty and disaffection I could not have dissembled so closely with my own family, but some tincture would have devolved to my children."<sup>3</sup>

During his final days in the Tower the Earl changed some parts of his statement at his trial, notably the account of his capture. The sections quoted above, however, were sincere, as was borne out by his letter to his son from the Tower immediately before his execution. In this "last Advice" he urged Lord Boyd:

"Above all things continue in your loyalty to his present Majesty, and the succession to the crown as by law established. Look on that as the basis of the civil and religious Liberty and Property of every individual in the nation!"<sup>4</sup>

The loyalist advice was repeated in the provision which he tried to make for one of his twin sons, Charles, who had been with him in the Rebellion and was now lurking as an outlaw. He urged his heir to "Use all your interest to get your Brother pardoned and brought home as soon as possible, that his circumstances and the bad influence of those he is among, may not induce him to accept of foreign service and lose him both to his Country and his Family. If money can be found to support him, I wish you would advise him to go to Geneva, where his principles of Religion and liberty will

3. Ibid, pp. 64-65.

4. Foster, Account, p. 44. Letter of Lord Kilmarnock to Lord Boyd, 16th August, 1746.

be confirmed, and where he may stay till you see if a pardon can be procured for him."<sup>5</sup>

The sentiments expressed in this private letter, intended only for his son's eyes and presumably written with the honesty to be expected of a condemned man who had nothing to lose, were repeated in a statement prepared for publication after his death. In this he again confessed that he had "engaged in the rebellion in opposition to my own principles and to those of my family" and ended by blessing "with my dying breath ... my only rightful Sovereign, King George".<sup>6</sup>

An assessment of the Earl's principles does not depend entirely upon his own statements. After returning from his travels abroad in the mid-1730s, the Earl began to take an interest in local politics, acting as an agent for Sir Robert Walpole's interest, and trying to use his influence locally to secure the return in Ayrshire of candidates favourable to Walpole.<sup>7</sup> In return for these services he received a pension of £400 from the "Privy Purse", but this came to an end in 1742 after the fall of the great minister.<sup>8</sup> The loss of this income was a serious blow to the impoverished Earl, but there is no surviving evidence of his plunging into Jacobite intrigues in a fit of pique because of the withdrawal of his pension. Instead by 1744 he was seeking the traditional means of advancement for two of his sons by securing for them commissions, one in the Army and one in the Navy.<sup>9</sup>

If the Earl's politics were sound, so too were his religious principles. It is obvious that the Earl did not set great store by rigid adherence to the letter of the Presbyterian law. Had he done so, he would probably not have married a staunchly Episcopalian wife, and he would certainly not have allowed her to travel to Edinburgh to attend "English" services at an Episcopalian meeting house or to set up such places of worship in Falkirk and Linlithgow. Both by nature and from a breadth of outlook achieved in the course of his foreign travels, the Earl appears to have been fairly tolerant

5. Ibid.

6. Ibid, p. 43.

7. Saltoun Mss, passim; Bute Papers, Mountstuart House, 1740 - Bundle 4 and 1741 - Bundle J.

8. W.S. Lewis (ed), Horace Walpole's Correspondence, vol.19, pp. 283-4. Letter of Horace Walpole to Sir Horace Mann, 1st August, 1746. National Library of Scotland, Vol.V, Ms. 7047,f.24 - Letter of Lord Kilmarnock to an unidentified correspondent, May 10th, 1742.

9. McKay, History of Kilmarnock, pp. 97 & 100.

of the views of others.

But he was a man of his age and he had been bred in a county which was fanatically Presbyterian, so that there were certain limits beyond which his tolerance would not extend. To Mr. Foster, his spiritual counsellor during his last days, he affirmed that "he had never been a libertine in principle, even during the time when he was most licentious in his conduct that he had always believed the great truths of God's being and providence, and that he had never been involved in the fashionable scepticism of the times with regard to Christianity".<sup>10</sup>

Beyond this general statement of Christian faith, the Earl was staunchly Protestant and opposed in principle to Catholicism, although not personally bitter against Catholics. On being questioned on this score by Mr. Foster, the Earl replied that:

".... he himself was never, in the utmost heat of rebellion, a well-wisher to tyrannical power and Popery, which last he could never embrace, without entirely renouncing his understanding as a man."<sup>11</sup>

Obviously he had not seen Charles Edward as a man concealing beneath promises of religious toleration a burning desire to re-establish Roman Catholicism as the state religion to the exclusion of Protestant worship. The idea of toleration of Catholic worship as a minority group probably did not perturb him unduly. In fact, religion scarcely entered into his decision, as can be seen from a letter to his wife, written on 18th October, 1745, immediately prior to his departure to join the Jacobite army:

".... I shall say nothing of the Cause I am going in but that every Scots Man in his Sences will go the Same way, and there are no graven Images concerned in it."<sup>12</sup>

It would be interesting to know with whom the Earl had been speaking or corresponding to have gained the impression that there was likely to be widespread support for Prince Charles, but unfortunately no evidence exists to throw light on the matter.

Speculations about the part played by Lady Kilmarnock in influencing her husband's decision were perhaps to be expected in view of her

10. Foster, Account, p. 25.

11. Ibid, p. 8.

12. Saltoun Mss., SC104, f.108. Letter of Lord Kilmarnock to his wife, 18th October, 1745.

religion, her father's politics and the ardent Jacobite zeal of her aunt, the Countess of Erroll, to whose estates she was heiress. Such rumours must have been rife, judging by the concern of the Earl and Mr. Foster to deny them. The latter obviously felt obliged to stress that these malicious stories were based on assumptions rather than facts:

".... I cannot help thinking myself bound, in justice to Lady Kilmarnock, to declare that he said to me, though she was bred in different sentiments, that he thought her more inclined to Whiggish than Jacobite principles. And the Rev. and Hon. Mr. Home, and Mr. Ross, his Lordship's solicitor, desired me to inform the world of another thing, which he had expressly mentioned to them, viz., that instead of exciting him to she had dissuaded him from entering into the late wicked and horrid rebellion."<sup>13</sup>

As one whose father had been separated from her because of the 1715 Jacobite Rebellion, Lady Kilmarnock might have been expected to have strong feelings about her husband's participation in the 1745 rising. Either she would encourage it as a means of righting a wrong perpetrated against her family thirty years ago, or she would shrink from it for fear of losing more members of her family in another lost cause.

Since she had been separated from her father at the age of seven, it was unlikely that his influence over her could be strong, although she might well feel that he had been harshly treated. On the other hand, the life that she had built up for herself in her adult years owed nothing to the Stuarts and might well be damaged by a national upheaval. A new lease of the Callendar estate with better terms had been negotiated in the name of the Earl and Countess in 1742 and was to run for thirty years from Whitsunday, 1750. Successful participation in rebellion might win back full ownership of the estate, but alternatively failure could mean not only loss of property but even exile or death. Certainly, her sons who already held commissions in the armed forces might meet with death in any active service, but surely the thought of their father and brother taking up arms against them in civil war and possibly meeting them face to face in the heat of battle was enough to make any mother's blood turn cold.

13. Foster, Account, p. 22.

The fact that she was not alienated from her Hanoverian sons is demonstrated by her letter of November 4th, 1745, to John Hay, writer to the Signet, asking him to apply the balance of a sum allocated to her by the Countess of Erroll "for purchasing a bill on Holland payable to Lord Boyd my Son who is Just now in the army at Vilvorden".<sup>14</sup> Even as she wrote this letter her husband and younger son were marching south from Edinburgh in the ranks of the rebel army.

Apart from these personal risks to relatives and property, unsuccessful rebellion was sure to damage the status of the little group of Episcopalian worshippers whom the Countess had tried to foster. Although they kept within the stringent conditions prescribed for their worship, using the Anglican liturgy and praying for King George, they were already labelled as Jacobites by indiscriminating Presbyterians. Following a rebellion they would suffer along with their non-juring co-religionists: their liberties would be further restricted and their cherished right of public worship might be altogether removed. As a builder of places of worship for Episcopalians, Lady Ann, who significantly was not a non-juror, would not want to risk seeing her work brought to ruin unless she was convinced that the rebellion had a good chance of success.

It is quite clear from correspondence of October 1745 between the Earl and Countess that she was far from being convinced that the time was ripe for rebellion. On the contrary, there is a clear implication that she disagreed with her husband's decision. The Earl's letter of 15th October is somewhat cryptic in its phraseology (no doubt for fear of its going astray), but it evidently refers to a disagreement of opinion over the decision to which the Earl was coming:

"Dearest Nanny,

Since you still seem not to understand me in what you are so good as to be very anxious about, I must tell you that it is as it ought to be and that it will probably continue as it is till it is proper it should be other-wise: and in the meantime you need be in no pain about it. I hope with a little Recollection, this will let in to the Truth and make you easy."<sup>15</sup>

14. Erroll Writs, Box A4, Letter of Lady Kilmarnock to James Hay, 4th November, 1745.
15. Saltoun Mss., SC104, f.10 7. Letter of Lord Kilmarnock to his wife, 15th October, 1745.

His parting letter three days later gave a clearer statement of their positions:

"Dearest Nanny,

I am very sensible of the Pain the first Sight of this Letter must give to her it is most my Duty to make happy, and my greatest Enjoyment is to please. I need not after this tell my Love and Life that I am now in my Boots to join the Prince.... Believe me, my Dearest Angel, there was an absolute necessity for this Step; and, if matters dont turn out against all Manner of Probabilitys, and almost against all Possibilitys, it is the wisest and most lucky one, for my Dearest Nanny, I ever made in my Life, as I shall satisfy you fully when I am again blest with my Dearest Girl ...."<sup>16</sup>

No surviving letters from Lady Ann to her husband record her opinion, but her tacit resistance is written between the lines of these letters of the Earl. In her letter of 12th February, 1746, to Lord Milton, Lady Kilmarnock's assertion of her innocence was very plain, as she wrote to promise him an explanation for her departure from Callendar House after the Battle of Falkirk:

"I was very uneasy to hear that it had been represented to your Lop<sup>t</sup> that I shoud have left Calander upon hearing of the Duke's coming, I assure you my Lord that was very far from being my reason, and I beg you would not believe that I woud have done any such thing .... I give you my word I am intirely innocent of all the Transactions of late as my Lord Rosse can assure your Lop.<sup>t,17</sup>

This explanation was obviously accepted by friends of the family, for in writing to Rev. Laurence Hill on 26th August, 1746, John Adams when asking about the degree of her Ladyship's grief asked, "Is it not some relief to be free of the cutting reflection of having had the least hand in it?"<sup>18</sup>

Lord Kilmarnock's letters mentioned another circumstance which made it unlikely that Lady Kilmarnock would encourage her husband to be away from her for a lengthy period. It is obvious that as early as

16. Saltoun Mss., SC104, f.108. Letter of Lord Kilmarnock to his wife, 18th October, 1745.

17. Saltoun Mss., SC113, f.122, Letter of Lady Kilmarnock to Lord Milton, 12th February, 1746. Lord Rosse of Hawkhead was Lord Kilmarnock's uncle.

18. Tait Papers, Glasgow University Library. Letter of John Adams to Rev. Laurence Hill, 26th August, 1746.

October, 1745, Lady Kilmarnock's health was giving cause for serious concern. On October 15th Lord Kilmarnock remarked:

"It gives me the greatest pain to hear that my Dearest Life and Love is not well. Let me beg of you, my Heart's Delight, not to indulge yourself in Melancholy ... Let me beg of you to go abroad often: you know that is your only and never failing Medecine ..."<sup>19</sup>

It has traditionally been said that Lady Kilmarnock's death in September, 1747, at the early age of 38 was due to a broken heart caused by grief at the loss of her husband and remorse for her part in bringing him to that death. It has been shown already that Lady Ann had no cause for remorse on that score, and evidence recently discovered proves that, although grief undoubtedly contributed to her sorry condition, there was something fundamentally wrong with her physical health, an ailment which, according to her husband's letter of 15th October, 1745, had been causing her discomfort long before the Rebellion.

A further reference to ill-health appeared in a letter dated June 9th, 1746, from the Countess to James Hay, writer to the Signet, in which she told him:

"I'm close confined with sore eyes. I'm afraid I shall lose one of them."<sup>20</sup>

The chief evidence of the seriousness of Lady Kilmarnock's illness is given by an account presented by Jasper Tough, surgeon in Kilmarnock, in 1749 for attendance upon and remedies prescribed for the Countess almost daily from 20th May, 1746, until her death on 17th September, 1747.<sup>21</sup> The exact nature of her illness is in dispute,<sup>22</sup> but there is no doubt that she was in the grip of a serious terminal illness which had its roots in symptoms already apparent before the rebellion began and which was aggravated by the anguish of the traumatic year of 1745-46.

In this context it is not the name but the fact of the Countess's illness that is important. It would be a brave and dedicated woman

19. Saltoun Mss., SC104, f.107. Letter of Lord Kilmarnock to his wife, 15th October, 1745.

20. Erroll Writs, Box A4.

21. Erroll Writs, Box 37.

22. See Appendix IV.

who, while suffering from ill health, would urge her husband and son to leave her to join a rebellion, especially when her other two sons were already engaged on the opposite side. In the absence of evidence that Lady Kilmarnock was an ardent Jacobite who might make such a sacrifice for the Cause, and since all the facts rather lead to the opposite conclusion, it can justifiably be contended that her illness must have been another factor inducing her to dissuade her husband from his proposed course of action.

If neither political nor religious principles nor the influence of his wife persuaded the Earl of Kilmarnock to take up arms for Prince Charles, what were the motives for his decision? His own reply to Mr. Foster blamed his "circumstances", meaning his financial exigencies:

"He answered that the true root of all was his careless and dissolute life by which he had reduced himself to great and perplexing difficulties; that the exigency of his affairs was in particular very pressing at the time of the rebellion; that, besides the general hope he had of mending his fortune by the success of it, he was also tempted by another prospect, of retrieving his circumstances if he followed the Pretender's standard; and that his love of vanity and addictedness to impurity and sensual pleasure had not only brought pollution and guilt upon his soul, but debased his reason, and for a time suspended the exercise of his social affections, which were by nature strong in him, and in particular the love of his country."<sup>23</sup>

The truth of at least the first part of this statement is borne out by the Earl's crucial letter of October, 18th, 1745, in which he spoke, not in terms of ideological conviction, but of the wisdom and the "absolute necessity" of his action.<sup>24</sup> Here was a clear statement of self-interest, or at least family interest. In the light of Prestonpans and news of reinforcements, arms and ammunition coming in to the Prince,<sup>25</sup> the Earl had read the barometer of the times and reckoned that it was set fair for the Prince's cause. Although a certain tie of affection subsequently arose between the two men, to the extent that the Earl accompanied the Prince on the northward march from Perth via Blair Atholl and Ruthven while his troops went with Lord George Murray around the north-east coast, the Earl's commitment was not one

23. Foster, Account, pp.10-11.

24. Saltoun Mss., SC104, f.108. Letter of Lord Kilmarnock to his wife, 18th October, 1745.

25. Saltoun Mss., SC104, f.107. Letter of Lord Kilmarnock to his wife, 15th October, 1745.

of loyalty to the Stuarts, but rather one of expediency for the sake of his family.

It is in this light that a passage in his last letter to his son which has often been produced as an accusation against the Countess can be read. In advising his son, the Earl exhorted him to

"Love your family and your children, when you have any, but never let your regard for them drive you on the rock I split upon, when on that count I departed from my Principles".<sup>26</sup>

This statement could be taken to mean that a member or members of his family had exerted influence on the Earl to join the Jacobites, but in view of the evidence presented regarding Lady Kilmarnock, it is more likely that the statement refers to the Earl's decision to join the Prince in order to repair his fortunes for the sake of his family.

To explain this hard-headed response to the Prince's call, it is necessary to look at the state of the Earl's financial affairs. Indebtedness was no new condition for the Earl, for it had been part of his inheritance from his father, who had died owing £2,500 sterling to the Earl of Eglinton alone.<sup>27</sup> Generous beyond the point of extravagance, the fourth Earl had compounded the situation, so that by his nineteenth birthday he had established a reputation as a spend-thrift which led Lady Livingston to raise strenuous objections to the marriage of her daughter to this penniless Ayrshire lord, whom she obviously looked on as a gold-digger.<sup>28</sup> The responsibility of a family did not immediately teach the young Earl financial wisdom. Gambling debts mounted<sup>29</sup> and his tours abroad must have been costly. Rumours of divorce around 1729<sup>30</sup> suggested that there may also have

26. Foster, Account, p.44. Letter of Lord Kilmarnock to Lord Boyd, 16th August, 1746.

27. Scottish Record Office, GD/8/986 - Decree of the Earl of Eglinton against the Earl of Kilmarnock.

28. Whitefield, The Life of William Earl of Kilmarnock, p. 59.

29. McKay, History of Kilmarnock, p. 95 - Letter of Lord Kilmarnock to Robert Paterson, 16th August, 1746.

30. Wodrow, Analecta, vol.IV, p. 26.

W.Wilkinson : A Compleat History of the Trials of the Rebel Lords in Westminster Hall, p. 25 - "'Tis said his Lordship made but very ungrateful Returns for the Lady's Generosity, but as the Lady has a good deal of Spirit, Wit and Understanding, they have liv'd together civilly if not happily." This judgement seems rather harsh in view of the tone of Lord Kilmarnock's letters to his wife.

been less savoury ways of spending money, a possibility which gains some credence from the Earl's statement to Mr. Foster about his "licentious" youth.<sup>31</sup>

Unfortunately, his widowed mother only added to his problems. Although a woman in her forties by the time her son reached his majority, she conducted her affairs most irresponsibly, running up bills for household supplies and gambling debts.<sup>32</sup> Not only did she use up her own jointure, but she also made a fair bid to ruin her second husband, John Murray, second cousin to the Duke of Atholl. Mr. Murray was eventually obliged at the exhortation of the lady's father, brother and son, to take legal action against his wife.<sup>33</sup> There is a hint of even blacker misdemeanours in her son's cryptic mention of "her correspondence with Hell:"<sup>34</sup> Apparently the dowager Countess had fallen in with evil company with whom she preferred to spend her time and money in Edinburgh rather than obey her husband's commands to live quietly in the countryside. It was probably a relief to all concerned when she died, still in disgrace, in 1729.

During the 1730s and 1740s the constant tenor of the Earl's correspondence with Lord Milton was of a man struggling from one financial crisis to the next, asking the favour of his Lordship's influence to help him to negotiate a loan or obtain an appointment.<sup>35</sup> The letters paint a picture of a man who was generous to a fault, of a man who would lend a friend "two or three hundred pounds Ster." and then find himself in debt when the friend defaulted.<sup>36</sup>

Money came into the Earl's coffers in the form of estate rents, a Government pension for his political management of county politics in Ayrshire and Renfrewshire,<sup>37</sup> and from his wife's private income,

31. Foster, op.cit., p. 25.

32. S.R.O., RH15/10/23 and RH15/10/30. See article by B.Graham in Kilmarnock and District History Group Newsletter, August 1978.

33. December 1727. S.R.O., C.S.233, Inglis I, K/1/40, Box 200.

34. Letter of 31st December, 1727, from the Earl of Kilmarnock to Mr. John Murray. S.R.O., RH15/10/27.

35. E.G. Saltoun Mss., SC42,f.15 and SC45,ff.37-8.

36. Saltoun Mss., SC45,ff.37-8 - Letter of Lord Kilmarnock to Lord Milton, 1731, mentions a large debt owed to Lord Kilmarnock by Sir Robert Stewart of Tillicoultry.

37. Nat. Lib. of Scotland, Vol.V, Ms.7047,f.24 - Letter of Lord Kilmarnock to Sir Charles Erskine, Lord Advocate, 10th May, 1742.

such as payments on her mother's dowry by her aunt, the Countess of Erroll.<sup>38</sup> Despite these sources, however, income never matched expenditure.

Although the Earl was interested in industrial enterprise, particularly in Kilmarnock, there is no evidence of a corresponding interest in agriculture and so he did not make best use of the fertile Callendar estates. Apparently in 1735

"....(No wheat) was grown around Falkirk, upon the great Callendar estates, extending to about 8,000 acres, nearly all arable."<sup>39</sup>

The Earl and Countess may have felt greater security in the tenure of the estate after a new and more favourable lease was granted in 1742, but still the management of their estate was not efficient. It has been calculated that the rent which they paid was only one third of what it might have been in proportion to the estate's value, and yet still they could not make ends meet.<sup>40</sup>

By the middle of the 1730s the Earl had learned the wisdom of trying "to live as I can, when I cant as I will"<sup>41</sup>, but there were certain expenses which he could not reduce. A cruel blow fell in 1735 when the Earl returned from France to discover that Dean Castle had been rendered uninhabitable by a fire caused by a careless servant. This obliged the Boyds to move to their town house in Kilmarnock, which required considerable expansion and embellishment to make it worthy of its elevated status.<sup>42</sup> The protracted

38. Erroll Writs, Box A4 contains the following receipts:

17th June, 1732	-	£500	Scots	-	payment for 1720-21.
1st July, 1732	-	£750	"	-	" " " 1721-23.
27th June, 1733	-	£500	"	-	" " " 1723-24.
21st December, 1733	-	£500	"	-	" " " 1724-25.
28th August, 1735	-	£2,000	"	-	" " " 1725-29.

39. D. Murray, The York Buildings Company, p. 37.

40. Ibid, p. 49.

41. Saltoun Mss., SC59,f.67 - Letter of Lord Kilmarnock to Lord Milton, 14th November, 1735.

42. McKay, History of Kilmarnock, p. 22. But see article on Kilmarnock House by T. Smellie in "Kilmarnock Standard", 23rd March, 1935. Smellie reckons that the 4th Earl of Kilmarnock added only four modest apartments to the house's original six and that a larger, more pretentious extension of approximately 900 square feet in floor area was added by the Earl of Glencairn around 1749.

negotiations with the York Buildings Company regarding the new lease of the Callendar estate was another burden which must have entailed considerable legal expenses.

Involvement in local politics came dear and there was no guarantee of prompt recompense by the Earl's political masters, as the Earl complained in 1740 to Sir Charles Erskine, Lord Advocate:

".... I did not look on it that these Expences were to come out of my pocket, till t'other day my Agent told me they had, or at least he was in Debt for what part of them he had not funds of mine in his hands to pay."<sup>43</sup>

The only pressure which he could bring to bear in seeking redress was the threat "... it wou'd perhaps appear to be a hardship for me to be at Charges where my own Interest was not the only object in view; and, which gives me more pain, without being relieved of them, it will not be in my power to make some Jaunts that are very proper at present."<sup>44</sup>

The Earl's diligence in county affairs was unfortunately destined to go unrewarded, for the 1741 elections went against Walpole's interest and in the following year the Earl found himself without his Government pension. His plea to the Lord Advocate for assistance paints a graphic picture of his plight and his attempts to resolve it:

"... I have been some years on the Privy Purse for a pension of four hundred a year. If your Lordship will be so good as to recommend me in the same Shape, I shall always own it as a very great obligation. If any other appointment, about that value, on the Establishment is more easily obtained, I shall not direct your Lordship in your Choice, but thankfully accept of what you procure for me. I see some Vacancys in the Army, both from Promotions and new Levys. A Troop of Horse is much of the amount of my former Appointments, and if it is convenient for your Lordship to give, will be at least as acceptable to me: tho I only mention it if it is easier to your Lordship. I'll beg leave to mention only one thing farther, which is the Constabulary of the Castle of Blackness. It was long in my Father in Law's Family and I am authorised by some of my Lady Kilmarnock's Friends

43. Nat. Lib. of Scotland, vol.IV, Ms.5156,ff.119-20 - Letter of Lord Kilmarnock to Sir Charles Erskine, 28th March, 1740.

44. Ibid. The "Jaunts" were presumably visits to local gentry and men of substance whose votes he might be able to influence.

to assure your Lordship that they all will look on it as a favour to themselves if I obtain it by your Means.

My Situation is such that, without assistance from the Crown, I can not give my Sons the Education which is both proper and necessary for them. I have hitherto been enabled from thence to do them Justice, and I beg your Lordship's Assistance to continue me the King's Countenance."<sup>45</sup>

No reply to this letter survives, but the Earl certainly did not receive a commission, nor, according to the list of debts which piled up during the next three years,<sup>46</sup> did he receive any amount of assistance from the Government which substantially altered his circumstances. Two ad hoc awards of £150 were paid by the Treasury "out of the Civil List funds ... to the Earl of Kilmarnock" on 14th October 1742 and 6th July 1743, but these were only a drop in the ocean compared with his commitments.<sup>47</sup>

Provision for his three sons was a growing concern by this stage. His oldest surviving son, James, had matriculated at the University of Glasgow in the class of Logic in 1738, and was followed by one of his younger brothers, Charles, who matriculated in the class of Humanity and Letters in 1741.<sup>48</sup> Obviously his sons would have to be maintained in a manner befitting an Earl's sons, and judging by tailors' accounts dating from the years 1747-48, both young men had a taste for fine clothes which was liable to outstrip their indulgent father's limited means.<sup>49</sup> Despite the Earl's touching plea to the Lord Advocate, the cost of his sons' University education seems to have been met, not from Government funds, but from the Countess's aunt's payments towards her mother's dowry, as can be seen from a "Discharge ... to the Countess of Erroll", dated 1743, which acknowledged receipt of

45. Nat. Lib. of Scotland, Vol.V Ms.7047,f.24 - Letter of Lord Kilmarnock to Sir Charles Erskine, 10th May, 1742.
46. Erroll Writs, 4th Notebook, 1751, Account betweene the Right Honourable the Lord Boyd and Robert Paterson.
47. Calendar of Treasury Books and Papers, 1742-5, pp.84 and 294. Quoted in W.S. Lewis (ed.), Horace Walpole's Correspondence, p.284, n. 28.
48. Glasgow University Archives, Class Rolls for 1738 and 1741.
49. Erroll Writs, Box 37 - Account Mr. Charles Boyd to Robert Hamilton for clothes from 2nd October, 1747, to 22nd February, 1749. - Account Lord Boyd to Robert Hamilton for clothes from 2nd December 1748, to 21st August, 1749.

£1,000 scots "for the Education of Lord Boyd our Son".<sup>50</sup>

As the boys grew to manhood, the Earl's expenses increased as he tried to bring "my young People into the World in a right way".<sup>51</sup> Commissions did not come cheaply, but careers in the armed services were mapped out for Lord Boyd with the Scots Fusiliers and for William, one of the twins, in the Navy.<sup>52</sup> Once again the Countess of Erroll's payments saved the day, for on 17th June, 1745, the Earl of Kilmarnock acknowledged receipt of "Sixty pounds sterling to be applyed for the use of Lord Boyd our Son for equiping him for the expence of his Journey and Voyage to the British army in Flanders".<sup>53</sup>

Although these payments by the Countess of Erroll were able to ease pressures in times of emergency, the Earl did try to solve his financial problems in other ways. Always more interested in industry rather than agriculture, the Earl made a venture into mining, stimulated perhaps by the proximity in Ayrshire of the Auchendarvie and Eglinton collieries, which were among the leaders in experiments with improved drainage systems and the introduction of waggonways,<sup>54</sup> and by the prosperity of the collieries of his great-uncle, the Marquis of Lothian, whose mines he visited.<sup>55</sup> Mining was carried on in the vicinity of Falkirk, but information about it is sparse. Fortunately, better records have survived of the rise and fall of the Earl's mining efforts on the Dean estate at Kilmarnock.

When commencing mining at the Dean Estate in 1736, the Earl had great hopes of his project, although he realised that it required a large amount of capital investment:

"... I am at present setting down a Coall with a water Machine that will very soon put my Affairs upon another footing than they are now; but it takes a good deall of ready money without which it must stick ..."<sup>56</sup>

50. Erroll Writs, Box 36.

51. Nat. Lib. of Scotland, Vol.V, Ms.7047,f.24 - Letter of Lord Kilmarnock to Sir Charles Erskine, 10th May, 1742.

52. McKay, op.cit., pp. 97 and 100.

53. Erroll Writs, Box A4.

54. Duckham, A History of the Scottish Coal Industry, 1700-1815, p.82. Whatley, Industrialisation in Ayrshire, 1707 - 1871, pp. 72-3.

55. Nat. Lib. of Scotland, Ch.2980,f.28.

56. Saltoun Mss., SC64,f.47 - Letter of Lord Kilmarnock to Lord Milton, 15th June 1736.

Although the initial capital was raised with assistance from Kilmarnock Town Council and other investors,<sup>57</sup> the Earl's Micawber-like optimism was destined to be disappointed. The coal seams at the Dean proved to be shallow, necessitating the sinking of many shafts. As many as thirty shafts are recorded as having been filled in by the time the pit ceased production in 1748.<sup>58</sup> The supply of labour also caused problems. Since Ayrshire at that time did not have a sufficiently large traditional mining community, and since the social stigma and the bad working conditions associated with the industry effectively prevented weavers and other potential employees from turning their hands to mining, the Earl was obliged to import miners from the Duke of Argyle's disused Maitland colliery. These, however, very soon ran away, ostensibly because the Earl was too slow in providing bearers to work with them, but really, as he suspected, because "... their Wives wou'd not go so far off as 13 miles from Edinburgh".<sup>59</sup>

Despite these setbacks, the Earl maintained his habitually hopeful outlook, for in writing to Lord Milton about the departure of the Maitland miners, he remarked:

".... I assure you that every additional Coallier I get, is five and twenty pounds a year in my way, and I have Sale for more than I shall find soon."<sup>60</sup>

Unfortunately, neither mining revenues nor Government funds were to prove the Earl's salvation. No account survives of the Earl's financial affairs at the opening of the Rebellion or at the time of his death, but an idea of his predicament can be gained from the lengthy list of debts settled out of his own pocket by Robert Paterson,<sup>61</sup> the list of contents of Callendar House at the time of its forfeiture<sup>62</sup> and the Countess's testament at the time of her death in 1747.<sup>63</sup> The debts contracted by the Earl amounted to

57. Paterson, History of the Counties of Ayr & Wigton, vol.iii, p.392.

58. Erroll Writs, Box 37 - Robert Paterson's accompt, 1751.

59. Saltoun Mss., SC96, f.75 - Letter of Lord Kilmarnock to Lord Milton, 9th March, 1744.

60. Ibid.

61. Erroll Writs, 4th Notebook, "Accompt between James Lord Boyd and Robert Paterson", 1751. See Appendix Va.

62. Forfeited Estates Commission Papers, E761/1/2. (Scottish Record Office) - Inventory of the Furniture of Callendar House, 29th October, 1747. See Appendix Vb.

63. Erroll Writs, Box 37.

£1506.17s.1½d sterling, against which the value of the total contents of Callendar House amounted to only £465.14s. scots. The Earl's possessions at Kilmarnock would not have added much to this sum, for the Countess's total estate in 1747 (not counting the Callendar estate which was unsuccessfully claimed by the Forfeited Estates Commission) was valued at only £418.10s., comprised as follows:

first Four Cows valued at One hundred & eighteen pounds scots	£118.
Item An Hay stack at fifty four pound scots	54.
Item A Corn stack at twenty five pound ten shillings scots	25. 10s.
Item The whole furniture utencills and domicills in and about the defuncts house at Kilmarnock at two hundred and twenty one pound scots	221.
<u>Summa of the inventory of the Goods and gear.</u>	<u>418. 10s.</u>

In the light of these accounts it is easy to believe the truth of Lord Kilmarnock's statement to Mr. Foster that it was the "exigency of his affairs" and his hopes of retrieving them which led him to join Prince Charles.<sup>64</sup>

Having examined all the aspects of the factors involved in the Earl of Kilmarnock's decision, there seems no reason to doubt the truth of his own final assessment of his motives. Spurred on by neither religious nor political affiliations to the Stuarts, and apparently not unduly influenced by the pro-Jacobite opinions which have been somewhat dubiously ascribed to his wife, Lord Kilmarnock entered into the Rebellion of 1745 as one would engage in a business deal. As far as he could tell at the time of joining, he was attaching himself to the winning side. According to his reasoning, he owed it to his family to adopt this means of retrieving his fortune.

In this mode of reasoning, the Earl of Kilmarnock bore no relation to a man like Lord George Murray, who could face the situation realistically and still join the Prince's cause against all the odds:

"My life, my fortune, my expectations, the happiness of my wife and children are all at stake (and the chances are against

64. Foster, Account, pp. 10-11.

me), and yet a principle of (what seems to me) honour, and my duty to King and Country, outweighs everything."<sup>65</sup>

William Boyd's thoughts were entirely in the reverse order, for he gave little heed to what the successful outcome of the Jacobite Rebellion might mean for the country at large, but reckoned only on the possible rewards for his family. This pattern of thought appeared clearly in his last letter from the Tower, in which he counselled his son not to follow his example:

"Prefer the public interests to your own, wherever they do not interfere. Love your family and your children when you have any; but never let your regard for them drive you on the rock I split upon, when on that account I departed from my principles, and brought the guilt of the rebellion upon my head."<sup>66</sup>

The irony of Lord Kilmarnock's history is that, with his perpetual optimism and characteristically bad judgement, he naively blundered into an affair which only succeeded in wrecking the relationships which he cherished and depriving his family of everything. He was simply an amiable man out of his depth. If men such as he were the most promising whom Prince Charles could attract, then his cause in the Lowlands was bound to be in sore straits.

65. K. Tomasson, The Jacobite General, p. 20 - Letter of Lord George Murray to the Duke of Atholl, 3rd September, 1745.

66. Foster, Account, p. 44. - Letter of Lord Kilmarnock to Lord Boyd, 16th August, 1746.

CONCLUSION.

Although reaction to the Jacobite Rebellion of 1745 varied from one area to another in the Lowlands, the overwhelming majority of Lowlanders felt automatically hostile towards the prospect of a Stuart restoration. Delays in organising the raising of Lowland militia regiments compared with the spontaneous, speedy provision of such forces in 1715 was due, not to latent sympathies with the rebels, but to the disarming legislation which hampered law-abiding citizens whilst scarcely impeding dissidents, and to a growing expectation in an orderly community which was busily occupied by its developing economic pursuits that civil unrest should be dealt with by professional soldiers. The merchant's place was not on the battlefield, but that did not make him less enthusiastic in his support of the soldiers of the King. Civil war meant a disruption of trade, and the merchant and his employees, the improving farmer and all who had a stake in progress gave the Stuarts no thanks for foisting confusion upon the nation.

The men who, like Lord George Murray, followed the Prince purely as a matter of principle were probably in a minority even among his own supporters. The Prince's faithful Highlanders were not above hoping that they could save their cultural integrity and improve their economic status if the Stuarts were restored. Likewise, the numerous Jacobite supporters in the north-east Lowlands looked to a Stuart monarch for the protection of their Episcopalian religion and for a repeal of the iniquitous malt tax<sup>1</sup> which threatened an important sector of the local economy, whereas those who, like the woollen merchants of Aberdeen, saw their livelihood threatened, flouted tradition and backed King George. In the central and southern Lowlands the proportions were reversed and there the few who supported Prince Charles did so because their own interests coincided with his. They hoped for a more favourable religious settlement for their minority creeds, or the restoration of forfeited property, or the swallowing up of old debts under the mantle of new honours to be gained by participation in a successful campaign. These were the men upon whom the Prince had to rely, and he could depend upon them only so long as their mutual interests coincided.

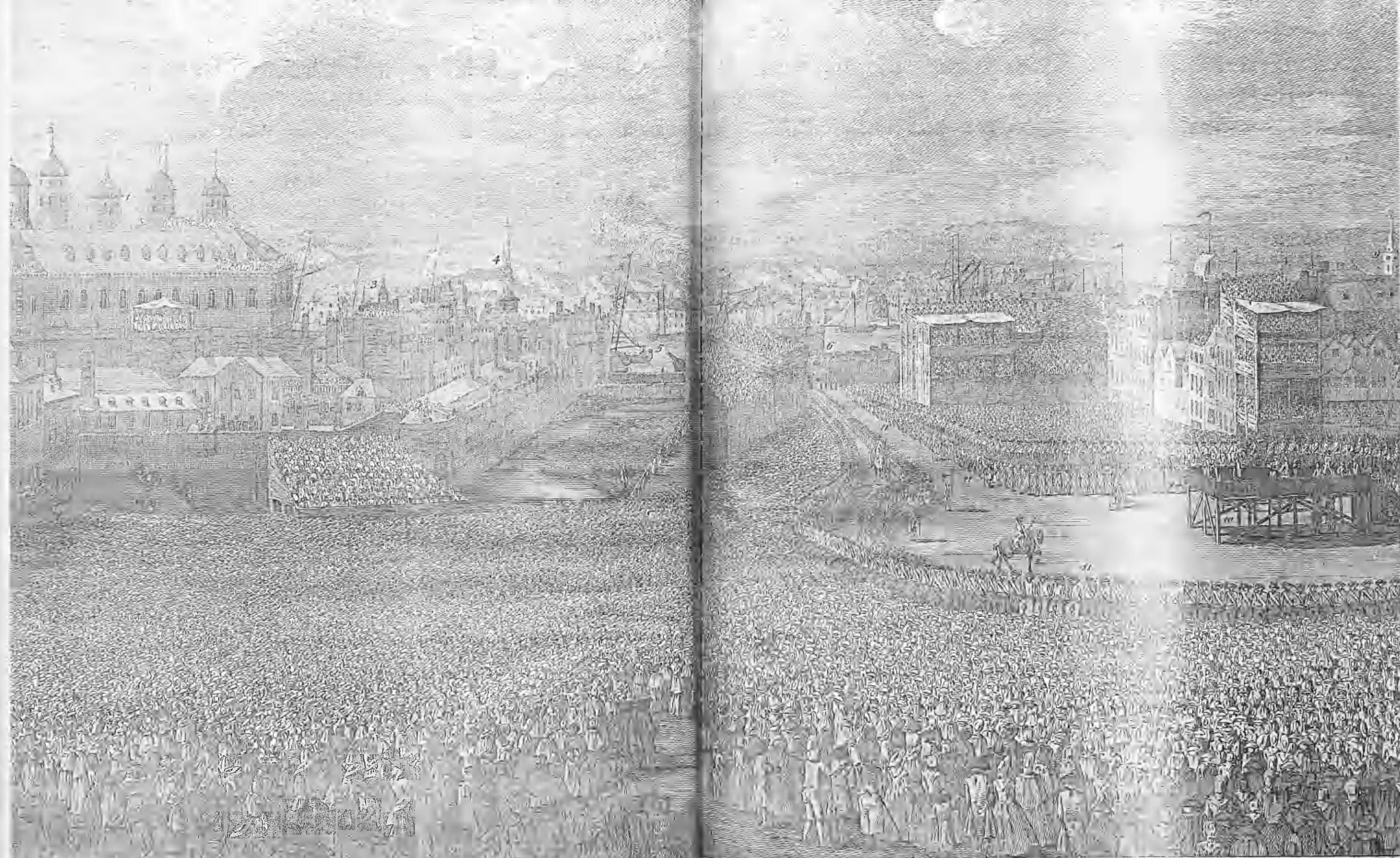
1. W.B. Blaikie, Origins of the Forty-Five, p. 122.

For the majority of Lowlanders these criteria were meaningless, for they wanted nothing that the Young Pretender offered and in any case they were instinctively suspicious of all that he promised, especially since necessity obliged him to make levies which seemed to negate his guarantees of civil liberties. They might grumble about "placemen" in Parliament,<sup>2</sup> but they felt no grounds for rebellion on behalf of a man whose grandfather had deprived towns of their charters. They wanted no part of his avowed religious toleration, for as far as most Presbyterians were concerned, religious minority groups were already given more than enough scope for their heretical worship. Above all, they feared and despised the Young Pretender's Highland followers, whom they regarded as barbarians, the antithesis of the progress upon which Lowlanders pinned their hopes.

Among their contemporaries, the citizens of Kilmarnock and Falkirk were typical. Conditioned by their history and encouraged by their hopes for the future, they elected, practically unanimously in Kilmarnock and overwhelmingly in Falkirk, to oppose the decision of their landlord and stand by their principles and their interests in supporting the Hanoverian regime.

To step out from such a background and make a decision for the opposing rebel camp a man had to be either unusually brave and dedicated to the Stuart cause and all that it stood for, or else a remarkably poor judge of the likely turn of events. It has been amply proved that the fourth Earl of Kilmarnock did not fall into the first category. Instead, he took the situation of October 1745 at face value and, for no other reason than self-interest and the supposed welfare of his family, joined the party which he took to be on the crest of the wave, without thinking of where the long term prosperity of the nation truly lay. Based on such transient motives and faulty judgment, his was not a decision which would win men of the Lowlands for the Stuart cause.

2. Scots Magazine, October 1739, pp. 482-3.



A True Representation of TOWER-HILL as it appear'd from a rais'd point of View on the North side, Aug<sup>r</sup> 9<sup>th</sup> 1746. when the Earl of Marnock and the Lord Balmorisc were Beheaded.

Published according to an Act of Parliament 1747, and sold N<sup>o</sup> 2 Maiden Lane Cheapside

Presented to me of Marnock by James Smith Gregory Registrar

APPENDIX I.

The EARL of LINLITHGOW and CALLENDAR  
in the 1715 REBELLION.

There is some controversy about the amount of support which the Earl of Linlithgow and Callendar brought to the Jacobite camp in 1715. The family's historian, E.B. Livingston, stated that "Linlithgow mustered as his contingent a band of three hundred of his own retainers, 'the blade and buckler-loving bairns of Falkirk,' whose forefathers had followed the earl's ancestors on many a stricken field".<sup>1</sup> On closer investigation, however, this statement proves to be a romantic embroidery upon the ambiguous comments of contemporaries.

According to Patten,<sup>2</sup> the Earl of Mar recorded in "A list of the most considerable Chiefs in Scotland, and the Number of Men they can raise" that the Earl of Linlithgow had jurisdiction over "300 Men, most, with their Chief, against the Government, and in the Rebellion". It should be noted, however, that Mar's figures were not accurate. For instance, he attributed to the Earl of Kilmarnock three hundred men, whereas that zealous supporter of the Government in fact raised over five hundred men.<sup>3</sup> Apparently Mar, as an advocate of the Jacobite cause had a tendency to underestimate the opposition, and it was equally possible that he might overestimate the strength of his own supporters.

The figure of three hundred men in connection with the Earl of Linlithgow occurs again in the evidence given to the Lord Provost of Edinburgh on 25th September, 1715, by Ebenezer Whittel, late servant to John, Earl of Mar. This witness stated that around 13th or 14th September Mar's party "... advanced to Kirkmichael, at which place they were joined by about 300 Horse, drawn up in two Bodies, the one under the Command of the Lord Drummond, and the other commanded by the Earl of Linlithgo."<sup>4</sup>

1. Livingston, E.B.: The Livingstons of Callendar (1920) p. 130.
2. Patten, R: The History of the Rebellion in Scotland (1717), p.94.
3. Rae, T: History of the Rebellion (1746), p. 203.
4. Evidence of E. Whittel, 25th Sept., 1715 - op.cit. Rae, p. 416.

It is immediately apparent that this statement is very different from that of Mar. The total contingent of 300 men was apparently shared by Drummond and Linlithgow, and there is no indication as to how many - if any - of the men had been raised by the latter.

Another contemporary source gave a very positive, and almost disparaging account of the Earl of Linlithgow's contribution. The Master of Sinclair stated that the Earl "spoke a good dale of his interest, tho' it never appeared amongst us."<sup>5</sup> In view of this, "... All the others took it ill that Linlithgow, whose squadrons was weak and mostlie composed of Stirelingshire gentlemen, which was the youngest countie, should carrie the Royall Standard ... Linlithgow would (have) had as little to keep him in countenance as a great many other Lords whose names I need not mention, if Mar had not given him the Royal Standard, which brought him a command out of all sorts of people, and made up but a weak squadrone at best".<sup>6</sup>

Doubtless there was a good deal of bitterness and frustrated ambition behind Sinclair's jaundiced criticism, but that does not preclude there being an element of truth in it.

Perhaps the strongest evidence to suggest that the Earl did not have a strong following from Falkirk lies in the complete absence of references in 1716 to Falkirk men being cited before the Kirk Session or the civil authority for participation in the rebellion.<sup>7</sup> This is in marked contrast with the situation in 1647 when the Kirk Session and the Presbytery severely censured those Falkirk men who had joined the Earl of Callendar in the unsuccessful struggle against Cromwell which culminated in an ignominious rout at Preston.<sup>8</sup> In 1716 as in 1647 the Earl was not at hand to protect his supporters from the wrath of the righteous fathers of the Kirk, but in 1716 that wrath found no target. It may be correct to surmise that this was because, as Sinclair stated, the Earl's local following was small.

5. Master of Sinclair - op.cit. Terry, C.S.: The Jacobites and the Union (1922), p. 63.

6. Ibid, p. 77.

7. I am indebted to Mr. Lewis Lawson for this observation.

8. Lawson, L: The Church at Falkirk, pp. 44-5.

APPENDIX II.

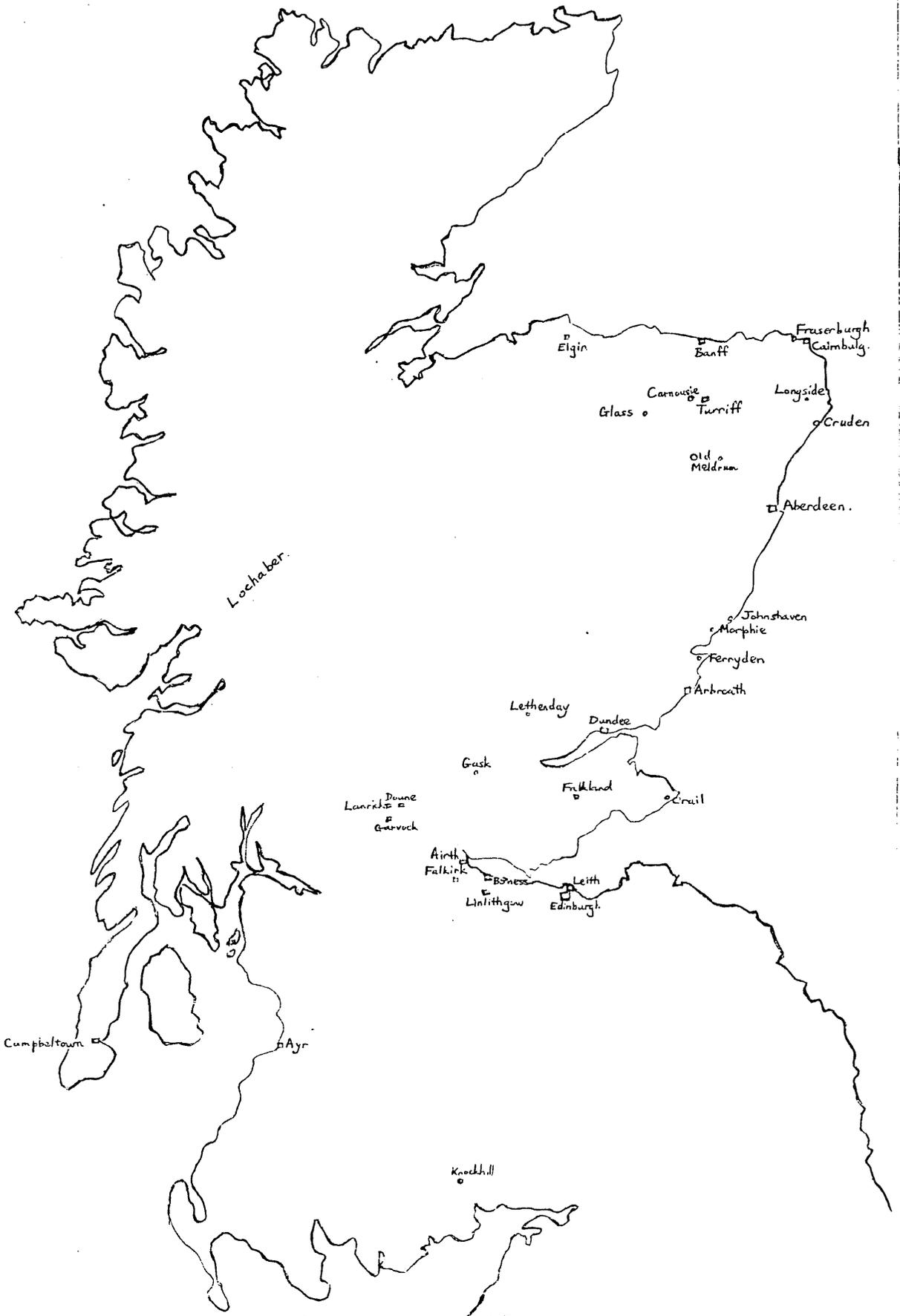
LIST of MEN in LORD KILMARNOCK'S REGIMENT 1745-46.

The list which follows has been compiled chiefly from documents SP/36/84/40 and SP/36/84/45, which appear in Appendices IIc and IIId. It has been expanded by reference to "Prisoners of the 'Forty-Five", and Macleod's "A List of Persons Concerned in the Rebellion". The list cannot claim to be fully accurate, but where there is considerable doubt as to a man's inclusion in the regiment, his name has been omitted.

LIST of ABBREVIATIONS.

CH.	- Church Records
E.W.	= Erroil Writs
J. of A. and B.	- Jacobites of Aberdeen and Banff - Tayler, A. and H.
Macleod	- A List of Persons Concerned in the Rebellion, 1745-6 - MacLeod, Rev.W. (Ed.) (Sc. Hist. Soc., 1890)
P.45	- The Prisoners of the Forty-Five - Seton, B.G. and Arnot, J.G. (Sc. Hist. Soc., 1928-29)
P.R.O.	- Public Record Office
S.P.	- State Papers
S.R.O.	- Scottish Record Office
Tullibardine	- A Military History of Perthshire - Marchioness of Tullibardine, Perth (1908)
Dates	- Where dates of capture are stated only by the month, this may be assumed to refer to 1746.

Origins of Lord Kilmarnock's Recruits.



APPENDIX IIA

LIST of MEN PRESUMED to HAVE SERVED in LORD KILMARNOCK'S REGIMENT, 1745-46.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
ANDERSON, John	Seabegs, Falkirk	Probably son of Robert Anderson of Seabegs. In 1739 there were a Walter and a John Anderson, sons of Robert Anderson, enrolled in Falkirk Parish School.	PRO - SP/36/84/40. SRC - CH 2/400 - 7 Falkirk records for 9th March, 1739.
ANDERSON, Walter	Seabegs, Falkirk.	Brother of John above.	PRO - SP/36/84/40. SRC - CH 2/400-7.
AULD, John	Falkirk	"A boy of 14; confesses that he acted as a drummer to Kilmarnock's Horse, but was forced thereto by his step-father." (PRO-SPD - 89-272, op.cit. P. 45)	PRO - SP/36/84/40. P.45, -ii, 16-17.
BAIRD, William	Falkirk	"Coal Hewer to Kilmarnock." Aged 25 years. Sergeant. (P.45) Not mentioned on list of 16th Feb. to 16th March, but arrears of £2.6s. owing to him for 29th Jan. to 16th March. Apparently not paid at sergeant's rate, but rank stated in P. 45. Imprisoned at Stirling (23rd April) and Carlisle (8th Aug.) Tried, 19th-	PRO - SP/36/84/45. P.45 -ii, 20-1 Macleod, 264.

NAMEORIGINDETAILSSOURCE OF REFERENCE

BANKS, Robert

-

"Attested by Dr. Young".

PRO - SP/36/84/40.

BISSET, Robert

Leith

May have been Leith brickmaker who "joined the rebels at Dalkeith and carried arms" and "was in Leith prison", 2nd May. Also in prison at Perth, 10th Aug., and at Canongate and Carlisle.

P. 45, ii, 36-7

Macleod, 246.

BLACKIE, Charles

Campbeltown

Sailor. "Joined the rebels at Edinburgh and continued with them till disperst." Imprisoned at Campbeltown, 2nd June, and Dumbarton, 7th July.

PRO - SP/36/84/40 - name

deleted. P. 45, ii, 36-7

Macleod, 290.

BOETON, Antonie

-

PRO - SP/36/84/40.

BOYD, Charles

Callendar House

Twin son of Lord Kilmarnock, Captain "Larking". Spent some time in Arran before going to France.

Macleod, 264.

BOYD, George

Callendar House

Servant to Charles Boyd, imprisoned at Carlisle and York. Pleaded guilty, sentenced to death, but reprieved, pardoned conditionally on enlisting in Boscawen's regiment, 22nd July 1748.

Macleod, 264, 381 P. 45 -ii,

46-7.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
BROWN, Robert	-	-	PRO - SP/36/84/40.
CALLANDER, James or Rowentreeburn, Falkirk.	Callanderfield or Rowentreeburn, Falkirk.	"Attested by Dr. Young". Possibly a maltster, James and John, sons of Robert Callander in Rowentreeburn, were enrolled in Falkirk Parish School, 1739. In 1750, the tenants of Callanderfield were Alex and J _____ Callander and Jas. Pudsoch. Callander was probably a fairly common name around Falkirk.	PRO - SP/36/84/40 SRO - CH 2/400/7 EW - Rental of Callander Estate, 1751.
CAMPBELL, James	-	-	PRO - SP/36/84/40.
CHIDAD, William	Banff	Aged 20. Imprisoned at Inverness, June, and on "Alexander and James" at Tilbury. Also appears as CHICAD.	F.45 - ii, 112-13. J. of A. and B. - 421.
CLERK, Thomas	Morphie, Logie, Kincardineshire.	Possibly Thomas Clark, who "Carried arms at Culloden" and later hid in "father's house" near Montrose.	PRO - SP/36/84/40 MacLeod, 156.
CORSM, John	-	Possibly James Corse, who was imprisoned at Perth, 13th May, and discharged on bail, 30th July.	PRO - SP/36/84/40 1. 45 -ii, 128-9.
COUTS, Alexander	Edinburgh.	Goldsmith's servant (possibly Adam Tait's).	PRO - SP/36/84/40 MacLeod, 246.

NAMEORIGINDETAILSSOURCE of REFERENCE

COWIE, John	Morayshire	Possibly John Cowie, who was awaiting trial at Inverness in a civil court "for aiding and assisting to the Pretender". (P.45)	PRO - SP/36/84/40. P.45, ii, 130-1 (Ms., Nat. Lib.)
CROOKSHANKS, Francois	Kraserburgh	Possibly Dr. Cruickshank from Fraserburgh, who "joined the rebel army at Edinburgh".	PRO - SP/36/84/40 Macleod, 88.
CUNNISON, John	Campbeltown	Excise officer. "Joined the rebels at Edinburgh, drank treasonable healths and spoke disrespectfully of H.R.H. the Duke of Cumberland." (Macleod) Imprisoned at Dumbarton, released under general pardon, 1747.	PRO - SP/36/84/40. P. 45 -ii, 140-1 Macleod, 290.
DAVIDSON, George	Glenconglass, Elgin	Listed with James Davidson below. Name of home possibly Glencolness.	J. of A. and B. - 423.
DAVIDSON, James (1)	Glenconglass	Among "recruits since 21st Febr'y". "At home" after Culloden.	PRO - SP/36/84/40 Macleod, 102. J. of A. and B. - 423.
DAVIDSON, James (2)	Myreside, Falkland	"Went servant to Lord Kilmarnock when he joyn'd the Rebels, but bore no arms" (p.45) Arrears of £3.10s.	PRO - SP/36/84/45. P.45, ii, 146-7. Macleod, 64.

NAMEORIGINDETAILSSOURCE OF REFERENCE

owing for 29th December to 16th March. Imprisoned at Falkland. Discharged.

DENOTHY, John

Callendar House

Wig-maker, servant to Charles Boyd. Also listed as DENATER, DENATIS.

P. 45 -ii, 152-3  
Macleod, 264.

Said to be French and in French service. Imprisoned at York Castle. Apparently not exchanged as prisoner of war, for on 17th Jan., 1749, he was listed as a prisoner under death sentence who had been overlooked. Said to have been transported.

DEWERT, David

Callendar House

Gardener to Lord Kilmarnock. Said to have been "arrested on suspicion" at Perth, 7th May, Died, 31st August. Listed also as DAVERY, DEVERTY.

PRO - SF/36/84/4C  
Macleod, 264. P. 45,  
-ii, 152-3.

GARDNER, Nicholas

Clichton, Lincs.

Age 27 years. "Servant at Clichton". Prisoner at Perth (29th Feb.), Canongate (10th Aug.) Carlisle (Aug. 1746) and Liverpool (Aug. 1747). Transported.

PRO - SF/36/84/4C. P. 45,  
ii, 222-3.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
GIBB, John	Aberdeen	Prisoner at Aberdeen, Nov.- Dec. 1746. Released under general pardon, 1747.	P. 45 -ii, 226-7 J. of A. and B. 427.
GORDON, George	Beldorny, Glass,	Brother of John Gordon of Beldorny. "Went to surrender himself for being in the rebellion, but was detained and imprisoned on suspicion of being an officer in the rebel army." Prisoner at Huntly, 15th Sept., and Aberdeen, 14th Dec. Released under general pardon, 1747.	P. 45 -ii, 236-7 J. of A. and B. - 247.
GORDON, John of Beldorny	Beldorny	Probably in same regiment as brother George, who was with Lord Kilmarnock.	J. of A. and B. - 246.
GRAEME, Robert of Garvock	Garvock, Fortavit, Perthshire.	Lieutenant, Perthshire Squadron. "Levied Excise at Duns for the Rebels and went along with them". (Macleod). Escaped to Sweden after Culloden but was arrested and imprisoned at Perth Tolbooth on his return in 1753. Released, 1754.	Macleod, 44 P. 45 -ii, 246-7.
GRAHAM, William or Garvock?	Airth, Perthshire.		MAC - 88/36/84/40.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
GRANT, Robert	Aberdeenshire.	"Prisoner at Culloden" (J. of A. & B.)	PRO - SF/36/84/40 J. of A. and B. - 430.
HALDANE, Alexander	Lanrick, near Callendar, Perthshire	"Had commission in rebel army." Escaped to Continent.	Macleod, 56, 373.
HALDANE, John of Lanrick (1)	Lanrick, near Callendar, Perthshire	Major. Said to have forced leading citizens of Lanark to declare for Fretender. Escaped to Continent.	F.45 Appx. Tullibardine, ii, 323. Macleod, 56, 373, 385, (Precognition of Chas. Bannatyne, Lanark, 1748).
HALDANE, John (2)	Lanrick.	Son of above. Captured after Culloden, imprisoned in Cromarty Town House. Died of wounds, 30th May.	F.45, ii, 272-3.
HARVIE, James	Linlithgow Bridge	Inn-keeper. Quartermaster for Lord Kilmarnock. Was owed 4 weeks' pay, £2.16s., March 1746. Prisoner at Canongate, Carlisle (8th Aug.), Penrith. Fleaded guilty at Carlisle; sentenced to death, 22nd Sept., executed at Penrith, 28th Oct.	PRO - SF/36/84/40. F. 45- -ii, 276-7. Macleod 266.
HAY, John	Delgatie, Turriff	Wright. "Recruits since 21st Febr'y". (PRO) "A recruiting officer and the principal person who proclaimed the	PRO - SF/36/84/40 Macleod, 30. J. of A. and B., 430.

NAME

ORIGIN

DETAILS

SOURCE of REFERENCE

Pretender at Turriff and drank rebellious healths." (Macleod)

Note - Hays of Erroll had seat at Dalgaty Castle.

JOHNSTON, Andrew      Knockhill, Annandale

PRO - SF/36/84/40

Age 18 years. Son of Johnston of Knockhill. "Carried Arms with the Rebels from the time they left Edinburgh till they dispers'd." (Macleod)

- SP/36/84/45 P. 45, ii, 304 - 5. Macleod, 142, 380.

"Lurking" with father after Culloden, but tried at York, pleaded guilty, sentenced to death. Was owed arrears of £1.11s. from 29th Jan. to 20th Feb.

JOHNSTON, James L.      Knockhill, Annandale

Macleod, 142.

"Carried Arms with the Rebels from the Time they left Edinr till dispers'd." Probably with Kilmarnock, as his son was. "Lurking" with son after Culloden.

JOHNSTON, John      Burnend, Carnousie

P.45, -ii, 304-5

Age 18 years. Servant. "Private man returned to the country." "Lurking" (Macleod). Prisoner at Inverness and on "Wallgrave" at Tilbury. Transported.

Macleod, 32  
J. of A. and B., 431.

JOHNSTON, Richard

Lancaster

Combmaker. Listed as being in Manchester

PRO - SP/36/84/40

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
KEMPIE, John	Gask, Perthshire	Brigade, but he was with Lt. Kilmarnock in Feb./March. Prisoner at Stirling, 3rd May, and Carlisle. Transported. Servant to Lt. Cliphant of Gask. Prisoner at Perth (2nd May), Canongate (10th Aug.) and Carlisle. Transported.	P.45 -ii, 306-7. P.45 -ii, 312-3.
KINASTON, John	Lochaber	"John Gilmour says he was billeted on him, while the rebels were at his house, and that he told him he belonged to Kilmarnock's regiment." Prisoner at Inverness; may have died on transport ship.	P. 45 -ii, 320-1.
LAMB, Joseph	Stonehaven.	"Attested by Dr. Young", (PRO) May be related to Wm. Lamb, stocking maker from Stonehaven (MacLeod, 176).	PRO - SF/36/84/40.
LEITH, Alexander	Turriff	Mason. "Baggage man to Col. Boyd". (P.45) "Recruits since the 21st Februry." (P.R.O.) Prisoner at Turriff (1st Oct.) and Aberdeen (4th Oct.)	PRO - SF/36/84/40 P.45 -ii, 338-9. J. of A. and B., 432.
LESSLIE, William	Hillhead of Turriff	Farmer's son. "Recruits since the	PRO - SF/36/84/40.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
LINDSAY, Peter	Wormistone, Crail.	21st Febry. (PRO) "A private man and returned to the countrey". "Lurking". (Macleod). Age 46 years. Son of Commissary Clerk of St. Andrews. "Wardrobe keeper, Holyrood". Captain. "Carried arms and assisted in levying the Cess and Excise". (F.45). Prisoner at Dundee (30th June) and Carlisle (8th Aug.). Sentenced to death.	Macleod, 32. J. of A. and B, 433. P. 45 -ii, 344-5 Macleod, 66, 374.
LOFFTAN, Thomas	-	-	PRO - SF/36/84/40.
McBAIN, Daniel	-	Was owed arrears for 29th Dec. to 16th March, but not mentioned in list of Feb./March.	PRO - SF/36/84/45.
McCULLOCH, William	Callendar House	Servant to Id. Kilmarnock	Macleod, 266.
McDONALD, Donald	Edinburgh	"Riding master to Kilmarnock's horse". (P.45). Prisoner at St. Ninians (1st Feb.), Edinburgh (Dec.). Released under general pardon, 1747.	PRO - SI/36/84/40 P.45 -iii, 56-7.
McIMPIRE, Daniel	-	"Attested by Dr. Young".	PRO - SI/36/84/40.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
McKENZIE, William	Elgin Banff	"Confesses that he bore arms in Kilmarnock's rebel regiment, and witnesses depone that they saw him at Perth wearing Highland dress stand as a sentinal on the rebel's cannon" (P. 45).	P.45 -iii, 134-5 Macleod, 114. J. of A. and B., 435.
		"Carried arms in said army deluded by David Tulloch." "Lurking" (Macleod). Said to be from Elgin (Macleod) or Banff (J. of A. and B.) Possibly 2 men of this name. Prisoner at Perth (23rd Oct.), escaped (30th June, 1747).	
McNaughton, John	Edinburgh	Match-maker. In Perthshire Squadron.	P.45 iii, 172-3. Macleod, 252.
McQueen, Donald	Brae Ruthven, Inverness-shire	Possibly relative of Alex. MacQueen, smith at Brae Ruthven. Was owed arrears of £3.5s. from 11th Jan. to 16th March. Ld. Kilmarnock was at Ruthven with Prince Charles on 12th Jan.	PRO - SP/36/84/45 Macleod, 120.
MERCER, Lawrence of Lethenty	Pendreich, Lethenday, Perthshire	Son of Sir Lawrence Mercer of Melginch, Volunteer in Perthshire Squadron. "Carried arms in Rebel Army from a	P.45 - iii, 190-1 Macleod, 226, 378.



<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
ALIPHANT, Lawrence (2)	Gask, Perthshire	Sons of above.	P.45, Appx.
PARKERSON, John	-	Possibly Farquharson.	PRO - SP/36"
PIRRIE, John	Turriff	Servant to Gordon of Dorlathiere, "Recruits since the 21st Febr'y." (PRO).	PRO - SP/36/84/40 J. of A. & B., 440.
PROCTOR, Robert	Wharton, Lancs.	Cooper. Prisoner at Macclesfield and Chester Castle. Said to have served with Hamilton's Dragoons; may have been treated as deserter.	F.45, - iii, 258-9.
QUEEN, Thomas	-	Possibly MacQUEEN (see above)	PRO - SP/36/84/40.
RAMSAY, David	-	-	PRO - SP/36/84/40.
RIDDOCH, Peter	Doune, Perthshire	Slater. Captured at Doune, prisoner at Stirling (25th May) and Carlisle (8th Aug.). Transported.	PRO - SP/36/84/40 P.45 - iii, 272-3.
ROBERTSON, Alexander	-	-	PRO - SP/36/84/40.
ROBERTSON, Andrew	-	"Recruits since the 21st Febr'y"	PRO - SP/36/84/40.
ROBERTSON, Thomas	Edinburgh	Servant to Peter Spalding, goldsmith. Sergeant. Held in City Guard.	PRO - SP/36/84/40 Macleod, 256.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
ROBERTSON, William (1)	-	Prisoner at Canongate and Carlisle. Transported.	PRO - SP/36/84/4C P.45 - iii, 28C-1.
ROBERTSON, William (2)	-	"Recruits since the 21st Febr." Listed with Andrew Robertson.	PRO - SP/36/84/4C.
ROGER, Charles	-	-	PRO - SP/36/84/4C.
SANGSTER, William	Bullers of Buchan, Aberdeenshire.	Blacksmith from Nay territory. Prisoner at Aberdeen (26th Nov.) Released under general pardon, 1747.	P.45, iii, 300-1 Macleod, 96. J. of A. and B., 442.
SEMPLE, James	Borrowstounness (Bo'ness)	Weaver. "Carried arms in Kilmarnock's troop and was active in seizing horses".	P.45 -iii, 304-5.
SHEDDEN, Charles	Ayr. (More likely to be Kilmarnock.)	Listed as SEDDON and SHEDDEN, but probably 1 man. Age 70 years. "Servant", "coal griever", "taken in actual rebellion". Prisoner at Carlisle and York. Transported.	P.45 -iii, 304-5 310-1 Macleod, 266.
SHERWOOD, James	Fife	Age 63 years. Also listed as SHERWOOD. Prisoner at Inverness and on "Thane of Fife" (June).	PRO - SP/36/84/4C P.45. -iii , 312-3.
SHEPHERD, John	Ferryden Craig, Forfar	Age 20 years. Servant to Mr. Watson, inn-keeper at Arbroath. Said he was	PRO - SP/36/84/4C P.45 -iii, 310-1

NAMEORIGINDETAILSSOURCE OF REFERENCE

"prest out" (F.45). "Attested by Dr. Macleod, 188.

Young". (PRO). Prisoner" at Stirling (Feb), Leith (Feb.), Canongate and Carlisle. Transported.

(\* Some confusion over dates, but other circumstances fit.)

SMITH, Andrew  
Old Meldrum,  
Aberdeenshire

Age 21 years. Farm labourer. Was  
owed arrears of £2.1s. from 3rd Feb.

PRO - SP/36/84/40  
- SP/36/84/45

to 16th March. Prisoner at Edinburgh  
Castle (17th March) and on "Margaret  
and Mary" and "Liberty" at Tilbury  
(June). Transported (31st March, 1747).

F.45. -iii, 32C-1. J. of A.  
and B., 443.

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SMITH, George  
Cairnbulg,  
Fraserburgh

Age 24 years. Farm labourer. Prisoner  
at Inverness (June) and on "Thane of  
Fife" and "Liberty" at Tilbury.  
Transported (31st March, 1747).

F.45, -iii 324-5. J. of A.  
and B., 443.

STRACHAN, James  
Aberdeen

"Acted as tidesman for the rebels"  
(F.45). Prisoner at Banff (23rd  
Sept.) and Aberdeen (29th October).  
Released under general pardon, 1747.

F.45 iii, 354-5  
Macleod, 20. J. of A.  
and B. - 444.

TAIT, Adam  
Edinburgh

Goldsmith. "Carried arms as Rebel  
Hussar". (Macleod)

PRO - SP/36/84/40  
Macleod, 256.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
WARRING, John	-	-	FRO - SF/36/84/40.
WATTSON, John	Arbroath	Innkeeper, master of John Shepherd (above). Prisoner* at Stirling and Leith (Feb.) Canongate and Carlisle. Transported. (*See note re Shepherd) "Attested by Dr. Young." (FRO).	FRO - SF/36/84/40 F.45, iii, 392-3 Macleod, 192.
WATTSON, Thomas	Arbroath	Merchant. "Carried Arms in England etc., with the Rebels - worth £25 yearly of land rent". "Prisoner" (Macleod).	FRO - SF/36/84/40 Macleod, 192.
WISE, Ninian	Falkirk	Also listed as WYCE. Gardener to Id. Kilmarnock. Several WYSES in Call. Estate rent lists, 1751. Captured at Kippen, prisoner at Stirling Castle (27th May) and Carlisle. WISE said to have been transported, but WYCE released under general pardon, 1747. If these are the same men, he may have been sentenced to transportation, but reprieved and later released.	P.45 -iii, 406-7 Macleod, 268 B.M. - Call Est. rent lists, 1751.
WOODSTOCK, Thomas	-	Name deleted on list for Feb./March.	FRO - SF/36/84/40.

It seems likely that the men named in the following list were also enlisted in Lord Kilmarnock's regiment, although they are not named specifically in State Papers 36/84/40 or 36/84/45 or in "Prisoners of the '45 as having served with him. They are mentioned, however, in Macleod's "A List of Persons named in the Rebellion" as having been in active service with the Jacobites and it seems probable to surmise that they, like other Falkirk men in the same list, served with the local landlord. Additional background notes about some of these men are supplied by J. Love in "Local Antiquarian Notes and Queries", vol. 4 (Falkirk, 1928).

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
GALBREATH, James	Pows Mill, Airth	"Carried arms with rebels at Falkirk; lurking."	Macleod, 54.
GRAHAM, James	Airth	"Joined the rebels when they first crossed the Forth, and carried arms with them; lurking." Son of James Graham of Airth, Judge of Court of Admiralty, and Lady Mary Livingston, Aunt of Lady Kilmarnock. Attainted; died in Scotch College, Paris.	Macleod, 56 Love, 85.
GRAHAM, Walter	Falkirk	Surgeon. Born (1724) in the "Great Lodging" in Falkirk, where Prince Charles is said to have slept after B. of Falkirk. Died in exile in Holland, 1793.	Macleod, 264 Love, 87.

<u>NAME</u>	<u>ORIGIN</u>	<u>DETAILS</u>	<u>SOURCE of REFERENCE</u>
LIVINGSTON, James	Falkirk	Postmaster; aged 67 years. Master of Masonic Lodge of Falkirk, 1739. "Carried arms in the Rebel Life Guards". Excluded from act of general pardon, 1747. Thought to have died in Holland, 1760s.	Macleod, 266 Love, 87-8.
MURRAY, John	Airth	Merchant's son. "... in the rebel service from their crossing the Forth"; lurking about Hillfoot.	Macleod, 58 Love, 85.

APPENDIX IIb.

LORD KILMARNOCK'S REGIMENT, 1745-46.

ORIGINS OF REGT.

ABERDEENSHIRE.

Aberdeen	2	(John Gibb (shoemaker), Jas. Strachan (tidesman)).
Beldorny, Glass.	2	(John Gordon (laird), George Gordon (brother)).
Bullers of Buchan, Cruden	1	(Wm. Gangster (blacksmith)).
Cairnbulg, Fraserburgh	1	(George Smith (farm labourer)).
Delgatie, Turriff	1	(John Hay (wright)).
Longside	1	(John Mill (labourer)).
Old Meldrum	1	(Andrew Smith (farm labourer)).
Tulliecairn	1	(Andrew Mill (farm labourer)).
Turriff	3	(Alex. Leith (mason), Wm. Leslie (farmer's son), John Pirrie (servant to Gordon of Dorlathers)).

13

ANGUS

Arbroath	2	(John Wattson (innkeeper), Thos. Wattson (merchant)).
Dundee	1	(Wm. Moor (horse-hirer)).
Ferryden Craig	1	(John Shepherd (servant to John Wattson)).

4

ARGYLLSHIRE

Campbeltown	2	(Chas. Blackie (sailor), John Cunnison (excise officer)).
-------------	---	---

2

AYRSHIRE

Ayr	1	(Chas. Shedden (coal griever, 70)).
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BANFFSHIRE

Banff	2	(Wm. Chidad, Wm. McKenzie).
Burnend, Carnousie	1	(John Johnston (servant, 18)).

3

DUMFRIES-SHIRE

Knockhill, Annandale 2 (Jas. Lesslie Johnston (laird),  
Andrew Johnston (son)).

—  
2  
—

EDINBURGH

5 (Alex. Couts (goldsmith's servant),  
Donald McDonald (riding master), John  
McNaughton (watch-maker), Thos. Robertson  
(goldsmith's servant), Adam Tait (goldsmith))

—  
5  
—

FIFE

County 1 (Jas. Sheerwood).  
Myreside, Falkland 1 (Jas. Davidson (1) (servant)).  
Wormiston, Gail 1 (Peter Lindsay).

—  
3  
—

INVERNESS-SHIRE

Brae Ruthven 1 (Donald McQueen)  
Lochaber 1 (John Kinaston)

—  
2  
—

KINCARDINESHIRE

Morphie, Montrose 1 (Thos. Clerk (servant)).

LANCASHIRE

Clichton 1 (Nicholas Gardner (servant)).  
Lancaster 1 (Richard Johnston (comb-maker)).  
Wharton 1 (Robert Proctor (cooper)).

—  
3  
—

LOTHIANS

Borrowstouness 1 (Jas. Semple (weaver)).  
Leith 1 (Robt. Bisset (brick-maker)).  
Linlithgow Bridge 1 (Jas. Harvie (innkeeper)).

—  
3  
—

MORAYSHIRE

County	1 (John Cowie).
Glencolness, Elgin	2 (George Davidson, Jas. Davidson (2)).
	<hr/> 3

PERTHSHIRE

Doune	1 (Peter Riddoch (slater)).
Garnock	1 (Robt. Graeme (laird)).
Gask	3 (John Kempie (servant), Laurence Oliphant (1) (laird), Laurence Oliphant (2) (son)).
Lanrick, Kilmadock	3 (John Haldane (laird), Alex. Haldane (son), John Haldane (son)).
Pendreich, Lethenday	1 (Laurence Mercer (laird)).
	<hr/> 9

STIRLINGSHIRE

Airth	2 (Jas. Graham*, Jas. Murray* (merchant's son)).
Callendar House	5 (Chas. Boyd (Earl's son), George Boyd (servant), David Davert (gardener), John Denothy (wig-maker), Wm. McCulloch (servant)).
Falkirk	9 (John Anderson, Walter Anderson, John Auld, (14) Wm. Baird (coal hewer), Jas. Callendar, Walter Graham* (surgeon), Jas. Livingston* (post master) Robt. Niocel, Ninian Wise (gardener)).
Pows Mill, Airth	1 (Jas. Galbreath*).
	<hr/> 17

ORIGIN UNCERTAIN

Banks, Robt.	- "attested by Dr. Young".
Bolton, Antonie	
Brown, Robt.	
Campbell, Jas.	
Corsn(-e), John	
Crookshankes, Francois	- possibly doctor from Fraserburgh.
Graham, Wm.	- possibly from Garvock or Airth.
Grant, Robert.	- possibly Morayshire.
Lamb, Joseph	- "attested by Dr. Young".

\* Included on circumstantial evidence - see page 136.

Lofftan, Thos.

McBain, Daniel.

McIntire, Daniel

- "attested by Dr. Young".

Parkerson, John

Queen, Thos.

Ramsay, David

Robertson, Alex.

Robertson, And.

- "recruits since the 21st Febry".

Robertson, William (1)

Robertson, William (2)

- "recruits since the 21st Febry".

Roger, Chas.

Warring, John

Woodstock, Thos.

—

22

—

Total:- 93

—

APPENDIX IIc.

A list of the Men's Names that are in the Right Hon<sup>ble</sup> The Earl of Kilmarnock's Troop of Horse from the Sixteenth of Feby to the sixteenth of March 1746, excepted from this, those that are with his Lop.\*

(P.R.O. - SF/36/84/40.)

James Harvie	Quarter Master	4 weeks pay	£2 : 16 :
Thos. Robertson	Sergt.	4 weeks pay	2 : 2 :
Francois Crookshankes			1 : 8 :

(The following men were paid at the same rate of £1 : 8s.)

Wm. Robertson	Robt. Niocel
Robert Brown	Nicholas Gardner
John Warring	John Parkerson
Alex <sup>r</sup> Coutts	William Moor
Charles Roger	James Campbell
Rob <sup>t</sup> . Grant	Thos. Lofftan
John Corsn	Alex <sup>r</sup> . Robertson
Thos. Clerk	And <sup>w</sup> . Johnston
David Ramsay	Adam Tait
Petter Riddoch	Antonie Bolton
Thos. Wattson	Charles Blackie (name deleted)
And <sup>w</sup> . Smith	Thos. Woodstock (name deleted)
Will <sup>m</sup> . Graham	David Devert
J <sup>o</sup> . Anderson	John Mill
Rich. Johnston	Walter Anderson
James Sheerwood	Thos. Queen
John Cunnison	John Auld           Drumer

A list of the such attested by Dr. Young.

Robt. Banks	£1 : 8 :
-------------	----------

(The following men were paid at the same rate.)

John Shepherd	James Callander
John Wattson	Joseph Lamb
Daniel McIntire	Donald McDonald

A list of Recruits since the 21st Februry.

John Hay	23 dayes paye.	21 : 3 :
John Pirrie	23 dayes paye.	

(The following men are included in the same list.)

William Robertson	James Davidson
And <sup>w</sup> . Robertson	William Lesslie
Jo. Cowie	Alexander Leith

The whole amount is	£72 : 10
Rece'd at two different times	27 : 12
Ballance due	25 : 6

\* NOTE:- At this time Lord Kilmarnock was accompanying Prince Charles by the inland route from Stirling to Inverness via Blair Atholl and Ruthven while his troops went with Lord George by the longer coastal route via Aberdeen. This probably explains the absence from the above list of most of the men of higher social standing in the regiment, such as the Oliphants of Gask, who were likely to have accompanied the Prince and Lord Kilmarnock.

APPENDIX IIId.

Arrears Resting The Right Hon<sup>ble</sup>, the Earl of  
Kilmarnock, to his Grandiers.

(P.P.O. - SP/36/84/45.)

To Donald MacQueen <sup>1</sup> from 11th Januy to the 16th March	23: 5:
being 65 dayes.	
To And <sup>w</sup> . Smith from the 3th Febry to the 16th March	2: 1:
41 Dayes.	
To Jas. Davidson <sup>2</sup> from the 29th Dec. to the 16th March	3:10:
To Daniel McBain <sup>1</sup> do.	3:10:
To Will <sup>m</sup> . Baird <sup>1</sup> from the 29th Januy to the 16th March	2: 6:
being 46 dayes	
To And <sup>w</sup> . Johnston from the 29th Januy to the 20th Febry	<u>1:11:</u>
being 31 dayes	£16:19:

- NOTES:-
1. These men are not in the lists of SP/46/84/40.
  2. This is apparently not the same man as in the list of SP/36/84/40, for the latter had been recruited since 21st February.

APPENDIX III.

EXPORTS OF KILMARNOCK MERCHANTS THROUGH BO'NESS, NOV. 1742 TO AUG. 1746.

The names of the merchants in the following list have been obtained from the Kilmarnock Register of Mortality for 1728 to 1763 and the list of burghesses in the minutes of the Head Court of the Baronies of Kilmarnock and Grougar, 1709-46.

These names were checked against the Customs Quarterly Accounts for Bo'ness, September, 1742 to September 1746. The Customs records contained the names of other merchants (e.g. James Arnott, James Baird) who from the nature of their products (and in the case of James Arnott an association with William Gilchrist of Kilmarnock) may have been Kilmarnock men, but they have not been included in the following list as their origins have not been verified. The records also show shipments of woollen goods and skins in the names of the masters of some of the ships which carried the goods of Kilmarnock merchants. It is quite probable that most of these goods originated in Kilmarnock, but they are not included here and it is not possible to prove their source. It should be borne in mind, however, that for these reasons the list of exports is probably not complete.

EXPORTS OF KILMARNOCK MERCHANTS THROUGH BO'NESS, NOV. 1742 TO AUG. 1746.

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>DESTINATION</u>	<u>CARGO</u>
15.11.1742	James Wilson	Marjory & Ann	Campvere	2 tons 8 cwts woollens. 48 otter skins 12 fox " 36 dog "
7.2.1743	John Morton	Euphan (Bo'ness)	Rotterdam	2 tons 8 cwts woollens 3 casks beeswax. 7 yds. unbleached linen. 12 dog skins.

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>ORIGIN</u>	<u>CARGO</u>
2.4.1743	Alex. Cunningham John Lymburner	Campvere paquet	Campvere	6 tons woollens.
2.5.1743	William Gilchrist	Campvere paquet	Campvere	3 tons woollens.
2.4.1743	John Glen Wm. Parker	Campvere paquet	Campvere	6 tons woollens
21.4.1743	James Wilson	Dutches Ann (Bo'ness)	Rotterdam	37 yds. unbleached linen. 2 tons 14 cwts woollens. 124 otter skins.
5.4.1743	Wm. Gilchrist	Dutches Ann	Rotterdam	24 fox " " 120 dog " " 16 cat " "
25.6.1743	John Campbell	Duphan (Po'ness)	Rotterdam	1 ton 4 cwts woollens. 120 otter skins 12 fox " " 25 cat " " 18 dog " " 6 qtrs. foreign lintseed 13 yds. unbleached linen.
1.8.1743	Wm. Gilchrist (Jas. Arnott)	Campvere paquet	Campvere	6 tons woollens.
5.8.1743	John Lymburner John Horton	Campvere paquet	Campvere	9 tons woollens 91 lbs beeswax.

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>DESIGNATION</u>	<u>CARGO</u>
	James Wilson			106 otter skins 29 fox " 60 dog " 12 cat " 30 fulmart "
11. 8.1743	Alex Cunningham John Glen	Campvere paquet	Campvere	5 tons 8 cwts woollens.
25.10.1743	James Wilson	William & Margaret (Bo'ness)	Campvere	3 tons 3 cwts woollens
1. 12.1743	Alex. Cunningham	Campvere paquet	Campvere	3 tons woollens 72 otter skins 18 fox "
10.12.1743	John Lymburner	Peter & Rachel (Limekilns)	Campvere	3 tons woollens
22.12.1743	Wm. Gilchrist	Campvere paquet	Campvere	3 tons woollens
10. 2.1744	Wm. Gilchrist	Liberty (Glasgow)	Campvere	2 tons 16 cwts woollens
10. 2.1744	Alex. Cunningham	Liberty	Campvere	3 tons woollens 138 lbs beeswax 15 otter skins 6 cat " 30 fulmart "

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>DESTINATION</u>	<u>CARGO</u>
16. 2. 1744	John Glen	Liberty	Campvere	3 tons woollens. 90 lbs beeswax 62 otter skins 12 fox " 48 dog " 6 cat " 20 fulmart "
5. 6. 1744	John Lymburner John Glen	William & Margaret	Campvere	6 tons woollens.
9. 6. 1744	Wm. Gilchrist (James Arnott)	William & Margaret	Campvere	6 tons woollens.
11. 6. 1744	John Morton	William & Margaret	Campvere	3 tons woollens.
14. 6. 1744	Alex. Cunningham	Peter & Rachel	Campvere	3 tons woollens
14. 6. 1744	Alex. Cunningham	William & Margaret	Campvere	3 tons woollens 132 dog skins 36 fox " 62 otter " 8 cat "
15. 6. 1744	Wm. Gilchrist	Peter & Rachel	Campvere	3 tons woollens.
18. 6. 1744	James Wilson	Peter & Rachel	Campvere	3 tons woollens.

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>DESTINATION</u>	<u>CARGO</u>
21. 6.1744	John Lymburner	Peter & Rachel	Campvere	3 tons woollens 120 otter skins 48 fox " " 8 dog " " 24 fulmart "
30. 6.1744	John Glen	Peter & Rachel	Campvere	3 tons woollens.
24. 9.1744	John Borton	Campvere paquet	Campvere	3 tons woollens.
27. 9.1744	Alex. Cunningham	Campvere paquet	Campvere	3 tons woollens.
14. 3.1745	Alex. Cunningham John Lymburner James Wilson	Betty (Bo'ness)	Campvere	9 tons woollens.
16. 3.1745	Wm. Gilchrist	Betty	Campvere	3 tons woollens.
19. 3.1745	Wm. Parker	Betty	Campvere	3 tons woollens.
20. 3.1745	Wm. Gilchrist	William & Margaret	Campvere	3 tons woollens.
26. 3.1745	Alex. Cunningham	William & Margaret	Campvere	6 tons woollens.
29. 3.1745	John Glen	William & Margaret	Campvere	3 tons woollens.
29. 3.1745	John Glen	Betty	Campvere	3 tons woollens.

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>DESTINATION</u>	<u>CARGO</u>
9. 4. 1745	Wm. Parker	Betty	Campvere	3 tons woollens 89 otter skins 27 fox " 44 dog " 20 cat " 15 fulmart "
16. 4. 1745	Wm. Gilchrist	William & Margaret	Campvere	2 tons 5 cwts woollens.
8. 7. 1745	Alex. Cunningham John Lymburner	Euphan	Campvere	6 tons woollens.
10. 7. 1745	James Wilson	Euphan	Campvere	3 tons woollens.
23. 7. 1745	John Glen	Euphan	Campvere	3 tons woollens.
1. 8. 1745	John Dorton	Euphan	Campvere	3 tons woollens 166 otter skins 50 fox " 72 dog " 30 cat " 24 fulmart "
12. 3. 1746	Alex. Cunningham John Lymburner	Liberty	Rotterdam	6 tons 18 cwts woollens.
19. 3. 1746	Wm. Gilchrist	Liberty	Rotterdam	3 tons woollens. 28 yds. unbleached linen.

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>DESTINATION</u>	<u>CARGO</u>
3. 4. 1746	Wm. Thomson	Vlaerding (Vlaerding)	Rotterdam	3 tons woollens.
3. 4. 1746	Wm. Gilchrist	Vlaerding	Rotterdam	3 tons woollens. 50 yds. unbleached linen.
9. 4. 1746	Alex. Cunningham James Wilson	Christiana	Rotterdam	6 tons woollens 22 yds. unbleached linen.
11. 4. 1746	John Iymburner John Glen	Christiana	Rotterdam	6 tons woollens 175 lbs. beeswax 94 otter skins 18 fox " 32 dog " 12 cat "
10. 6. 1746	Wm. Gilchrist John Hunter	Alletta Cornelia (Skeedam)	Rotterdam	6 tons woollens.
10. 6. 1746	Alex. Cunningham	Alletta Cornelia	Rotterdam	3 tons woollens.
17. 6. 1746	John Glen	Wellsight (Surickzee)	Rotterdam	3 tons woollens.
18. 6. 1746	James Wilson	Wellsight	Rotterdam	3 tons woollens.
10. 7. 1746	Alex. Cunningham	Christiana	Rotterdam	3 tons woollens.

<u>DATE</u>	<u>MERCHANT(S)</u>	<u>SHIP</u>	<u>DESTINATION</u>	<u>CARGO</u>
14. 7. 1746	John Lymburner	Christiana	Rotterdam	3 tons woollens.
15. 7. 1746	Wm. Gilchrist	Christiana	Rotterdam	1 ton 10 cwts woollens.
17. 7. 1746	John Jymburner	Pretty Janet (Bo'ness)	Rotterdam	3 tons woollens.
1. 8. 1746	Wm. Thomson	Pretty Janet	Rotterdam	3 tons woollens 2 cwts beeswax.

APPENDIX IVa

LADY KILMARNOCK'S HEALTH.

The cause of the death of Ann, fourth Countess of Kilmarnock, has been traditionally a matter of romantic assumption rather than rational diagnosis. It is commonly supposed that "She died of grief"<sup>1</sup>, and there exists to this day in Kilmarnock an avenue (now incorporated in a public park) known as "the Lady's Walk", in pacing which the Countess is said to have spent "her hours of sorrow after her unfortunate husband's execution".<sup>2</sup>

It was only natural that the shattering of her family circle should cause the Countess intense grief, which had the effect of causing her health to deteriorate. With their rudimentary knowledge of medicine, her contemporaries may have accepted that this grief was responsible for her death, but evidence exists which indicates that she had serious physical symptoms which suggest that death was due to a discernible cause other than grief. Most important, it can be proved that Lady Kilmarnock's illness pre-dated not only her husband's arrest and execution, but also the outbreak of the Rebellion of 1745. The establishment of this fact casts light on the part played by the Countess in her husband's decision to join Prince Charles, and so by a rational assessment of the evidence rather than an intuitive assumption the traditional view of Lady Kilmarnock may be changed.

The Kilmarnock Register of Mortality records that on 16th September, 1747, "The Right Honourable Ann Livingston, Countess of Kilmarnock" died at the age of 38 years 8 months. The cause of death was stated as "Decay", a vague term to which were attributed no fewer than 909 out of a total of 3,861 deaths in Kilmarnock between 1728 and 1763<sup>3</sup>. This was a diagnosis which covered many fatal illnesses, including tuberculosis and cancer, and at that stage in the history of medicine it was inevitably used to describe a variety of illnesses which baffled doctors.

1. Love, J.: Local Antiquarian Notes and Queries, p. 233.
2. McKay, History of Kilmarnock, p. 23.
3. Kilmarnock Register of Mortality, Dick Institute, Kilmarnock.

Thanks largely to the Boyds' chronic inability to pay bills there has survived a lengthy and invaluable document entitled "Acctt the Deceased Countess of Kilmarnock to Jasper Tough", surgeon in Kilmarnock. This lists Jasper Tough's prescriptions for Lady Kilmarnock from 20th May, 1746, until 15th September, 1747, the cost of which was left owing to Mr. Tough until settlement of the total bill of £39.15s. on 22nd March, 1749. Before looking in detail at this important document and attempting to calculate from the prescriptions the nature of the illness being treated, it is instructive to look at external evidence, some of it of a much earlier date, which demonstrates that Lady Ann's health had been a matter for concern prior to the beginning of the 1745 Rebellion.

In writing to his wife on 15th October, 1745, immediately prior to his fatal decision, Lord Kilmarnock was considerably worried about the state of her health, which judging by his advice to her, had obviously troubled her in the past:

"It gives me the greatest pain to hear that my Dearest Life and Love is not well. Let me beg of you, my Heart's Delight, not to indulge yourself in Melancholy ... Let me beg of you to go abroad often: you know that is your only and never failing Medicine: and if you love me; you will take it."<sup>4</sup>

This comment clearly indicates the existence of a chronic ailment which had the effect of making the sufferer liable to fits of depression, although the benefit derived from fresh air and exercise suggests that the illness was not at that stage very serious. If the lady was subject to depression, however, the traumatic events which were about to break over her head were bound to impose a serious strain on her general state of health.

Unlike the wives of some leading Jacobites, Lady Kilmarnock did not accompany her husband on the campaign into England. Following her well known role as the reluctant but apparently beguiling hostess to General Hawley on the eve of the Battle of Falkirk, however, the Countess left her home at Callendar House. If it could be proved

4. Nat. Lib. of Scotland, Saltoun Mss., Ms.104,f.107. - Letter of Ld. Kilmarnock to his wife, 15th October, 1745.

that Lady Kilmarnock then accompanied her husband on the north-bound march, it might be argued that the privations on the journey were partly responsible for the noticeable decline in her state of health a few months later. This theory is doubtful, however, for it seems from internal evidence in a letter to Lord Milton<sup>5</sup>, dated 12th February, 1746, but unfortunately with no heading to indicate whence it came, that she was living at that time in the home of Lord Rosse, her husband's uncle and a respected Whig, in whose care she would be safe from retribution. Thus, although she must have been in a perpetual state of anxiety about the welfare of her husband and three sons, engaged as they were on both sides in the civil war, it is unlikely that physical hardship was a factor contributing to her poor health.

By the middle of May, 1746, according to Jasper Tough's account, she had taken up residence in Kilmarnock and was receiving treatment almost daily for a variety of complaints. A letter to James Hay, writer to the Signet, on 9th June, reflects her condition. After telling him of her urgent need of money "in my present melancholy, miserable situation" (a reference to her understandable anxiety during her husband's imprisonment), she added:

" ... I'm close confined with sore eyes. I'm afraid I shall lose one of them."<sup>6</sup>

Since there is no evidence of this dreadful speculation being fulfilled, such a statement may be regarded as proof as much of the writer's mental and emotional state as of her physical condition. Apparently Mr. Tough's prescription of "White eye water" on 24th May was not having the desired effect.

Further prescriptions continued almost daily until 3rd July, after which a sharp break suggests that the Countess then left Kilmarnock, but by August 1st she had returned and was still in need of a wide variety of remedies. August was a particularly difficult month for her to bear, bringing as it did the rejection of her husband's appeals for pardon and ultimately his execution.

Judging by the lengths that her friends went to in trying to

5. Nat. Lib. of Scotland, Saltoun Mss., Ms. SC113, f.122 - Letters of Lady Kilmarnock to Ld. Milton, 12th Feb., 1746.

6. Erroll Writs, Box A4. - Letter of Lady Kilmarnock to James Hay, 9th June, 1746.

break the news to her as gently as possible, it is obvious that her poor state of health was well known. Any wife was naturally to be pitied in such circumstances, but in their correspondence her friends particularly mentioned Lady Ann's health as making the tragic events more difficult for her to bear.

John Murray, her husband's step-father, wrote a lengthy epistle on 18th August to Rev. Lawrence Hill of Kilmarnock, husband of Lord Kilmarnock's half-aunt, advising him on how he should break the tragic news to the widow. Among other tactful actions, he was to

".... represent strongly to her both the becomingness of a composed behaviour and the great care she ought to take that a violence of tears and Grief dont hurt her state of health; because her life is now of the utmost importance to her family, on many accounts, and particularly her joynture will now be the chief support of it, which after her must fall to the creditors."<sup>7</sup>

Mr. Murray evidently harboured serious fears that the shock of the news of her husband's death might prove fatal to Lady Kilmarnock unless she could be inspired with the will to live for the sake of her family. Dr. Hill also had fears which he expressed a few days later in a letter to Lady Rosse, telling her of

".... the deep distress my Dr. Lady Kiln<sup>k</sup> is in upon this mournfull event ... I am much afraid it will greatly (affect?) her Laships (sic) Health w<sup>h</sup> has been but bad for some time."<sup>8</sup>

It is obvious from these and other letters that Lady Ann's friends and relatives rallied round her in her time of greatest need, but as the deepest shock of her loss passed, other problems rushed in upon her to cause her fresh anxiety and to try still further her delicate health.

On 22nd January, 1747, the Countess wrote to James Hay, begging him to send "twentic or thirty pounds nixt week ... not for my own use but for one whose life depends upon it and in consequence mine."<sup>9</sup> The fact that she implores him "not (to)

7. Tait Papers, Glasgow University Library, p. 68. - Letter of John Murray to Rev. Lawrence Hill, 18th Aug., 1746.

8. Tait Papers, G.U. Library - Draft of letter from Rev. Hill to Lady Rosse, undated.

9. Erroll Writs, Box A4. - Letter of Lady Kilmarnock to James Hay, 22nd Jan. 1747.

speak of this to Lord Boyd" suggests that the money may have been required for her younger son, Charles, who spent some time evading capture in Arran after Culloden before going eventually to France. In later life the brothers lived together at Blains Castle, but so soon after the rebellion there may have been friction between them, which would tear their mother's loyalties in two. Lady Ann confessed to Mr. Hay, "I'm in such confusion I'm able to write no more".

A fresh worry in March compelled her to write urgently to Lord Milton on 22nd March, 1747, asking his advice:

".... I'm inform'd by my doer at Calander that their is order read out in Church by the Sheriff's order, desireing the Tennants there to pay no money to anybody concern'd with me, but henceforward to the Government. your Lop has the Tack of the Estate of Cal<sup>r</sup> in your hands and if you'll take the trouble to look to it you'll see that its in my name, I beg for God's sake your Lop will be so good as let me know what I shall do in this matter, it creates me a great deal of uneasiness as I have more to do for than my self."<sup>10</sup>

Well might she have cause to worry about her finances. According to her testament (which took no account of the contents of Callendar House, which were valued at £465.15s. scots by the Forfeited Estates Commission<sup>11</sup>), the total value of her "Goods and gear", including "The whole furniture utencills and domicills in and about the defuncts house at Kilmarnock", amounted to a paltry £418.10s. scots.<sup>12</sup>

The entire period from October 1745 until her death in September 1747 was one of intense stress for Lady Kilmarnock. Even in a person of more robust health such tribulations might have caused a serious decline. In a woman who had already been subject to an illness which included or brought on spells of depression, coupled with physical symptoms which her doctor could not cure, this long period of acute anxiety accompanied by increasing pain proved to be more than she could sustain.

10. Nat. Lib. of Scotland, Saltoun Mss., Ms SC137, f.128 - Letter of Lady Kilmarnock to Ld. Milton, 22nd March, 1747.

11. S.H.O. Forfeited Estates Commission Papers - E761/1/2.

12. Erroll Writs, Box 37 - Testament of Anna, Countess of Kilmarnock.

It is clear from the remedies prescribed by Jasper Tough<sup>13</sup>, that he did not have a clear idea as to the underlying cause of Lady Kilmarnock's ill health. In effect, he was treating individual symptoms rather than conducting a full-scale attack on the disorder which was causing them. None of his treatments, indeed, may have aggravated his patient's condition. The large quantities of "anodyne", or pain-killin' pills which he prescribed, for instance, probably contained opium, which, although giving temporary relief from pain, would have unpleasant side-effects such as loss of appetite, nausea, constipation, flatulence and headaches.

It is possible, however, from the nature of some of the prescriptions to hazard a guess at the root cause of Lady Kilmarnock's illness. The most frequent prescriptions were of carminatives (appetite stimulants, such as cordials and mint water), purgatives (salts, rhubarb, "purgative ptizan"), and latterly, emetics ("Ipecacuan", "ye Vomite"). The heavy reliance upon these suggests that the patient suffered from loss of appetite and quite possibly from a blockage of the bowel, although it is not possible to tell from a list of prescriptions whether the former was an effect of the latter or a significant symptom in itself. Apart from these physical symptoms, it is likely that Jasper Tough suspected that part of his patient's trouble was due to her state of anxiety, hence his use of "antihysterick Drops", "Nervous Mixture" and sedatives. Prescriptions of "Pectoral" and "Cardiac" treatments suggest intermittent infection of the lungs and pain around the heart, but the majority of her symptoms and pain were centred in the abdominal area, while her general condition was depressed by the burden of worries which external circumstances laid upon her.

Obviously at this remove in time, and with only a prescription list and no detailed diagnosis of the patient's condition, it is impossible to give an accurate opinion as to the cause of Lady Kilmarnock's death. Two theories, however, seem plausible. One is that she may have suffered from a slow-growing cancer of the stomach or the bowel. The second possibility, which ties more closely the lady's nervous and gastric symptoms, is that she may have been a victim of anorexia nervosa, that is a serious, and

13. See Appendix IVb.

possibly fatal, loss of appetite, often occasioned by an anxiety neurosis. This condition is chiefly confined to young, unmarried women, but the traumatic events of 1745-47 could have been sufficient to reduce Lady Kilmarnock to a state of mind in which this diagnosis could not be excluded. If this were the case, Jasper Tough must have been completely baffled by the failure of his appetite stimulants to encourage his patient to eat, for this strange malady had not been identified in the eighteenth century. Failing to encourage the patient's appetite, the doctor may have assumed that there must have been an internal obstruction and so proceeded accordingly with his treatment. In the alternative case of cancer, of course, the obstruction would have been real.

The importance of Lady Kilmarnock's illness as a factor in her involvement in her husband's decision to participate in the Jacobite Rebellion is to a certain degree dependent upon the diagnosis of her complaint. If she suffered from true anorexia nervosa, it is unlikely that her illness began before the onset of the rebellion, although it is just possible that symptoms could have begun to appear in the period of one month between the Prince's visit to Callendar House and Lord Kilmarnock's decision to join him in Edinburgh. The comment in Lord Kilmarnock's letter of 15th October, however, suggests that his wife's susceptibility to ill health was of longer duration, although at that stage fresh air and exercise were still her "never failing Medicine".

In conclusion, it would appear that in the period October 1745 to September 1747 either Lady Kilmarnock suffered from anorexia nervosa which was possibly unconnected with her previous ill health, or she was the victim of a slow-growing cancer which caused a steady deterioration. In either case, it is established from her husband's correspondence that the Countess did not enjoy the best of health prior to the 1745 rebellion. In view of this it seems unlikely that a woman who in no surviving correspondence expressed Jacobite views, but rather disclaimed all responsibility for her husband's decision, would have encouraged him to take a line of action which was bound to have increased the state of nervous depression to which present worries about chronic financial problems, the welfare of her family and her own health rendered her liable.

APPENDIX IVb

Erroll Writs - Box 37 - 1747

Acctt the Deceast Countess of Kilmarnock to Jaster Tough

1746

MAY 20 Inpr. To a Glass Cordial Drops

		Q	s	d	<u>Interpretation</u>
24	Itt.	"	"	1	Probably astringent Solution such as Zinc Sulphate
29	"	"	"	1	Purgative - Sodium or Magnesium Sulphate
30	"	"	"	1	Counter irritant for headache
31	"	"	"	1	Dressings
JUN. 2	"	"	"	1	Mastic for dental use (temporary filling cavities)
6	"	"	"	1	Apparently as the <u>metal</u> ; it would be excreted unchanged and with little effect
7	"	"	"	1	do
8	"	"	"	2	a Dose purgative ptizan
11	"	"	"	1	Bottle Rose Water
15	"	"	"	2	Chopin bottle mint Water
16	"	"	"	2	the Cordial Drops
"	"	"	"	2	a large Glass Hungary Water

Carminative, probably volatile oil or other pungent aromatic substance

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Artificial Hunyadi Janos Salt in Solution (Magnesium Sulphate, Sodium Sulphate and Sodium Chloride - a purgative mixture)

17	Itt.	To Rhubarb for Chewing	- 3	-	Purgative
18	"	" A Bottle n <sup>t</sup> and chopping Florence Oil	- 2	6	Probably a dilute solution of a volatile oil as carminative
19	"	" " Glass Sptts	- 1	-	Ammoniacal preparation as restorative in fainting. Sptts = Spirits
"	"	" " Large antihysterick plaister	- 3	-	Counter irritant ? mustard
"	"	" " Glass anodyne and antyhysterick Drops	- 1	-	Could be valerian and/or asafoetida + other offensive substances
20	"	" " Chopin bottle Rose Water	- 1	2	See 11 June
27	"	" " Dose anodyne pills	-	8	Probably Opium
28	"	" " Large box Gum pills gilded	- 5	-	Impressive in appearance but without pharma-cological action. Gilded=gilded
"	"	" " Dose purgative salts	- 1	-	Probably Epson Salts
JUL. 1	"	" " Glass stomachick mixture	- 3	-	Probably alkali & Carminative
3	"	" " " Laudanum	- 2	-	Tincture of opium
15	"	" " bolus castor w <sup>t</sup> ye salt of amber	- 6	-	Castor oil as purgative; amber - placebo
AUG. 1	"	" " box Gilded Gum Pills repeated	- 5	-	See above
"	"	" " bottle Sudorifick Decoction	- 2	-	Sweating preparation
2	"	" " " Rose Water	- 2	-	Cosmetic uses
"	"	" " bleeding her Laps temples	-	-	Probably bleeding by use of leeches applied to temporal areas
3	"	" " a dose purgative ptizan	- 2	-	Purgative
9	"	" " ye Sp <sup>tt</sup> of lavender	- 1	-	Spirit of lavender ≠ an alcoholic solution of the volatile oil.

AUG. 16	Itt. To a Dose Salts	- 1	-	Probably Magnesium Sulphate
17	" " " Rhubarb w <sup>t</sup> Oil of Cinamon	- 1	6	Purgative and carminative
24	" " " Large Pott Cardiac Electuary	- 8	-	Palatable preparation of drugs intended to affect heart, but drugs <u>not</u> specified
	" " " Dose anodyne pills	-	8	
25	" " " Chopping Bottle Stomachick Tincture in Wine	- 3	6	Palatable preparation probably containing baking soda as antacid
	" " " ye Guilled Gum Pills as before	- 5	-	See 28 June
27	" " " a Dose anodyne pills	-	8	Probably opium
	(Same every day until Sept. 10th)			
SEP. 18	Itt. To a Glass anodyne mixture -	- 1	6	Probably tincture of opium
	" " " Bolus toasted Khubarb	- 1	6	Purgative
25	" " " Box Specifick pills	- 2	6	Drug not stated. Obscurity suggests gynaecological ailment
28	" " " two bottles Sudorifick Decoction	- 4	-	Sweating mixture
OCT. 6	" " " a bottle Rose Water	- 1	2	Cosmetic
	" " " Large box pectoral powder	- 1	-	For relief of cough
10	" " " box Emolient ointment	-	-	To soften skin (chapped hands?)
11	" " " Saffron	- 1	8	Colouring agent (orange and yellow)
	" " " ye Pott Cardiac Electuary -	-	8	See 24 August
18	" " " Salt Petre	-	6	Potassium Nitrate - diuretic use
19	" " " ye Electuary as before	-	8	August 24
20	" " " a large Glass Nervous Mixture	- 3	-	Probably bromides + valerian
	" " " bottle mint water	- 1	2	Carminative

OCT. 25	1tt.	To Do. of Rose water	- 1	2	Toilet use
"	"	" a Large Gum plaister	- 2	6	Perhaps to allay effects of 'hysterick plaister' (?Mustard - Blistering)
27	"	" " Nervous bolus	1	6	See 20 Oct.
NOV. 2	"	" do.	- 1	6	
"	"	" ye glass nervous mixture renewed	- 3	-	See 20 Oct.
3	"	" a box pectoral pills gilded	- 2	6	For cough
5	"	" " dose anodyne pills	-	8	Probably opium
"	"	" " bottle White Decoction	- 1	6	Gastric Antacids
6	"	" " Glass Hungary Water	- 1	-	See 16 June
"	"	" " Salt Petre	-	6	See 18 October
8	"	" " aromatick Cloves	- 1	-	Carminative
"	"	" " a Dose purgative pills	- 1	6	
9	"	" " bottle Mint Water	- 1	2	Carminative
18	"	" " pott Tamarinds	-	8	Laxative
22	"	" " bottle Rose Water	- 1	2	Cosmetic
23	"	" " " Mint Water	- 1	2	Carminative
24	"	" " dose purgative pills	- 1	6	As before
26	"	" " bottle mint water	- 1	2	Carminative
DEC. 9	"	" " White Wax Cloth	-	8	Protective dressing for skin; ?Sequel to blistering
12	"	" " Bottle Rose Water	- 1	2	Toilet
28	"	" " do.	- 1	2	

1747

JAN. 1	I	To a Box emollient ointment	-	-	8	Chapped hands
"	"	" " Large glass Sp <sup>tt</sup>	-	1	6	Spirit of Lavander (Alcoholic Solution of oil of Lavander
"	"	" " Sudorifick bolus	-	1	-	For sweating - drug not stated
12	"	" " do	-	1	-	
18	"	" " box Lucabellis Balsam	-	1	-	Not traced
21	"	" " bottle Rose Water	-	1	2	Cosmetic
FEB. 2	"	" " Saffron	-	1	-	Colouring agent
"	"	" " a box pectoral powder	-	1	-	For cough
6	"	" " Glass Stomachick mixture	-	2	-	Usual antacids such as sodium bicarbonate
"	"	" " " Hungary water	-	1	-	See June 16
9	"	" " do.	-	1	-	
"	"	" " a Glass Sp <sup>tt</sup> of Hartshorn	-	-	8	Alcoholic solution of ammoniacal preparation
10	"	" " a Gentle Vomite Tinct: of Ipecacuan	-	1	-	Emetic
"	"	" " Glass Cordial Drops	-	1	6	Restorative Volatile oils in alcohol
12	"	" " Hungary Water as before	-	1	-	See June 16
14	"	" " a pott 8 ounces Cardiack & Strengthening Electuary-	-	9	-	See August 24
18	"	" " anodyne Drops	-	1	6	Probably opium tincture
21	"	" " a bolus Rhubarb w <sup>t</sup> e oil of cinamon	-	1	6	Purgative and carminative
25	"	" " "bottle Rose Water	-	1	2	Cosmetic
MAR. 6	"	" " " emolient fomentation	-	1	-	Counter-irritant with oil in it Flinseed
"	"	" " Large caps oil of almonds w <sup>t</sup> balsamick Syrup	-	3	-	From a balsam. Carminatives. Both ingredients gastric sedatives
23	"	" " " bottle Rose Water	-	1	2	Toilet

MAR. 26	Itt.	To a box gumpills guilded	- 5	-	See above
30	"	" ye Vomite as before	- 1	-	Ipecacuanna : emetic
APR. 10	"	" a bolus Rhubarb as before	- 1	6	Purgative
20	"	" " bottle Rose Water	- 1	2	Toilet preparation
28	"	" Hungary Water	- 1	-	See above
MAY 9	"	" Saffron	- 1	-	See above
	"	" ye Glass Cordial Drops	- 1	6	Carminative
14	"	" a bottle Rose Water	- 1	2	Toilet preparation
18	"	" " Decoction for fomentation	- 1	-	Probably of Linseed
26	"	" " Glass anodyne Drops	- 1	6	Probably opium
30	"	" " Large Glass anodyne mixture	- 3	-	Probably opium
JUN. 4	"	" a Glass Cinamon Water	- 1	-	Carminative
7	"	" " Large Glass Hungary Water	- 1	6	See above
	"	" " box guilded Stomachick pills	- 3	-	See above. Antacid preparation
	"	" " 4 ounces Cardiac & Strengthening Electuary	- 4	-	See above
22	"	" a bottle Rose Water	- 1	2	Above
JUL. 1	"	" " Blistering plaister	- 1	6	Probably mustard
2	"	" Dressings - covering	- 1	6	Coverings for blistered area?
	"	" a box Pectoral powder	- 1	-	For cough
4	"	" " pott Cardiac Electuary w <sup>t</sup> y <sup>e</sup> Bark	- 5	-	See above
10	"	" " dose Rhubarb w <sup>t</sup> ye oil of cinamon	- 1	6	Purgative and carminative
15	"	" " Glass Elix <sup>r</sup> Vitrioli	- 1	6	Weak sulphuric acid for gastric effects
20	"	" " bottle Rose Water	- 1	2	Toilet
22	"	" " do. of Mint Water	- 1	2	Carminative
28	"	" " Dose Physick	- 1	-	Could be for anything
AUG. 9	"	" " Nervous Injection	- 2	6	? Bromide mixture

AUG. 9	Itt.	To a Bag and pipe	-	-	8	Probably apparatus for enema
"	"	" Glass anodyne drops	-	2	-	? Tincture opium
10	"	" " bolus of Rhubarb as formerly	-	1	6	Purgative
"	"	" " bottle mint water	-	1	2	Carminative
15	"	" Glass anodyne and antihysterick mixture	-	3	6	See above
17	"	" Bottle Decoction of Bark	-	2	6	Cinchona bark for treatment of fever
"	"	" ye anodyne and antihysterick mixture renewed	-	3	6	See above
18	"	" " " " drops	-	1	6	Opium
"	"	" Large antihysterick plaister	-	3	-	See above
20	"	" a mutchkin in Strongest Cold Cinamon Water	-	2	6	Carminative
22	"	" anodyne & Antihysterick haustus	-	1	-	Opiate & Valerian
23-25	"	" do.	-	3	-	
25	"	" a Chopin Stomachick solution	-	2	-	Antacid mixture
26-27	"	" ye Haustus as before	-	2	-	A draught of what?
27	"	" a large Nervous and anodyne application to her Laps stomach	-	3	-	Counter irritant to abdominal wall
28-29	"	" ye Haustus as before	-	2	-	See above
29	"	" a Glass Hungary Water	-	1	-	See above
"	"	" " bottle mint water	-	1	2	Carminative
30	"	" ye Haustus as before	-	1	-	See above
SEP. 1	"	" Do twice renewed	-	2	-	
2	"	" ye Sp <sup>tt</sup> of Hartshorn	-	-	6	See above
"	"	" pound fine Bitter Tincture	-	3	6	? Cinchona, but why 1 pound?
"	"	" a large Glass Cordial and nervous mixture	-	3	6	Bromides and essential oils and alcohol
"	"	" ye Haustus	-	1	-	
3	"	" do.	-	1	-	

SEP. 3	Itt.	To two bottles Cordial Emulsion	- 3 -	Carminative volatile oils. Emulsion instead of solution
4	"	" a bottle mint water	- 1 2	Carminative
5-6	"	" ye Haustus	- 1 -	
6	"	" D <sup>o</sup>	- 2 -	
7-9	"	" ye Emulsion as before	- 3 -	
10	"	" The Haustus as before	- 3 -	
11-12	"	" an antihysterick bolus	- 1 6	See above
12	"	" The Haustus	- 1 -	
13	"	" Do.	- 2 -	
14	"	" Two specifick bolus	- 2 -	Specific for what ? Gynaecological
15	"	" a double quantity of ye mixture	- 2 -	
16	"	" " box Specifick pills	- 5 -	See above
17	"	" Do. but larger	- 7 -	!
18	"	" a glass strengthening elixir	- 1 6	Carminative
19	"	" materials for a Balsamick Injection	- 2 6	As enema
20	"	" a large box nervous application to her laps stomach	3 6	Local i.e. as poultice
21	"	" " bottle Emulsion	- 1 6	of what?
22	"	" do.		
23	"	" a box red balsame oyrwise called maells for injection	- 2 6	Probably Enema
24	"	" Eviscerating her Lap	8 6 8)	
25	"	" applying a Cerecloth pouders and oil Ectt.	5 11 -)	Preparation of corpse
			30 1 6	
Pains and attendance			9 13 6	Doctor's work
			39 15 0	

Kilmarnock March 22nd 1749

Then Received from Mr. Robert Paterson Sen<sup>r</sup> Writer full payment of the above by Jasper Tough.

APPENDIX V.

(a) (Extracts from) Accompt Between the Right Honourable James Lord Boyd son of the deceast William Earl of Kilmarnock And Robert Paterson Writer in Kilmarnock now deceast ... (Erroll Writs, 4th Notebook, 14th August, 1751)

... Creditor the said Rob<sup>t</sup> Paterson Sterling  
Lib. sh. d.

Impri<sup>s</sup> By the following sums paid by him in satisfaction of Debts due by the Earl of Kilmarnock prior to the Disposition of the Estate to Lord Boyd viz<sup>t</sup> -

- No.1 By John Orr of Barrowfeild as two years Intrest due to him att Whitsunday 1746 upon £32000 Scots of principal owing p<sup>r</sup> heritable Bond by Discharge £266.13.4 ster<sup>l</sup>. ... 199 0 11
- 2 By John Crawford of Crawfordland as three years Interest att Mar<sup>t</sup>. 1748 of £1000 ster<sup>l</sup>. Liferented by Mrs. Helen Nicolson his Lady ... 150
- 3 By Alexander Fairlie of that ilk £1132 7<sup>sh</sup>. Scotts as the Intrest from Candlemas 1745 to Martinmas 1748 of £6000 Scots due by an heritable Bond to John Fairlie of Caldwell ... 94 7 3
- 4 By William Cunninghame of Auchinskeith £603.17<sup>sh</sup>, Scots As Intrest from Candlemas 1745 to D<sup>o</sup> 1748 of £3200 Scots of prin<sup>l</sup> belonging to Margaret Fairlie his Wife of the foresaid £20,000 Scots of prin<sup>l</sup> due by the heri<sup>t</sup> Bond granted originally to Fairlie of Caldwell ... 50 6 5
- 5 By John Fairlie Collector of the Customs at Ayr £2038. 6sh. Scots As Interest from Candlemass 1745 to Mar<sup>t</sup>. 1748 of £10800 Scots of prin<sup>l</sup>. belonging to him of the forsaid prin<sup>ll</sup> Sum of £20,000 due by the heri<sup>t</sup> bond originally granted to Fairlie of Caldwell ... 169 17 2
- 6 By Robert Kerr Director of the Chancery in full of the Earl of Kilmarnock's Bond the 17th August 1731 for £308.12.6 sterling & Intrest from the date of discharge 19th June 1749 And which also

discharges a Bond granted to him by the Earl  
for £700 ster<sup>l.</sup> dated the 14th February 1735 578 13 5½

7 By Mistress Ogilvie as two ye rs Liferent Annuity  
due her ... 10

By the following Sums Paid by the said Robert Paterson in satisfaction  
of Debts contracted by the Earl of Kilmarnock posterior to his  
Disposition to the Lord Boyd ...

9	By Robert Marshall Dyer in Glasgow pr the Earl's Bill 28 August 1745	19	15	
10	By Robert Johnston Gardener in Kilmarnock pr. promissory note 6th June 1743	8	3	
11	By James Kirkland Weaver pr D <sup>o</sup> . 18th May 1738	2	11	8
12	By Fergus Alexander Merch <sup>t</sup> pr. D <sup>o</sup> . 4th June 1743	1	6	7
13	By John Hunter Merch <sup>t</sup> pr. Precept 25th Sep <sup>tr</sup> 1734	6		
14	By William Parker merch <sup>t</sup> pr Bill 2nd June 1743	7	10	9
15	By John Cruiks Sheomaker pr Promissory Note the 4th June 1743	7	6	7½
16	By William W. Lessly Coppersmith pr D <sup>o</sup> 6th June 1743	3	2	6
17	By David McEan Smith pr. D <sup>o</sup> 6th June 1743	8	14	6
18	By Ro <sup>t</sup> Jamieson Taylor pr D <sup>o</sup> 6th June 1743	7	9	10½
19	By Adam Darby Sadler pr D <sup>o</sup> 6th June 1743	2	15	1
20	By Alexander Black Merch <sup>t</sup> pr. D <sup>o</sup> 10th June 1740	1	16	8
21	By James Boyd Workman pr. Promissory Note the 4th June 1743	2	5	10
22	By David Brown Merch <sup>t</sup> pr D <sup>o</sup> 6th June 1743	5		
23	By George Patrick Shoemaker pr. Attested Accompt 4th June 1743	8	11	1
24	By John Ross Butcher pr promissory Note 6th June 1743	4	1	2
25	By Andrew Drummond pr Bill 8th May 1735	4	2	
26	By John Muir Gairdner pr promissory note 4th June 1743	3	1	

27	By William Stewart merch <sup>t</sup> pr. Bill 21 Dec <sup>r</sup> 1741	7	1	
28	By D <sup>o</sup> pr. D <sup>o</sup> the 22 <sup>d</sup> Decr. 1741	25	3	3
29	By D <sup>o</sup> pr Attested Accompt 15th Aprile 1742	1	19	7
30	By Alexr Bryson Carrier pr precept 15th Febry, 1742	5		
31	By William Thomson merch <sup>t</sup> pr. Bill 13th June 1741 ...	22	14	10
32	By James McPhun Excise Officer pr Bill 14 Oct <sup>r</sup> 1736	5		
33	By D <sup>o</sup> pr Attested Acco <sup>t</sup> 6th May 1737	3	13	6
34	By Alexander Adamson Shoemaker by Promissory Note 4th June 1743	1	10	
35	By Walter Pedine Wright pr. D <sup>o</sup> 4th June 1743	1	16	6
36	By George Morgan the Earl's Serv <sup>t</sup> pr. precept 8th of February 1742	5		
37	By Allan Bowie Gardner pr. Attested Accompt the 4th June 1743	4	1	9
38	By Thomas Young pr Bill 12th Nov <sup>r</sup> 1746	1		
39	By John Fairlie Coppersmith pr. Promissory Note 6th June 1743	2	15	6
40	By William Thomson Glover pr Acco <sup>t</sup>	1	10	
41	By George Craig merch <sup>t</sup> pr. Attested Accompt. ... 15th May 1749	14	7	4
42	By William Hunter Wright pr D <sup>o</sup> 3 <sup>d</sup> June 1743	3	12	8
43	By Robert Fergusson Wright pr promissory Note the 4th June 1743	1	6	4
44	By James Galt pr Precept 15th Janry 1737 and by Promissory Note the 4th June 1743	4	10	6
45	By Ja <sup>s</sup> Watson Staymaker pr Attested Accompt in December 1741	5	9	6

46	By John Euart Merch <sup>t</sup> pr Bill 17th February 1741	12	13	
47	By John Murchland Carpetmaker pr Acco <sup>t</sup> attested in 1746 pr the Countess	6	13	4
		<hr/>		
		£1492	17	1 <sup>1</sup> / <sub>4</sub>

By the Earl of Kilmarnock's Precept 9th May  
1732 to Hugh Hunter Druggist & paid by  
Robert Paterson 31 Janry 1734 Omitted in  
former Acco<sup>ts</sup> by Reason the Voucher was  
mislaid

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(Total: £1,506. 17. 1<sup>1</sup>/<sub>4</sub>)

APPENDIX V.

(b) Inventory of the Furniture of Callender House which belong'd to William late Earl of Kilmarnock - 29th of October, 1747. (S.R.O. E761/1/2 - Forfeited Estates Commission Papers)

	<u>Scots</u>
In the Kitchen	
A Kitchen Chimney Grate.	£20
In the Brewhouse	
An old Copper Boiler	24
A parcel of old Brewing Looms	6
An old Table in the Bakehouse	1   4s
In the Porter's Lodge	
An old Grate	1   10s
An old Bed & Bedstead	12s
In the Stone Hall	
A Table & Napry Press	2
In the Low Parlour	
Five old Chairs	6s
In Lord Kilmarnock's Dressing Room	
Three Delph Jars	6
A Mahogany Table	18
A head of a Cabinet & an old Table	4
A grate	3
Five large Pictures with Gilded fframes	6
In a Cellar	
A Gauntrees and an old Shelf	12s
In the Mangle House	
An old Mangle & Chest	3
In the Wine Cellar	
An old Gauntrees	12s
In the Charter Room now Seald up	
Five Chests full of Papers	
A Celestial Globe	3
Two Breastplates two Backs & a head Piece	3
Some old harnishing	12s

	<u>Scots.</u>		
	£.	sh.	d.
In the Woman House			
Two old Beds a Table & four old Chairs	4		
A Chimney Grate	"	12	
In the Nursery			
An old Bed Napry Press a Clock Case & old Drawers	6		
A Chimney	"	18	
Four old Chairs & two little Tables	"	8	
In Miss Hays Room			
A Bed & two old Tables two Chairs & Drawers	6		
In the Trance (corridor)			
Five Pictures & a Map	3	"	12
In my Lady's Room			
A Bed Stead	3		
Three piece of Arras hangings	9		
Two Chairs & Two Tables	4		
Three Pictures	1	"	4
A Grate	1	"	10
In the Little Drawing Room			
Two Cabinets	48		
A Japan'd Table	3		
A Mirrour Cupboard	3	"	10
Two Mirrours	36		
Five Chairs & two Stools	6		
A Chimney Grate & furniture	3		
Three pieces of Arras	6		
Two Landscapes	3		
Eighteen Family Pictures	48		
In the Little Dining Room			
Five Chairs and a Table	3		
One piece Arras	3		
In the Closet off the Drawing Room			
Two Coach Glasses	12		
Three small Pictures	1	"	4
In the Bigg Dining Room			
Eight old Chairs & two Tables	1	"	4
Three History Pieces of Painting	6		
Six Family Pieces	12		
A Grate	6		

	<u>Scots.</u>		
	s.	sh.	d.
In the Great Drawing Room			
A Mirrour	12		
Five Family Pictures	6		
A Grate		" 12	
Two Piece Arras	6		
In the best Bed Chamber			
A Bed Stead	5		
Three small Tables	1	" 4	
A Mirrour	9		
In the Callicoe Room			
A Bed stead and two piece Arras	9		
Three old Chairs & a Table		" 12	
A Mirrour	1	" 10	
A Grate		12	
In the Blew Room			
A Bed Stead	6		
Seven Chairs & a Map Skreen	3		
A Small Cabinet	6		
A Mirrour	9		
In the Red Room			
A Bed Stead	1	" 16	
Two Pictures	1	" 4	
In the Gallery			
Twenty Five Pictures	12		
In the Room att the Gallery			
Eight Pictures	4	" 16	
In Lord Boyd's Room			
A Bed Stead	2		
Four Old Chairs		" 12	
Two piece Arras	3		
An old Grate		" 12	
In the White Room			
A Bed Stead	1		
Three Chairs & a Table		" 12	
A Piece of Arras	1	" 16	
Two Pictures		" 18	

	<u>Scots.</u>		
	£.	sh.	d.
In the Damask Room			
A Bed Stead	1		
Five Old Chairs & a Table	1		
Three Piece Arras	6		
Seven Pictures	4	"	4
A Grate		"	8
 In the Bishop's Room			
A Bed Stead		"	12
Two Chairs two Stools & two Tables	1	"	4
A Chimney Grate		"	8
A Picture		"	12
Sum	<u>£465</u>	<u>"</u>	<u>14</u>

(Note by James Livingston, Town Clerk of Falkirk, that "the best part of the furniture with what papers were in the House belonging to the Earl of Kilmarnock having been taken away by Captain Toby now Major of Collonel Naizon's Dragoons .... the papers taken away .... were those which immediately concern'd the Earl, but .... the papers concerning the Estates of Lithgow & Callender are Still Remaining".)

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Boyd-Livingston Genealogies.

William Boyd, 1<sup>st</sup> Earl = Jean Cunningham, d. of E. of Glencairn.  
(?-March 1692.)

James Charles Robert Alexander Mary Catherine Margaret.

William, 2<sup>nd</sup> Earl (1) = Letitia, d. of Thos Boyd, of Dublin, 3-May 1692.  
= (2) John Gardiner, of Dublin.

William, 12<sup>th</sup> Ld. Rose = (1) Agnes Wilkie of Foulden  
(1656-March 1738)  
(2) Margaret, d. of Ld. Wharton  
(3) Anne Hay, d. of M. of Tweeddale  
(4) Henrietta Scott of Thirlestane.

Charlotte Maria = (1) Mr. Wm Wright, minister at Kilmaronock (d. 4/17/1724)  
= (2) Rev. Laurence Hill, minister at Kilmaronock (1700-73)

James Ninian Thomas Jane

William, 3<sup>rd</sup> Earl (1) = Euphemia (10/11/1684 - July 1729) = (2) John Murray (?-Oct. 1748)

George, 13<sup>th</sup> Ld. Rose (1681-1754) = Eliz. Ke. d. of M. of Lothian (1711-58)

John (1681-?) = John, 1<sup>st</sup> D. of Atholl (1660-1724)

Mary (1688-1767) = Sir Jas Lockhart of Carstairs.

Grizel (1692-1749)

William, 4<sup>th</sup> Earl = Ann Livingston (12/5/1705-18/8/1746) (1709-15/9/1747)

James (Nov. 1710-Apr. 1715)

George Livingston, 3<sup>rd</sup> Earl = Liz. Maule, d. of 1<sup>st</sup> E. of Panmure  
of Linlithgow. (?-1690) (?-1659)

George, 4<sup>th</sup> Earl of Linlithgow (?-1695) = Henrietta Sutherland, d. of Ld. Duffus

Alexander = Anne eldest d. of 2<sup>nd</sup> M. of Montrose.  
3<sup>rd</sup> E. of Callendar (?-Dec. 1692)

Henriet = Robert, 2<sup>nd</sup> Vet. Oxenford

John Hay, 12<sup>th</sup> E. of Erroll (?-1709) = Anne Drummond, d. of 3<sup>rd</sup> E. of Perth (Jan. 1656-?)

James, 4<sup>th</sup> E. of Callendar = Margaret Hay  
5<sup>th</sup> E. of Linlithgow (?-1723)

Hecla (?-38) = Mary = James Graham of Airth.

Charles, 13<sup>th</sup> E. of Erroll (1667-Oct. 1717)

James Thomas (?-1709)

Mary, C. of Erroll (?-Aug. 1758) = Alex. Falconer [Hay]

James