

**THE CLEARERS AND THE CLEARED: WOMEN, ECONOMY AND LAND
IN THE SCOTTISH HIGHLANDS 1800-1900**

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Abstract

The purpose of this study is to examine the role of women in the Scottish Highlands during the nineteenth century with particular emphasis on the periods of clearance. The research considers women across the social strata in addressing essential questions concerning economic development and changes in land use, related social protest, illicit distilling, and Protestant religion. This includes the position of women as landowners or estate trustees implementing clearance policies, together with female participation in resistance to clearance and other related social protest. The influence of women from the landowning class on aspects of the Highland economy that did not involve clearance is also considered. A further aspect of investigation is women's role as peasant entrepreneurs within the illicit whisky economy. In addition, the importance of the Protestant religion to women is discussed in relation to the opportunities it provided for public expression regarding social, economic and political issues.

The primary resources on which this research is based include government papers and parliamentary reports; legal documents and related papers; documents relating to a number of religious and commercial associations and organisations; contemporary local and national newspapers and journals; estate papers; diaries; poetry and fiction.

The understanding of women's history in the Highlands is at present somewhat limited and it is intended that the research will make an initial contribution to this field of study and act as a catalyst for further research.

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Introduction

In recent decades there have been major developments in the study of women's history but the history of women in the nineteenth-century Scottish Highlands has remained very much in the shadow of obscurity. Where the role of Highland women at the time of the clearances has been considered it has generally been confined to working the croft, taking part in infrequent riots, or as illicit distillers. Furthermore, there has been a tendency to regard these activities as having been carried out by women only at times of need, when men were absent, fishing, with the British army at times of war, or dead. Although Thompson, for example, acknowledges the importance of women in Highland history, particularly in their resistance to eviction, he suggests that their most active role came when the men were away at war. [1] There has also been an assumption that women cannot be active outwith the norm of their domestic role without the involvement of men at some point. With regard to the role of women in illicit distilling, Devine has suggested that they were either maidservants used as 'cover' by employers, widows, or part of the family economy where 'the menfolk were regularly away from home.' [2]

The passing recognition afforded to women in any other context has largely been reserved for heroines and women of the aristocracy. The almost legendary figures of Flora MacDonald and the 'evil' Countess of Sutherland are perhaps the most ubiquitous women in the pages of Highland history. The preference for women as idealised or mythological figures has further clouded the reality of women's role within Highland history. Romantic images of Highland women as heroines have been fed by the rhetoric of Sir Walter Scott. His description of Helen Campbell, wife of Rob Roy, is a fine example. Her beauty is described as having a male cast. She wears a man's bonnet, and her

plaid is draped around her body in the style of a Highland soldier, and not worn as a woman would around the head and shoulders. This masculine image is further defined by the unsheathed sword she holds in her hand and the pistols at her waist.[3] This concept of the fighting female as a pseudo male denies women any notions of protest or participation in their own right. A woman can be active only if she is de-womanised and aspiring to manhood. This romanticism of historical figures is not confined to women alone, but is a problem of Scottish history, and Highland history in particular. The need to break down these stereotypical images is common throughout Scottish history in general and is not confined purely to Scottish women's history.

The dearth of women in Highland history poses certain essential questions for the historian such as why have Highland women been largely ignored, and how can they be reclaimed? Perhaps the most important question is how should history be written to encompass the *whole* of Highland society? In this introductory chapter these questions will be discussed through an examination of three principle considerations. Firstly, how has history been written in the past? A brief examination of the writing of history provides an insight into the making of a history without women. Writing on the position of women throughout history de Beauvoir considered all history in the past to have been made by men and that 'the woman's effort has never been anything more than a symbolic agitation'. Any gains made by women were 'only what men have been willing to grant'... Woman has always been man's dependent, if not his slave'. De Beauvoir suggests that women do not have a past history of their own.[4]

Men have indeed been largely responsible for the making of history in the past, not only as historical subjects, but as historians. Traditionally, the

absence of women from history has been a manifestation of the historian's interpretation of historical significance. Primarily, power, influence, and visible involvement in political, economic and religious activities have been used by the historian, as emblems of significance. Thus, where processes of change, influential in the framework of society or cultural patterns, were of fundamental interest to historians, women have been omitted. The focus on the power to bring about change has centred on institutions: magistracies, parliamentary and religious councils, and other male elites. Not surprisingly therefore, recognition of women in Scottish history by male historians has hitherto concentrated on the obvious positions of political and religious power *vis à vis* monarchs and saints. Where women have been acknowledged in other roles this has been regarded as exceptional, with the automatic assumption that they identified themselves with the leadership and models as represented by men. The *History of Scotland* [5] includes women only if they happen to be a queen, a saint, or in some way connected with eminent men, and is a fairly representative example of many mainstream histories. Scottish women were seldom found in traditional positions of power and autonomy and were therefore accorded little importance by the historian. Within the Scottish legal and institutional framework, women had little standing and have therefore been considered as objects of history rather than historical subjects in their own right. 'Woman' has consequently been very much regarded as trans-historical, detached from the dynamics of development. Given this framework it is not surprising that the general perception among traditional historians echoed that of poet Hugh MacDiarmid in his view that 'Scottish women of any historical interest are curiously rare'. [6]

The second consideration is how can women be made more visible. In turning to this question it is imperative to re-examine the definition of 'historical interest'. A shift in emphasis is required, away from the issue of power and whether women have power at all, towards a concentration on the nature of women's power. By relocating historical significance using these tools it then becomes possible to regard women as historical subjects, and to create an infrastructure through which to develop a recognition of women's history.

The third consideration is how to write women into history. The general directions which the writing of women's history has taken so far, both in general terms and in relation to Scottish women will be examined. Such an investigation may help to identify possible pitfalls and to chart a way forward. For example, it is important to examine the concepts of women as subjects, and of patriarchal oppression. Women's history has so far followed four general routes; biographical monographs; institutional histories; social ideology; and social history.

The Writing of Scottish History

Until relatively recently women have been largely ignored in Scottish history. Writing in 1986, a major Scottish historian, T.C.Smout, suggested that the history of women's place both at home and outwith the home was so neglected in Scotland as to be almost a historiographical disgrace.[7] To a large degree women have been subsumed by historians who write of 'people, workers and Scots'. Human experience has been very much equated with the male experience. Although women constituted more than half the population, as workers and as Scots, history has to a large degree been written from the perspective of the authoritative male subject, which has thus led to the forming of a single, assumed consciousness. This is notably true of older histories such as that written by Hume Brown

in 1908, where women are referred to only as relations of kings or as monarchs themselves, and as Covenanters, although Hume Brown also includes old and ugly women in his section on witchcraft.[8] However, some modern histories are equally blind to women. For example, in the 1984 edition of a *History of Scotland* women are not included as subjects but again appear as wives, daughters and sisters of kings, as monarchs and Covenanters.[9] Neither are women specifically included in the dominant themes of one thousand years of Scottish history in the publication *Why Scottish History Matters*. [10] Admittedly, it is a slender volume, ambitious in scope and necessarily brief in its analysis. Historical significance is firmly placed on political, religious and economic activity, where women are rarely seen and less frequently looked for. The purpose of the book is described as an attempt to reclaim Scottish history in its own right from being simply a minor aspect of British history. The need for a widening of ideas is acknowledged in the:

recognition of a greater range of what counts as history, and in particular that the bulk of the common people have had their own history in social structure, mechanisms for survival, conventions and beliefs. We are now aware that there are separate histories of separate peoples within the nation states.[11]

Given these acknowledgements it would seem fitting that women, as members of the 'bulk of the common people', should therefore form part of Scotland's history. Moreover, throughout the nineteenth century women constituted more than half the population in every region of Scotland. For example, at the beginning of the century there were 85 men for every

100 women in Scotland. In 1841 this figure had risen slightly to 90.2; and by 1891 the ratio was 93.3. (Appendix 1)

Women as subjects

Women's history in general has so far taken the form of specific studies as well as macro, interpretive overviews where neither approach addresses the other and where the questions raised are unrelated. Whatever the differences within women's history, the single, most important basis must be to construct women as historical subjects. In so doing women can then be regarded as part of the historical process and the feminist women's historian may then move beyond the dead-end of using sexual difference as an agent of historical causation. If women are seen as historical subjects it is more likely to be understood that women were 'participants in the human struggle to survive and to triumph over nature in the sense of creating a distinctly human world'. [12] The adoption of women as historical subjects does not equate to the substitution of women's history over mainstream history because it would then be relegated to the status of 'other'. Women have to be regarded as historical subjects within the wider context of mainstream history. The difficulty lies in achieving such a status in a field where women have traditionally been subsumed or ignored. Women's specificity has in the past rendered them unfit as representatives of the human race, so how can this notion be undermined when the focus is placed on women, without reinforcing it?

In order to determine some kind of solution it is helpful to return to the historian's value system and the definition of historical significance. It has been stated above that a major reason why women have been omitted from history is due to their perceived lack of activity within the political domain. Clearly

then, a broader notion of power and the political is needed before a more useful approach can be established. Pointing the way to a redefinition of the political, Foucault casts aside considerations of the need for power to establish a knowledge of sex within a specific state structure. Foucault does not regard as essentially important the question of what particular law was responsible for the regularity of sexual behaviour, and the conformity of what was said about it. Foucault's primary consideration in a specific discourse on sex, is to discern:

What were the most immediate, the most local power relations at work? How did they make possible these kinds of discourses used to support power relations?... In general terms... we must immerse the expanding production of discourses on sex in the field of the multiple and mobile power relations.[13]

With this concept of power the divisions between public and private, state and family, are no longer appropriate. Instead the emphasis lies within the interconnections between aspects of life and social structure that are traditionally treated in isolation. Scott suggests that this notion of politics offers a critique of history where it is not characterised simply as an incomplete record of the past, but as a participant in the production of knowledge that legitimised the exclusion and subordination of women.[14] Therefore, gender and politics are no longer mutually exclusive and the credibility of woman as an historical subject becomes possible.

It is also important to recognise that the dynamics of women's history occur on two interlinked levels. Firstly, there is the multiplicity of the roles of women across time, class, race, and ethnic lines; and

secondly, women in the collective sense, growing towards a consciousness of their common condition. Having recognised this duality in history, the core of women's experience can be defined to include all women, and the concept of women as initiators of history can be established. Alienation of women thus becomes a manifestation of historical development as opposed to personal failure, and the position of women can be seen as a moment of history and not as a condition of history.

Lerner considered that the bias of early feminist historians, especially their conviction whereby the history of women is only important when it represents the history of an oppressed group struggling against the oppressors, arrived at a misrepresentation of women's existence in the past. Equally this bias elicited indiscriminate praise for women's achievements and unrestrained emphasis on women's rights and suffrage movements. This 'feminist' frame of reference has therefore become archaic and fairly useless, and draws attention to the need for an underlying conceptual framework.[15] The concept of women as an homogenous caste or oppressed group fails to explain how some women were able to capitalise on their position and gain power within their own sphere. Furthermore, such an approach also neglects the 'historic reality of antagonisms and conflicting experiences among women'[16]. That women shared a sexual identity and formed a distinct sociological group is an important concept. To limit debate to this categorisation alienates women from the dynamics of development and disables any attempt at exploring the widest meaning of history. History then becomes an external process which bears a force on the lives of women and lacks any reciprocal interaction. Where women are regarded entirely as victims of oppression, joined together in this particular situation, they simply become objects of history. In short, it is as

important to know what divided women as it is to know about their shared situation. In order to discover on what basis women share an historical existence it is necessary to consider women as changing, diversified participants in social development. As Gordon has stated:

Analysis should document the underlying conditions of all women...If we start from an assumption that women are isolated, timeless, then we impose such a monolith on women's history that we cannot begin to analyse changes women have undergone...neither can we begin to differentiate the experience of women in different social situations. It is precisely the *interactions* between women's spheres and the 'rest' of history that enable us to discover women's contributions to world history.[17]

The use of the concept of an unvarying and undifferentiated oppression as an analytical tool can lead to confusion where women of the same time and space are under examination. The situation of women in the Highlands during the periods of clearance illustrates the difficulty well. For the evicted women, oppression meant physical hardship, hunger and disease. In contrast, the leisured female landowner, who was quite often responsible for the evictions, experienced oppression in the form of social and legal constraints. If the focus of women during this period of Highland history is placed entirely on the bond women share by virtue of sex, the concept of oppression cannot totally explain the dynamics of either women's life, or the underlying socio-economic and historical conditions. Furthermore, this emphasis violates the experience of the evicted women and sidesteps the role of the female landowner in removal policy. Similarly, forms of male dominance are

variable and cannot be assimilated under the general heading of patriarchy. Highland men, for example suffered the same degree of hunger as their female counterparts during the famines, while the woman landowner experienced no such deprivation and was at times in a position to alleviate this suffering. It is therefore not appropriate to seek out a uniform oppression of women, or a universal form of male dominance. The requirement is for research and analysis into the allocated roles and identities determined by gender in order to gain an understanding of the dynamics of any social system. Feminist theory and women's historiography needs to recognise the intersection of class, race, ethnicity, and gender in any analysis of patriarchal systems.

Adding Women

Although women's history has grown and developed, in some instances, discussion on the methodology and theory of women's history has proved only to reduce the role of women to little more than de Beauvoir's 'symbolic agitation'. Earlier women's history was concerned with redressing the imbalance by adding women to history. However, historians of women have since recognised that adding women to history is entirely different to adding women's history, and that however desirable it may seem, to simply redress the balance has limited theoretical significance. Women's history has faced prejudice where it is seen to be reduced to a historiography of compensation which fails to lead to a greater understanding of other issues.[18] This reluctance to accept women's history in its own right stems from the poor esteem in which women are held and through stereotypical images that alienate women from active involvement in the 'intellectually interesting' questions of historical change. The lives of women have been embodied by a specious timelessness with the focus firmly placed within the confines of the family and the extent of

their experience restricted to the bearing and raising of children. Given this unchanging, timeless role, and the traditional definition of historical significance, women's experience is likely to become irrelevant to the dynamics of historical development. Once these conceptions of women are accepted there can be little evidence to suggest to the historian that women's history can relate anything 'that we did not know before'. [19]

Women in Scotland

The process of addressing women's history in Scotland has taken four general directions. Firstly, early research into women's history resulted in a concentration of monographic works on the lives of individual women, most often in the form of biography. The work on Katharine Atholl by Hetherington is a more recent example. [20] Biographies have in the past been the only media through which the lives of women could be reconstructed throughout most periods of history owing to a general lack of primary sources in other areas. Whilst the biography is a valuable history of the individual and her milieu it has certain limitations. Essentially, the biography is restricting in that it conveys very little information relating to the wider majority of women who were not part of a social elite, or who stand out as pioneers in a particular field. The study of women through biography presents further difficulties in that relatively few women have left diaries, letters and other written sources that may provide an insight into their experience. The writing of diaries and letters also calls for a certain level of literacy and in many instances this has lead to a concentration on educated women of a particular social status. This shortage of documentation results in part from the lack of women's consciousness of self within pre-industrial society. Women were not encouraged to write about themselves as individuals, whose experience might be distinguishable

from that of her husband and children. Furthermore, biographies tend to be narrative and sometimes fail to analyse the position of the subject within her society, and may therefore lack any sense of perspective in relation to time, location, conditions, and social expectations which, in essence, removes the subject from history.

Secondly, institutional histories look at women within organisations and tend to be more accurately described as histories of feminism, rather than women's histories. In these histories women's movements and suffragism dominate the content. The works of King and Leneman are excellent histories in this field.[21] To a certain degree, the profusion of material available explains this emphasis. Furthermore, studies of women within institutions and movements tends to reflect the assumption by historians that women only merit discussion when they are seen to be active outside their proscribed sphere, engaged in the traditionally male prerogatives of collective and political activities. The shortfall of many institutional studies is the presumption that organizations inaugurate social change in isolation. Only passing consideration is given to the significance of industrialization, urbanization and other socio-economic factors. The need is for a meaningful integration of these elements into the institutional narrative. Gordon has shown that it is possible to transcend these difficulties in *Women and the Labour Movement in Scotland*, by relating to trade unionism the wider aspects of economic, political and social development across the latter part of the 19th century into the early part of the 20th century.[22]

Thirdly, women's history has often been interpreted through the history of social ideas. The function of this historical category is to examine the relationship between ideas and social practice. Frequently this is based on prescriptive literature

and includes books and journals relating to etiquette, child-rearing, home economics and marriage manuals. Literature of this ilk was used to inform women as to how they should conduct their lives. Within these prescriptive studies many important questions can be addressed regarding a variety of social institutions, and developments in the practice of divorce, child-rearing and so on can be recorded. For example, in *Sexuality and Social Control*, consideration is given to aspects of illegitimate birth rates and marriage patterns in Scotland in the seventeenth and eighteenth centuries using church records as part of the source material.[23] Despite the examination of important questions, attempts at finding solutions however, can be somewhat vague and inaccurate. Prescriptive studies often presume a relationship between ideology and social practice which may not always exist. History founded on social ideology alone may not be able to differentiate between women of a different class, or race, and may also fail to make an in-depth examination of social and economic elements. Although a very important history, *Virgins and Viragos, A History of Women in Scotland*, illustrates the above difficulties.[24] The focus on social institutions and ideas such as marriage, motherhood and education, confines the study to women of certain groups and does not include women across the social strata. The chapter on women's work refers only to the married woman as housewife engaged in the running of the household. There is no mention of single women's work nor of married women's work outwith domestic duties. Relying as it does on written evidence, such as diaries and letters, the book can include only the lives of educated, English-speaking women, and has necessarily excluded a considerable proportion of Scottish women.

It is the fourth category, social history, that offers the greatest opportunity for the study and writing of women's history. The conclusion has already been drawn that it is important to acknowledge that women do not constitute a monolithic and undifferentiated group. Within the framework of social history it is possible to discuss the differentials between women across the divides of class, race, ethnicity etc. Furthermore, the significance of looking at women's history within a wider context, through for example, legal codification, expansion in education, growth of capitalism can be addressed through the auspices of social history. This approach also allows for consideration of possible connections between social and economic change, and the emergence of women's experience. The role of women within the working environment and the home are beginning to be investigated by social historians. The futility of attempting to isolate women's role in the workplace from that of her role within the family has now been recognised. In looking at women's history it is important to give consideration to how women have attempted to circumvent restrictions imposed on them, and how they accommodated their societal role, and to examine women's subjective responses to their environment. For example, recent studies such as *Out of Bounds: Women in Scottish Society 1800-1945* explore the needs that participation in moral reform societies, religious movements, and political organisations, fulfilled for women. This is in contrast to the focus usually placed on the activities of the organisations themselves.[25] Furthermore, Smout has shown in his social history, *A Century of the Scottish People 1830-1950*, that women can be included in a national history as subjects. He discusses the role of women across a broad range of activities, including political revolt, education, employment, rural emigration, and industry.[26]

Similarly, the three-volume social history of Scotland entitled *People and Society in Scotland* also includes women as a subject and examines their position in a diversity of social aspects.[27] However, the greater emphasis of the second volume covering the period 1830-1914, is placed on the urban experience. Female agricultural workers from the Highlands are discussed only in terms of their mobility towards the Lowlands. Although women's history has grown, there are a number of areas within women's history that require closer examination in order to provide a platform for women in the Highlands.

Women in Scotland

Where history in Britain has been somewhat blind to the role of women, so women's history has tended towards anglocentricity. In a recent history of British women, Scottish and Welsh women's history was reduced to an end note and several passing references to Scottish education.[28] Women have become far more visible within Scottish history but the focus of this growth has been largely concerned with the urban experience. This concentration stems not only from the wealth of material available, but also from the prominence given to particular issues such as trade unionism and suffrage, as in the works of Gordon and Leneman, for example.[29] Where the spotlight is placed on activities formalised by membership of an organization there appears to be an underlying assumption that usually, only urban women have been pro-active in associations of one kind or another. Highland women remain in the shadows of their industrialised counterparts. The works of King, Gordon and Marshall referred to earlier have all considered the role of women within the framework of society based on a mechanised ethos.

Clearly, there is much scope for the study of women in the rural situation as well as in the city. However, it is not enough to look at the rural history of Scotland as a whole because it is not always relevant to make comparisons. There are for instance, stark contrasts between the rate of agricultural and economic developments in the Lowlands and the Highlands. There is no shortage of Highland histories where the unique aspects of the *Gaidhealtachd* have been acknowledged, but within these women as subjects have been very much ignored. Bingham writing on Highland history and culture quotes a number of women as travellers and collectors of traditional songs in her discussion of the Victorian popularisation of the Highlands. However in relating the clearances of Glengarry and Strathglass she fails to mention that the evictions were carried out under the control of women proprietors. The Countess of Sutherland stands alone as a female landowner.[30] Although the Sutherland clearances are described in great detail by Hunter in *The Making of the Crofting Community*, the Countess of Sutherland is curiously absent. Lady Gordon Cathcart and Lady Matheson are however, represented as landowners. Hunter uses quotes from women on the horrors of evictions, and a woman is used to illustrate the poverty of cottars. Despite this evidence that there were indeed women living in the Highlands, Hunter fails to consider the role of women beyond these passing references. In discussing the lack of resistance to clearance Hunter dismisses any revolt that did occur as spontaneous and ineffective. Nothing is stated about the high level of women's involvement in violent protest both in the early phases of clearance and in the crofters' war of the 1880s. Mary MacPherson, the Gaelic poet, is however acknowledged as a pro-active supporter of land reform.[31]

The role of women as landowners is briefly touched on by Clyde, in *From Rebel to Hero*. Women travellers and poets are also used as sources in his discussion of the romanticization of the Highlands, but women fail to appear as a subject.[32] Neither do women feature in their own right in *Gaelic Scotland* but appear in the form of a ladies association supporting Gaelic schools. However, the high profile of women in clearance protest is discussed at some length.[33] This consideration is based on the work of Richards, who has so far given the greatest acknowledgement to the role of women in the Highlands during the nineteenth century.[34] Although Richards is explicit in placing women as landowners and as protesters, his work does not allow for an in-depth examination of the phenomenon of women's role as rioters, and as clearers. Equally, Devine acknowledges the role of women in the Highland illicit whisky industry but fails to explore in detail the extent of this involvement and the reasons behind it.[35]

Where women have been acknowledged in Highland history there has been a consistent lack of discussion on their position within society. Any questions pertaining to women's involvement in riots or distilling that have been considered in any form have tended to be dismissed with the all-encompassing theory that women were only active in these and other activities in the absence of men. Richards suggests that women were actively resistant to eviction as part of their domestic responsibilities in providing a secure home for their loved ones. The stock response that Highland men were away at war or fishing for extensive periods leaving women to defend the hearth and carry on men's work reveals the reluctance of historians to look more closely or to conceive that women might have a place in history. As in the rest of Scotland, the number of women in the Highlands was consistently greater than that of men throughout the

nineteenth century. (Appendix 1) Thus the need for an in-depth analysis of women as a majority in the Highlands is long overdue. It is the aim of this research therefore, to investigate the role of women in the Highlands, across the social strata, in order to lay the foundations for future studies.

Looking at the nineteenth century alone and the periods of clearance there are basic questions that need to be addressed. Chapter one will question to what extent the control of Highland estates was a male prerogative and how far women influenced agricultural development. Consideration will also be given to whether or not women were totally unaffected by the concepts of 'improvement', and will challenge the concept of the 'evil' landlord. The second chapter will discuss the question of women of the landed class and their position in relation to the initiation of economic development. The media utilised by these women to bring about economic change will also be examined. A further consideration will be the extent of the influence of philanthropic zeal among the Highland elite during the latter part of the century. Chapter three will examine why women were so often at the forefront of resistance to clearance and if their involvement in violent protest was confined to this issue or if women were equally active in other issues. Was female involvement simply an attempt to defend the 'moral economy' or was their protest more than an extension of the domestic role? Chapter four will look at how women were involved in the illicit distillation economy and to what extent. Close consideration will be given to whether it was simply carried out by women in the absence of men. The final chapter will ask how important the Protestant religion was to women in the Highlands and if the influence of religion and churches was purely repressive. Did it provide a forum through which women might make themselves heard? Furthermore, the question of

whether women were active in the events surrounding the patronage question and the Disruption will be examined. These questions are the fundamental issues underpinning this research but there are many other important factors considered in addition. However, the intention of this research is not to write an extensive history of women in the Highlands during the nineteenth century, but to take a much needed initial step. With the adoption of a redefinition of historical significance it is hoped to prove that women of interest in the Highlands are not so 'curiously rare'.

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ITHE PROPHET OF IMPROVEMENTIntroduction

The nature of the economic changes that brought about the Highland clearances of the nineteenth century is complex and diverse. The aim here is to reduce these complexities into a simple framework on which to build an understanding of the involvement of landowners in the economic development of the Highlands, and to chart the flow of motivation behind changes in land use from the concepts of the Enlightenment onwards. Within this context it is helpful to concentrate on those estates where the impact was greatest. It has been the custom to view the control of land in the Highlands as a male prerogative, and the role of men has been well documented in Highland history. However, the intention here is to focus on some of the women who played a major role in agrarian and demographic change, and who contributed to economic development. Few women were legally entitled to land in their own right; the Countess of Sutherland and the Countess of Cromartie were rare exceptions. Despite their frail legal position, women exerted a considerable influence on land use through their position as wives of landowners, and as trustees for younger relatives. It is not intended to make a detailed examination of all the women who contributed to economic developments; the discussion will be limited to representative examples of women involved in economic change whose motivation developed from the quest for 'improvement' into the bare pursuit of profit. As with many male landowners, women were often absentee proprietors, with management of their estates left in the hands of local agents and factors. How far the managers *in situ* were responsible for estate policies and to what extent women proprietors were in control of the land is a topic for some debate. However, the question of factors and the extent of their influence is equally

applicable where male landowners are concerned. No firm conclusion can be satisfactorily achieved as to the extent of this influence. Considering that the proprietors, whether male or female, are held by posterity to be responsible for developments on their estates, there is little to be gained in this particular discussion from further investigation.

Foundations for Change

Throughout the eighteenth century ownership of land represented the gateway to power and influence in Scottish society. Large landowners were able to create numbers of dependent voters and great magnates could therefore maintain a leading role in Scottish society whilst elsewhere, their power and influence may have waned. As heritors, Scottish landowners controlled church patronage, poor relief, and parish education. A number of Scottish landowners also held estates in England and were therefore not always to be found at home in Scotland. Union and the subsequent removal of government to London provided further attraction for Scottish landowners to spend more time there and exploit the political opportunities Westminster held. The annexation of many Highland estates after the Jacobite rebellions of 1715 and 1745, coupled with the continuing break down of the clan system, encouraged many lairds to take up a life south of the border. With the preoccupation of London politics the majority of landowners were largely absentees, requiring income from their Highland estates to support their urban lifestyle. In contrast to the landowners of England and the Lowlands, many Highland proprietors regarded their estates or tenantry purely as a source of ready cash. Often the principles of good estate management were set aside in favour of quick and easy profits by landowners throughout the north west Highlands and Islands.[1] By the second decade of the nineteenth century, non-resident landlords in the Hebrides were criticised for draining their estates of wealth whilst

paying scant attention to improvement.[2] The lure of the south was such, that by the 1830s, only 46 of 195 proprietors in the north west Highlands and the Hebrides as a whole, lived relatively permanently on their estates.[3]

With the great intellectual changes taking place during the Enlightenment, the question of agriculture began to be considered in a new light. From a mainly theological emphasis, where the individual had little control over nature, the view of man's relationship with the environment shifted to a more secular consideration which suggested an understanding and control over the environment. Agriculture did not escape the positivist trend of placing all knowledge into systematic form. Writing in 1776 in the preface to *The Gentleman Farmer*, Lord Kames stated:

I pretend only to have reduced the theory of agriculture into a sort of system, more concise at least, and more consistent, than has been done by other writers.[4]

Given the intellectual analysis brought by the Enlightenment with regard to the physical and social environment that eliminated the concept of divine intervention in agricultural practice, the inspiration for change could be attributed to patriotism and social control, rather than to economic need.[5] However, economic factors, were very probably the foundation for change, with the demand for higher rents as a primary driving force. The London life chosen by many of the greater landowners made heavy demands on their income, which in turn guaranteed their support for agricultural change back home. Without an increase in resources to maintain opulent living and political aspirations, debt and bankruptcy could be difficult to avoid. The House of Argyll illustrates one such link between the need for

increased income and a growing interest in agrarian improvement as Cregeen points out: 'The [5th] Duke's interest in improvement was to a great extent controlled by the need for revenue.'[6]

Although the demands and aspirations of the landlords for agricultural development had been apparent from early on in the eighteenth century, the need for change was becoming imperative by the close of the century. Agrarian productivity underpinned economic development on a much broader front at this time. However, any rapid change was hindered by major difficulties that checked improvement. Campbell has suggested two major stumbling blocks; firstly, the conservatism of the tenantry and secondly, the enormous cost of agricultural change.[7] For example, attempts in parts of Argyll to remove the tacksman and lease directly to the sub-tenants floundered to such a degree that the restoration of the tacksman system had to be considered and sub-letting was permitted.[8] In some cases however, the threat of emigration and the loss of tenants led a number of landowners to institute some improvements. On the Sutherland estate for example, tutors to the young Countess of Sutherland, had to replace single leases to tacksmen with the conjoint leasing of farms in Assynt during the 1770s.[9]

Furthermore, acceptance of the old social structure by landowners was slow to die, and sometimes led to the modification of improvement plans, especially where removal of tenants was concerned. The lingering concept that personal greatness could be ensured by maintaining large numbers on the estate, kinship, and humanitarian concern motivated a number of landowners in their actions toward their tenants. The general feeling among landowners at the turn of the century was to oppose emigration, and 'everyone wrote against it'.[10] Although there were those who regarded moves

to prevent emigration as acts of feudal victimisation, [11], such policy was generally considered as a counterpoint to the improvements which were beginning to destroy the old social structure. Despite the move towards improvement, retaining large numbers on the land suited the government and many landowners, not least because it ensured a constant supply of recruits to the burgeoning regiments.

The obstacles of resistance to change and the need for high capital investment restricted improvement to areas where the level of expenditure was relatively low and where the landowner wielded complete social control. The need for higher rents did not necessarily bring enlightenment, and the lack of expertise of the improvers themselves constituted a further barrier to rapid change. Theoretically, landowners possessed a greater level of capital than tenants and could therefore afford to risk experiment.[12] However, landowners suffered the legacies of feudalism; primogeniture, entail, and modes of conveyancing, which represented further obstacles to progressive agricultural methods. An overriding concern for ornament rather than profit also did little to aid development. Adam Smith outlined the difficulty: 'it seldom happens... that a great proprietor is a great improver.'[13] Smith's view was compounded in 1829 by George Robertson who considered that the main bulk of improvement in the Lowlands generally, where superior methods of tillage and crop rotation had been augmented, was almost entirely due to the farmers.[14]

Although improvement in the Highlands, as in the Lowlands, may have been delayed by lack of capital, and social opposition, both from tenants and more subtly, from landowners, the objective of raising income remained a constant force. With this principal motive the landowner was likely to aim for the minimum

of change for the maximum rise in income in an effort to reduce the attendant risks of improvement. Cattle trading proved successful in this, as it required a minimum of change in structure or quality, but it was dependent on a growth in demand outwith Scotland. Sheep, however, proved more profitable than cattle and as a result the desire to develop sheep farms extended beyond any consideration for possible consequences.

Assuming that the basic motivation behind improvement was to increase rent, agrarian change was therefore not necessarily an automatic and general response to the ideology of the Enlightenment. Although the concepts of improvement provided an impetus, agrarian change owed less to the improvers of the eighteenth century and more to the patterns of supply and demand within a broader picture and a later period. Shifting the theoretical emphasis to economic concerns, brings the date of many large scale changes in line with the Napoleonic wars; a period which saw price increases, higher rents and some of the technical developments crucial to agricultural improvement in Scotland. The notion of improvement however was most triumphant in its role as a euphemism for a desire for increased income and the consequent major upheavals and human suffering on a number of Highland estates.

Economic Transition

The major saleable product of Highland pasture in 1760 was cattle. Although the demand for cattle continued to grow, it did so at a slower rate than the demand for wool and sheep. In terms of output, the Highland economy had greater potential for sheep than cattle. Despite steep price rises, the region was unable to further expand its cattle production, and with the continuing increase in sheep and wool prices from the 1770s through to the second decade of the nineteenth century, the value of sheep going south rivalled that of cattle in less than 100 years.[15] From 1745 sheep

numbers had increased in the Highlands, gradually pushing northwards and reaching Sutherland by 1795. The new sheep farms were developed in a capitalist and commercial economy, with a small number of farmers dominating huge areas of land, in direct contrast to traditional small scale husbandry. Incoming farmers stocked their farms with imported animals and often employed immigrant labour. These southern graziers were able to assure high rents for the landowner and were therefore preferred to the unpredictable returns produced under the old system.

In addition to sheep, kelp was a further challenge to the traditional black cattle economy. Kelp was an important element in the manufacture of soap and glass. Early in the eighteenth century kelp had been produced in the Forth Estuary and the Orkneys, and by the 1760s production had spread to the Western Isles and the north west coast. Landowners were generally unaware of the growth potential of kelp at this time and the tacksmen and small groups of entrepreneurs were the main beneficiaries of early profits. However, with increasing demands from industry for kelp, prices rose steadily. The main competitor to kelp was Spanish barilla. With the loss of imports of barilla during the Napoleonic war kelp prices soared. Landowners established legal rights to the seaweed on which kelp was based and assumed control of the industry. The 15-20,000 tons of kelp exported from the Hebrides in the early part of the nineteenth century brought an estimated £70,000 annual profit to the landowners.[16] Kelp production employed men, women and children in arduous conditions, worse than those experienced by factory workers in the south.[17] The kelper was an agricultural tenant, living and raising cattle on the land. As such, the proprietor was able to call on the labour of tenants during the kelping season, leaving them to make their own living for the rest of the year. During the kelping season the

kelper/tenant became a wage labourer, earning between £1 and £3 per ton, where the price of kelp was £20 per ton.[18] As the sole buyer of kelp from the estate, it was the proprietor who fixed the price paid to the kelpers. As landlord, a large proportion of the wage bill was then returned to the proprietor in the form of rent. In order to maintain a healthy profit, from high rents and low wages, an increasing number of landowners began to restructure their estates. Run-rig strips, the foundation of joint farming, were now divided into separate holdings, or crofts, occupied by a single tenant, or crofter. These holdings were too small to sustain the crofter, thus ensuring the need for additional work such as kelping or fishing. The development of the crofting system was an adjunct to the kelp industry in the Outer Hebrides. On the mainland, and in parts of Skye and Mull, crofting coincided with the development of large sheep walks. The large scale production of kelp and wool required an enormous transformation of the Highlands. The development of crofting townships came to be regarded as a convenient and potentially profitable means of transferring a displaced population. In many instances, tenants were removed from their holdings, which were then amalgamated into large sheep walks. Relocated to crofts along coastal areas tenants/crofters were forced into additional labour such as fishing or kelping in order to subsist. The theory was that the landowner could then rent out large areas of the estate as sheep farms at high rents, and in addition, receive rent from displaced tenants now removed to crofting townships.

Rural change had been largely gradual in the Lowlands and with the emergence of commercial farming the rural population became concentrated into villages and many found work in the emerging urban centres. The new agricultural methods provided more, rather than less, employment well into the nineteenth century. Pastoral

change in the Highlands however, was more rapid and did not facilitate the transfer of displaced people to distant industrial centres so easily. Agricultural change therefore rendered much of the population redundant. Furthermore, the move towards sheep farming coincided with an increase in population pressure.[19] Sir John Sinclair of Ulbster was a leading advocate for the introduction of the Cheviot breed and formed a veritable model for improvers to follow. Commercial sheep farming, according to Sir John, should not require the removal of small tenants. Instead they should be encouraged to manage small flocks in common through the amalgamation of their holdings and capital resources. In contrast, others, like MacCulloch, a prominent geologist and friend of Lord Selkirk, considered that:

‘sheep cannot be cultivated to a profit unless in large flocks and by a well regulated system. Small farmers cannot thence manage them: and thus arises the necessity of large sheep farms.’[20]

The implications of such a view for the existing population were serious. The people of Ross made a determined attempt to expel the Cheviot sheep by driving great flocks of them from the Highlands in 1792, *Bliadna Nan Caorach*, (*The Year of the Sheep*). The endeavour failed and the sheep pushed ever northward.

Improvement

Jane Maxwell, Duchess of Gordon, (Fig. 1) was an influential woman in the latter decades of the eighteenth century, and was part of the flourishing improvement crusade, the influence of which was later to reach Sutherland. The Duchess of Gordon's interpretation of improvement differed to that imposed on the Sutherland estate and was obviously on a much



Lady Jane Gordon

Fig. 1 Jane Maxwell, Duchess of Gordon,
E.G.Murray, *A Gallery of Scottish Women*, (London,
1935)

smaller scale. The emphasis of improvement and changes in land use on the Gordon estates of Badenoch and Strathspey focused on the provision of industry and employment for the indigenous population and to attract settlers from other estates, rather than the replacement of the populace with sheep. Brought up in Edinburgh, and daughter of William Maxwell, third Baronet of Monreith, Jane Maxwell had no legal entitlement to land in her own right. However, she was influential in major changes on her husband's estates. Immediately after her marriage to the Duke of Gordon in 1767, Jane Maxwell:

took the management of the fortunes of the family entirely into her own hands, and during her whole life unscrupulously and systematically pursued a career which had one sole object in view - family aggrandizement.
[21]

The Duke was reputedly a man of easy habits and does not appear to have been gifted with abilities beyond the average. Much of his time was spent in the pursuit of field sports, and he interfered little in politics. The Duke was not an enthusiast for improvement, and his only step in this direction was to rebuild Castle Gordon. The Duchess of Gordon was far more of an improver than her husband and had many influential friends. At their London home in Pall Mall, the Duchess of Gordon formed a social centre of the Tory party, being a confidante of Pitt. During the last 14 years of Pitt's first administration (1787-1801), the Duchess received large gatherings of hangers-on of the government. Lord Kames, author of *The Gentleman Farmer*, which was a guide to improvement, aimed to convert landowners to the principles of improvement, through the influence of their wives if necessary. At an early stage, Kames viewed the Duchess of Gordon as a suitable candidate

for persuasion. In 1769 Kames and the Duchess had discussed means of assisting the poor in and around Fochabers through the introduction of manufactures; many tenants on the Gordon estates had fallen into serious rent arrears following the famine of the early 1770s.

The Gordon's factor for the Badenoch estate, William Tod, had proposed a lint mill for the area in the early 1770s. James Ross, the Gordon's chief factor, was reluctant to recommend further expenditure on the estates following the extensive capital outlay on the construction of Gordon Castle. However, Ross made the suggestion that the lint mill might be made possible with some assistance from the Board of Trustees for Manufactures, agreeing to raise the matter when he was next in Edinburgh. However, it was not until the Duchess was persuaded to lend her support in 1776, that any signs of progress became apparent. The Duchess of Gordon was a great schemer and demonstrated remarkable ingenuity in achieving her aims. With regard to the lint mill, the Duchess directed Ross to make out three copies of a petition to the Trustees so worded as to appear to emanate from Tod himself. Forwarding two copies to Lord Kames and the Lord Advocate in September 1776, the Duchess advised Ross to forward the third to Tod in order that he should make a copy in his own hand for submission to the Trustees.[22] The petition requested the distribution of linseed, an instructor to help the people of Badenoch in the growing and retting of flax, together with funds sufficient to build a lint mill. The petition also claimed that nothing material had been done to release the inhabitants 'from the State of idleness which prevailed...in common with other Highland countries for many years past'. This statement suggests a desire for improvement in her intention to create a better use of land in Badenoch through which the tenants would benefit. The petition

was slow to move through the bureaucratic system and the Duchess submitted a second petition in 1777. Lord Kames was not a fervent supporter of lint mills and had a different opinion on the preferred way to dress flax. Kames favoured the dressing of flax by hand, in the home, whereas the Duchess favoured mills for the purpose. On a practical note she pointed out to Kames that in the north, where peat was the main source of fuel, and where families tended to work in the same house to conserve fuel, many house fires had been caused by hand flax dressers crowding too near to the open hearth. Despite this difference of opinion, Lord Kames was influential in the agreement of the Trustees to send an approved mill plan and to consider paying part of the costs of a mill upon its proper completion.[23]

At this point the project floundered. The approved mill plan was not forwarded by the Trustees' secretary, Guthrie, until July 1778, and more importantly, the main capital input was to come from Gordon Castle, and Ross was not prepared to commit the estate to that level of expenditure. However, the Duchess continued in her efforts to introduce flax into Badenoch and, in 1781, with the help of Kames, persuaded the Trustees to allocate 16 barrels of Riga linseed for distribution on the Gordon estates, including Badenoch and Lochaber. Ross, however neglected to distribute the seed to these two districts, alleging that the people there were totally ignorant of growing and processing flax and consequently any seed given to them would have been wasted. Besides he favoured two lint mills in his own area at Huntly and Fochabers.

The processing of various petitions was left to Charles Gordon, the Duke's Edinburgh agent. When Gordon was called away on urgent business, the Duchess, wrote the memorandum to be read out to the

Trustees on 20 February, 1782. In this memorandum, the Duchess drew attention to the expenditure already incurred by the Duke in introducing linen manufacture in Badenoch and explained the need for a lint mill there and offered that the Duke would 'go halves' with the board in paying for it. What the Duchess omitted was that the actual sum incurred by the Duke was just £10 which had been squeezed out of him to pay for James McHardy to improve his bleaching skills at Sandeman & Co. in Perth. Ross had intended Gordon to request two lint mills in Huntly and Fochabers; this had been turned upside down by the Duchess and emerged as a request for 50% of the cost of one lint mill in Badenoch. Eventually, the Trustees agreed to pay £40 towards the mill once it was proved to be functioning. They also agreed to pay for 20 barrels of linseed equalling the Duchess's promise for linseed to be distributed on the Gordon estates that year.[24] After the decision of 1782 work could begin on the mill in Kingussie to process the flax grown in that area thus establishing an industrial centre through which the local economy could be augmented. Without doubt, the lint mill at Kingussie would never have materialised without the intervention of Jane, Duchess of Gordon.

Although the lint mill, heckling room, flax sheds and rudimentary bleachfields provided the economic heart of a settlement, Badenoch lacked a village. By the 1780s nothing had been done to add to this nucleus. There were no feuing plans and no arrangements to invite settlers. The inconvenience constituted by the lack of a village in Badenoch was plainly stated by the Reverend John Anderson in his reply to Sir John Sinclair for the Statistical Account. Many of the necessities of life had to be sent for from a distance of more than 40 miles. Tradesmen had no fixed place of residence, and there was no centre for traffic or

barter so necessary in an inland country. The wool that could have been manufactured in the place had to be sent long distances to buyers from another kingdom:

'The flax that might have proved a source of wealth to both proprietor and tacksman had been neglected because skillful people are not collected in one close neighbourhood to carry through the whole process.'[25]

The Duchess of Gordon had made Kinrara her northern home following the collapse of her marriage in 1793. Under the formal terms of the separation the Duchess was allowed £3500 per annum. She took possession of Kinrara in 1796. Prior to this she had spent her summers on a small farm in Badenoch, with the Grants of Rothiemurchus as her neighbours. Elizabeth Grant of Rothiemurchus, daughter of the Laird, John Peter Grant, wrote her memoirs for future generations of her family. These memoirs are an important historical source, in particular her attitudes as a female member of the landowning class in the Highlands. Her observations on contemporary life in the Highlands and elsewhere are invaluable. Elizabeth Grant recorded in some detail the influence Jane Maxwell had on the life and people of the locality. Although the Duchess was eager to escape to her rural retreat where she lived a relatively simple life, she was hardly a recluse:

"Half the London world of fashion, all the clever people that could be hunted out from all parts, all the north country, all the neighbourhood from far and near without regard to wealth or station, and all the kith and kin both of Gordons and Maxwells, flocked to this encampment in the wilderness during the fine autumns to enjoy the free life, the pure air, and the wit and fun the Duchess brought with her to the mountains.[26]

Jane Maxwell was a gregarious and vivacious woman but she was also astute and concerned with improving the estate and surrounding area. She acquired the Rev. Anderson as her factor and together they founded Kingussie. The Duchess acted as the catalyst that brought about the 'actual implementation of founding proposals. In 1797, Tod, by now chief factor and George Brown, Provost of Elgin, spent several days surveying for the site of a new village. A feuing plan was drawn up by Brown and the new village was advertised in the *Aberdeen Journal*, January 1799.[27]

Once the new village was established, the Duchess turned to other aspects of the local economy. The Duchess of Gordon instituted and became the patron of the Badenoch and Strathspey Farming Society. From the minutes of the inaugural meeting of the Society in 1803 it is clear that she was more than just the patron. She named the Society's first committee, designating members as managers or directors. The Duchess appointed Reverend Anderson to the key post of Secretary. A major resolution of the Society was to encourage agriculture and industry by awarding prizes to the value of £60 in the first year to stocking knitters, the best spinners, and so on. In addition, the Duchess wrote to Sir John Sinclair proposing the introduction of a 'tryst' or public market. The aim of this public market was: to meet once or twice a year; to prevent unfair trading; introduce incentives for industry; and create a kind of good will or friendship:

'Our funds are as yet very small; but I hope, when the rich and powerful consider the benefit ... they will come forward and enable us to have a woollen manufactory in that country to give employment to the Highland [spinners].'[28]

This was an innovation that was to be adopted in varying forms by a number of women landowners, including several Duchesses of Sutherland, in the latter part of the century, in particular the development of the Highland Home Industries Association.

The Sutherland Clearances

The landowner stood between the sheep farmers and the old society. The introduction of sheep could not have been a success without the sanction of the proprietors. In effect the resources of the Highlands were controlled by the landowners. Describing the extraordinarily favourable position of the landowners Sir John Sinclair commented: 'In no country in Europe are the rights of proprietors so well defined, and so carefully protected as in Scotland.'[29] When improvement of any kind was seen as a measurement of enlightenment, most proprietors did not hinder the sheep farmers.

Large scale sheep farming began in Sutherland on Ross of Balnagowan's estate and was followed in 1792 by Lord Armadale, who removed his tenants to the shore of the Pentland Firth in order to stock the hills with sheep. Lord Reay followed the trend in 1800.[30] The Countess of Sutherland was therefore not the first landowner in Sutherland to introduce sheep, but the consequences of her actions have been remembered far beyond those of her predecessors. Elizabeth Gordon, sole surviving child of the 17th Earl of Sutherland, succeeded to her father's estates in 1771, five years after his death. The succession of the female heir to the 800,000 acre estates was contested by Sir Robert Gordon of Gordonston and George Sutherland of Forse. Following considerable litigation her succession was secured, an important triumph in an age where women rarely held land in their own right and were more

likely to hold land as a trustee. At the age of six Elizabeth Gordon became the Countess of Sutherland. The Countess lived in Edinburgh and London and the Sutherland estate was managed by tutors. Following a visit to Dunrobin, her ancestral home, at the age of 17 the Countess began to take an active interest in her estates and, 'from time to time made representations to her tutors regarding them'.[31] Her alienation from the people of her Sutherland estates was later attributed to her long absence at this time. The Countess of Sutherland continued to live in London and Edinburgh until her marriage in 1785, removing to Paris in 1790 with her husband, Viscount Trentham, British Ambassador in France from 1790-92. On their return to Britain they set up home in England. Although the Countess was directly involved with the northern estate, and made annual visits in the summer season, she remained, 'far removed from the influence of those general sympathies with the people of her clan for which her ancestors had been so remarkable.'[32] (Fig. 2)

The Sutherland estate may well have been in financial difficulties prior to her marriage, and this could have proved an incentive for the Countess to marry into the Leveson-Gowers. Her husband was later to become the Marquess of Stafford, one of the richest men in England. Whatever the financial condition of her father's estate, the Countess of Sutherland had accumulated debts; an inevitable result of expenditure exceeding income. Unable to inject capital into Sutherland, the Countess and her husband had drained the local economy. Very few changes were made on the Sutherland estates until Viscount Trentham became Lord Stafford on the death of his father in 1803, inheriting the richest fortune in the country. In addition to the lack of capital, much of the land was effectively locked up under tenurial arrangements with tenants and wadsetters,[33] until such time as their



Fig. 2 Elizabeth Gordon, Countess of Sutherland.
Portrait, Dunrobin Castle

leases expired or were bought out by the landlord. The Countess, therefore, did not gain full control of her estate until after the turn of the century.[34] By August 1805 the outline of the plan for Sutherland was specified, and included sheep walks and village development.

The Countess and her advisers were familiar with the ideas for improvement promoted by advanced thinkers such as Sir John Sinclair and George Dempster. The general surge of confidence that lured estate owners and entrepreneurs to believe that the contemporary industrial success of Lancashire and Lanarkshire could be reproduced in the Highlands, coupled with the financial benefits to be gained from sheep farming, formed the basis of improvement on the Sutherland estate. The Countess was persuaded in particular, by the concept that the conversion of her domain to sheep could be carried out parallel to the development of fishing and manufactures along certain regions of the coast, without too much trouble. Changes in land use on the near million-acre estate were not, however, fuelled entirely by the desire for improvement, but were also motivated by the need for increased income.

The condition of the population, poverty, and susceptibility to famine, was an additional consideration in planning on the Sutherland estate. The people were periodically dependent on the landowner for famine relief involving large outlays, and if they were to avoid a life of permanent misery change was of vital importance. The philosophy of improvement proffered a variety of solutions, including reform of modes of tenure and modernisation of farming methods. With a link between sheep farming and a solution to the problem of poverty, a future might be constructed in the manner of balanced progress. Thus, the great plan for the Sutherland estate aimed at solving the problem of poverty by the

introduction of sheep farming. This would augment estate income and provide an important source of capital with which to create a more stable economy, and reduce the threat of famine.

The Countess of Sutherland was seen to be responsible for clearance policies on her estate, although the English and Scottish estates were administered as one until the death of her husband in 1833, with many of the improvements financed by him. The Sutherland estate was managed by agents in consultation with the Countess and her husband. The Countess spent far more time at Dunrobin, (Fig. 3) than her husband and much of the estate correspondence was addressed directly to her. Furthermore, she inspected the estate accounts and appears to have had a clear understanding of estate management.[35] While the Countess consulted her husband over the innumerable plans for the estate she remained a driving force behind the changes that took place. From her correspondence it is evident that the Countess of Sutherland was motivated by the spirit of improvement in the plans for the estate. She made frequent visits to Dunrobin without her husband and wrote to him with details of the plans in progress:

The estate will increase very considerably next year besides the fishery addition...so much work is awaiting ...in the way of Canals roads and Bridges [sic], that we foresee...that in a few years this Country will be benefitted by preserving its people to a reasonable degree; we are however going to lay out one or two sheep farms.[36]

It is also apparent that while the Marquis of Stafford may have financed improvements on the Sutherland estate and suggested ideas for change, his wife was

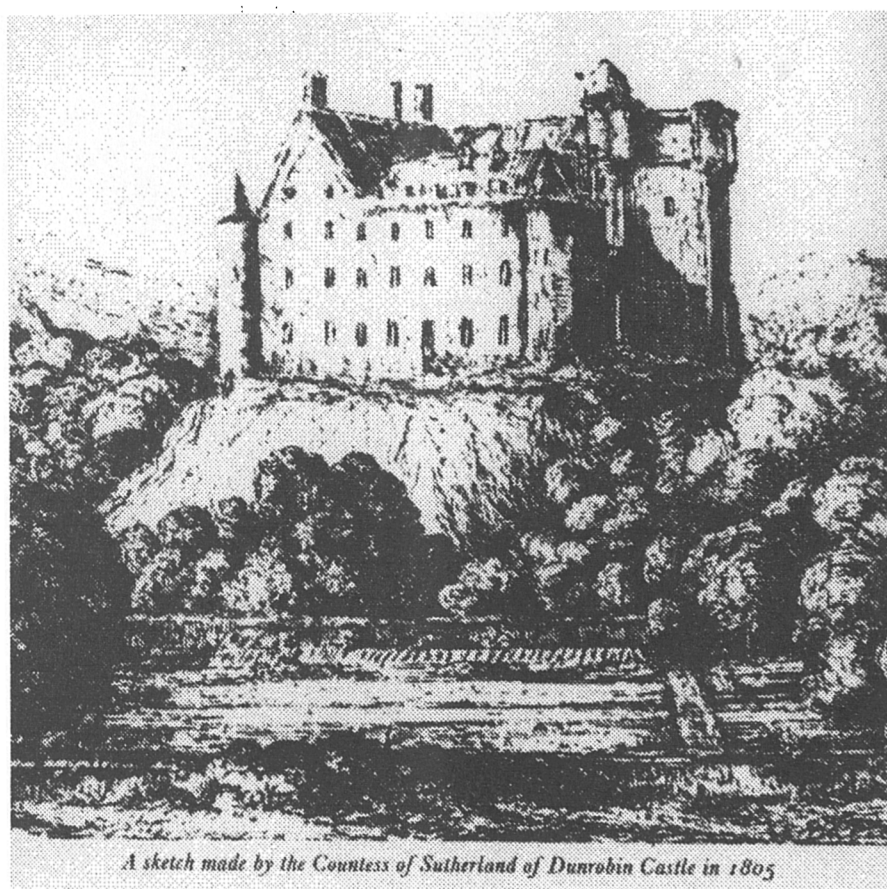


Fig. 3 Dunrobin Castle, 1805.
Highland Council Archive

far more closely involved with the development and implementation of plans. This was the case regarding the improvement of Golspie:

"We are busy laying out a plan for a village, thought of by you when you were last here...The idea is that this should be one of these fishing villages to be established on the coast...The people are to build the houses on 99 years leases with the croft let annually, and the cow pasture allotted to be in common will repay more than the ground would do in any other way. We all think this will be a useful and satisfactory improvement...The country really seems disposed to improve and it will do so when these methods are pointed out." [37]

Furthermore, the practicalities of dealing with estate personnel were very much the responsibility of the Countess. An early difficulty she was faced with was the miserly ways of the factor, Campbell:

"His intention was that our servants should live upon oat cake and whisky, and we were obliged to go without bread ourselves at dinner the day after we came...he had only provided one loaf...I am angry with him for not having filled the ice house, he says he does not care for ice, but letting it remain empty gives a chance for spoiling it. He promises to fill it this winter." [38]

Although the Countess of Sutherland acquired a notoriety for the nature and extent of the clearances on her estate, in the early stages of improvement there she consistently proposed a gentle course of action over an extended period. In line with many landowners, the Countess was anxious to retain her tenantry and refused numerous pleas from Lord Selkirk to support his plans for emigration to the Red River

colony in Canada. However, she wished to preserve the numbers on the estate under her own terms. Writing to her husband regarding the development of fisheries, she envisaged that the plans would be put into effect with a:

proper degree of firmness, and at the same time not to disband the people but to raise all the farms in proper proportions and to let a good many of the people remain without leases by such means you can get rid of them in case of bad conduct individually, and then they are ready to settle in another part of the country where we conceive fisheries will speedily increase.[39]

It is clear that the Countess regarded her tenants as little more than pawns on the extensive chess board that was her estate. However, she was shrewd enough to adopt a benign approach and, with regard to the plans for 'one or two sheep farms', urged her husband to reflect on the lenient and liberal measures he had always adopted with regard to the people, which would be, 'pleasanter than having driven them to the wall for a little more money.' The idea was that the people would flourish to such an extent that they will 'cheerfully pay a very considerable increase and preserve their attachment.'[40]]

As this letter shows, the intention was to improve the economic condition of the tenants which would enable them to pay higher rents and in so doing, improve the income of the proprietors. The addition of sheep farms, with higher rents, would also add to estate income. The Countess suggested methods of procedure, regarding the development of sheep farms and the subsequent redistribution of tenants. In the summer of 1808 she wrote to her husband:

"I heard that the three hundred people sent from Lairg to Strathnaver go on very well with the assistance of their friends and neighbours there. They will contribute to cultivate the land on which they are settled which will pay rent accordingly, so there is that benefit besides what is received from the sheep farm they leave. We must I think give some encouragement either by way of example or assistance to the settlers who are to begin on Skelbo...loan more etc., perhaps giving them a certain quantity of tools or something of that sort and shewing [sic] them the way of beginning." [41]

Although plans for improvement required displacement of tenants to other parts of the estate, the Countess was concerned that there should be some element of provision and education in new methods to prepare the people for a different life. By 1810, William Young had been employed and was an adviser to the estate. Young was a great influence in the planning of improvements, not least because he had similar ideas to the Countess:

Young will turn his whole attention to the general improvement and give all the advice he can. He says what I always thought, that you cannot turn poor people however industrious into a bare field and desire them to build houses and settle there, but that you must bring the ground into cultivation, build cottages...which occasions the necessity for the change being more gradual... [42]

William Young made a favourable impression on the Countess, and although he influenced many of her decisions she found his nature far too serious. The Countess was intelligent and paid great attention to

the running of the estate, but she also had a sense of fun. During her inspection of the fences, nurseries and other improvements on the estate she was inclined to make a joke about the fence posts at the gate but decided against it because:

Young being homo gravis et seriusus I try to look grave also and not to appear childish and trifling, the more so as he said afterwards 'I saw your Ladyship was pleased with the dykes and fences, though they are not the solid and general improvements we wish for but so far they are very well.' [43]

A fishertown was planned at Golspie where the people were to build houses on 99 year leases, each with a croft of three quarters of an acre, to be let annually. A similar fishing concern in Assynt, had become so successful that the people there were able to pay double rent.[44] The overriding concern in plans for improvement was to increase the tenants' ability to pay higher rents. Amelioration in tenants' standard of living was therefore a means to an end. Although Colin Mackenzie, one of the earlier estate managers, described the necessity of 'sweeping away what at present is a *superfluous* population' in order to rent much of the land as sheep farms, he did not advocate removing the people altogether. He estimated that the estate could yield £20,000 each year if it were let to utmost advantage, in contrast to the existing rental of £5,859. In addition, once roads, villages and harbours were built, the population 'will become the means of enhancing the value far even above £20,000 a year.'[45] In 1806, the advice to the Countess from her estate managers was to proceed at a gradual pace to enable the people to come to terms with the changes both on a practical and ideological level. Thus in the early stages of improvement, many tenants were granted an additional year before removal, during which time they could sell their

cattle and provide themselves with new homes, and thereby lessen the hardship of eviction. To what extent the Countess of Sutherland was guided by Cosmo Falconer, her factor in the early years of improvement, and how much of the concern was hers alone, is unclear. Falconer considered that for many of them, it would be a blessing to be taught a new and improved application of their industry and labour.[46]

Aware of the difficulties tenants were likely to face as a result of changes in land use, Falconer made numerous suggestions to the Countess in an attempt to minimise the upheaval her plans required. For example, he proposed that the Countess might help those who wanted to emigrate, or help those who found her accommodation unsatisfactory to find situations connected with industry in other parts of the country.[47] The general view of the estate managers, at a time when Lord Selkirk and Lord Webb Seymour were petitioning the Countess to support emigration, was that emigration was not to be encouraged except where people were willing. Colin Mackenzie considered that in order to survive in America, Highlanders would have to change the very habits they were generally thought to be unwilling to change. If they were going to change these habits they would be better to make the changes at home.[48]

Even when socialising in London and Edinburgh the Countess considered the technicalities and problems of rural improvement. In Edinburgh she discussed the improvement of Highland estates with Mrs Colonel Hamilton, who suggested a possible solution to the problem of removing surplus tenants:

...she sent me a letter from a Mr Anderson at Closeburn offering employment during six weeks of harvest for 100 sheavers if they could be got, by way of giving them a taste for foreign parts, and encouragement to

settle there if they like it. Accordingly we read a proclamation at the church doors, about 300 volunteered, all eager to go. This morning we dispatched 108 of these least wanted at home, with letters to Mr Anderson... selected in proportions from the different parishes.[49]

The plan for the Sutherland estate involved the development of sheep farms and the removal of displaced tenants to small plots of land on improvable moorland, and the introduction of new fishing villages along the coast. Those to be removed were divided into two groups: those to be re-settled on the estate, and those to be completely evicted; poachers and all disorderly and troublesome people. This latter group included families who had refused to contribute a son to the Countess's Sutherland Highland Regiment. As early as 1799, the Countess had used the threat of eviction to encourage recruitment into her regiment. Those who failed to enlist or joined the wrong regiment were actively discriminated against. Following the reluctance of her people to enlist in her regiment the Countess made her position as a landlord clear: '[they] need no longer be considered as a credit to Sutherland or an advantage over sheep [sic] or any useful animal'.[50]

In 1807 the first large sheep farm began operating at Lairg, attracting a rent three times that of the previous rent. Some 300 people had been removed from Lairg to the northern banks of Loch Naver, where they settled rather unhappily. The tenants had been relocated to crofting communities with individual plots of land too small to provide a living. The Sutherland plan provided only for these new crofting communities, not planned villages similar to that of Kingussie inspired by the Duchess of Gordon, or those of Grantown-on-Spey and Tomintoul. Construction of

houses in these new villages was slow and badly organised. Many families had refused to move to this alternative accommodation and emigrated to North America. Despite the reported loss of the emigrants and their ship off the coast of Newfoundland, emigration from the estate increased. Furthermore, the famine of 1807/8 led the Countess to alter her approach to the proposed changes. It became obvious to her that if the people paid the proper rents they would be unable to pay in corn as well. The Countess, writing to her husband, underlined the need to attract new settlers and 'get rid of all the single people and transfer those who deserve it to the coast.' [51] The unexpected difficulties experienced in the first phase of removals acted against the factors and resulted in a loss of confidence in them by the Countess. New initiatives, enthusiasm and energy were now required on the Sutherland estate.

William Young and Patrick Sellar had leased a farm on the Sutherland estate in 1809 and had advised the Countess regarding development of her land. Both Young and Sellar were advocates of improvement and had successfully implemented new cultivation methods in Morayshire to increase crop yields. William Young replaced the factor and Patrick Sellar was engaged to carry out the instructions of Young, deal with legal matters, and to act as rent collector. Plans for improvement proposed by Young and Sellar were essentially an extension of those of the Countess but they expanded her schemes and hastened their implementation as part of a vast economic and social planning operation. The foundation of the Young and Sellar partnership was the belief that profound remodelling of the estate economy could be achieved by an injection of capital and enterprise. That sheep farms, and the removal of the population to coastal villages developed for fishing and industry, were complementary to one another was never questioned.

The wish to retain the population remained under the new management with the belief that the poverty of the Sutherland estate derived from the misapplication of labour and mismanagement of the soil. At this time the concept of overpopulation was dismissed and countered by the argument that England had a far greater populace and was richer as a result.[52] The way forward, it was believed, lay in channelling the energies of the people into a proper division of labour to be established through the development of villages and improved communications. Sellar and Young encouraged the Countess to induce her tenants to settle in villages in their letter to her of September 1809:

if you can introduce a few mechanics and manufacturers among them, induce farmers to the cultivation of flax...Sutherland may enjoy as many comforts and pay as fair rent as any of her neighbours.'[53]

To complement the programme of clearance from the inland glens proposals for coastal development included coal mining, fishing, tanning, cotton, flax, salt, brick, and lime manufacture; a common line for improvement.[54] The underlying assumption in all of this was that the people of the interior found their living conditions as intolerable to them as they were to the landowner.[55] This proved not to be the case during the execution of the revitalised plan in 1812 and 1813. Although the people cleared from Assynt went relatively quietly, open conflict broke out in Kildonan and Clyne. Several hundred people were to be displaced to allotments on the north and east coast. Their reluctance to remove was attributed to their whisky smuggling activities which were sure to be restricted if they settled on the coast, where the estate considered that they would be of more use as fishermen. In January 1813, close to Suisgill, a large crowd, armed with bludgeons, confronted a group of

factors, valuers, and shepherds, there to survey prospective sheep walks. The valuers were threatened and chased off the land. The resistance continued into March, after which the estate adopted a conciliatory approach, whereby the tenant farmers were to be allowed to remain in their houses until new ones were ready, with provisions also made for the purchase of their cattle at generous prices. In addition, neighbouring landowners in Caithness had offered accommodation on their estates, and 580 people took up Lord Selkirk's offer of assistance for emigration to Canada.[56] Following the Kildonan riots it became apparent that the people were not co-operative in the programme for economic and social change. Therefore, plans for improvement now hinged on compulsion, given that the tenants were reluctant to be pushed into purpose built crofting communities, despite population pressure within traditional townships.

Several thousand people were forcibly removed between 1812-1815. In many cases houses were burned to prevent their return. It was the enormous scale of the Sutherland clearances that marred success. Furthermore, the difficulties of resettling thousands of people along the coastal regions were continually underestimated. Despite enormous expenditure on the creation of reception facilities and employment for those removed from inland, the new lots were not ready for them to move into. Subsequently, there was no time to prepare adequate crops. The estate spent an aggregate of £140,488 between 1812 and 1817 while the income from the estate increased from £22,212 to only £39,984 in the same period.[57] The growth of a coastal economy however, was disappointing, despite the high level of investment. With accommodation along the coast far from adequate many of the allocated areas were congested by 1814. In addition, trends in the British economy as a whole were not conducive to industrial development in peripheral

regions and between 1813 and 1821 any industrial development on the margins of the national economy was hazardous.[58] The new economy proved to be no more reliable than the old system. As a short-term benefit, the actual expenditure on capital projects created substantial employment in the county. A new village was created at Brora with a working colliery and housing for colliers and fishermen. The new salt pans produced some 20,000 tons of salt between 1814 and 1828, and 90,000 bricks were produced at the brickworks. In a similar period 70,000 tons of coal were extracted from the mines.[59] Whether this was beneficial to the majority of those removed and resettled is questionable, as many immigrants were employed in a number of these ventures. Loch was to claim that the object of the improvement was to bestow the profits of fishing on the people, reporting an 'unprecedented increase of the fisheries on the coast of the Highlands'. However, in 1821, David Stewart of Garth, commented: 'it is well known that the increase is almost entirely occasioned by the resort of fishers from the south'. Stewart also drew attention to an advertisement in the Inverness newspapers describing 60 lots to be let in Sutherland for fishing where: *'decided preference will be given to strangers'*[sic].[60] Similarly, men were brought in from Fife and Staffordshire to manage and work the Brora coal mine. These managers deprecated the Brora coal which was jurassic, quite possibly to jeopardise the success of the mine.[61] The enormous investment therefore had only limited developmental effects.[62] After the end of the Napoleonic War industrial growth on the Sutherland estate failed to be sustained through the 1820s, largely as a result of poor quality coal and falling prices. The colliery, brickworks and the saltpans were closed down in 1828.[63]

Colonel David Stewart of Garth, who had inherited landed estates in Perthshire, and slave estates in the West Indies, was familiar with improvements in the Lowlands. Whilst Stewart was keen to implement those agricultural improvements that were appropriate to the Highlands, he did not approve of the methods of Young, Sellar and Loch. In considering the Sutherland improvements Stewart observed that few of the people were to have a share. Moreover, Stewart attributed the intransigence of the people to the suffering they experienced at the hands of the improvers:

Gradual, prudent and proper change would not have excited riots among a people distinguished for their hereditary obedience to their superiors, nor rendered it necessary to eject them from their possessions by force, or as in some instances, by burning their houses over their heads and driving them out homeless and unsheltered to the open heath.[64]

The trial of Patrick Sellar, has been well documented and does not warrant full discussion in the context of this chapter. However, the trial and subsequent publicity prompted a number of debates regarding the role of the Countess, some of which were later stimulated by the famine of the 1840s. Sismondi, Mulock and Marx were among those whose commentaries were published on the Sutherland clearances and the role of the Countess. Although ultimate, legal control of the Sutherland estates was held and financed by her husband, the Countess of Sutherland is repeatedly held responsible for the clearances on her estate by nineteenth century economists and political writers.

Economist and historian, Jean Simone de Sismondi, (1773-1842), a most respected social scientist of the time, was convinced that the Countess of Sutherland was in control of all that was done on her estate: 'The Duchess of Sutherland is, beyond question, an extremely clever woman; she administers her immense fortune with intelligence; she augments it, and for it she prepares fresh enterprises in the future.'[65] Sismondi considered Loch's description of the Countess as generous in a different light:

She took 794,000 acres but left them 6,000, i.e. 2 acres per family. These 6,000 acres were available as a refuge for small tenants and were previously waste ground and yielded nothing to the owner. She rented them out at an average of 2/6 per acre; with leases under seven years. This was no gift.[66]

Furthermore, as Grimble points out, behind the mask of philanthropy lay a concern for petty profit.[67] This view is compounded by the profits made through Young's management on the Sutherland estate through famine relief in 1808 and 1812. These profits are rarely mentioned, whereas the Countess received some acclaim for the thousands she spent in aiding her poor and starving tenants.[68] Improvement and philanthropy were to become recurrent themes in the exploitation of Highland tenants.

The journalist Thomas Mulock, writing in 1850, considered the trial of Patrick Sellar as 'a crafty subterfuge to screen the noble delinquents.'[69] Mulock held both husband and wife responsible for the Sutherland clearances and considered that Sellar was simply carrying out the plans of the Staffords. It was *their* determination to substitute men, women and children with flocks of sheep, and to expel the former from all the arable land in the interior. Furthermore,

Mulock proposed that the indictment was deliberately constructed so as to include charges that could never be sustained such as 'culpable homicide' and 'fire raising'. Through these sham allegations, he deduced, the prosecution not only floundered, but the acquittal of Sellar came to be seen as: 'a judicial approval of the penal proceedings in Sutherland...therefore, the Sutherland clearances received a sort of solemn sanction - proprietorship was re-enfoeffed[sic] with supreme sway...'[70] The dynamics of landowner power, improvement, and the condition of the tenant was also considered by Marx.

Karl Marx interpreted the shift towards improvement in the Scottish Highlands as a result of the development of a money economy. With the transformation of the ancient tribute into fixed money contracts, change in the system of national production was necessary. Marx considered that the ultimate usurpation came after 1811 as the: 'forcible transformation of non-clan property into private property in the modern sense, of the Chief'. [71] In Sutherland the figurehead of this economical revolution was the Countess of Sutherland, alias Marchioness of Stafford, whom Marx described as 'a female Mehemet Ali, who had well digested her Malthus.'[72] Marx talks of her determination to transform the whole tract of country into sheep walks in the resolve toward radical economic reform. There is no mention of the Marquis in Marx's account of the expulsion of 15,000 inhabitants, nor in the destruction of their villages and the conversion of all their fields to pasturage. In the eyes of Marx, the Countess carried the responsibility for the clearances on her estate. Clearly, the Countess of Sutherland and the estate factors believed in the undeniable right of the landowner to have ultimate control over the land irrespective, of the hardships to the people living there.

The condemnation of the Countess of Sutherland by Marx was part of an article published in 1853, the main focus of which centred on the anti-slavery debate. The Countess/Duchess of Sutherland had died in 1839, and it was Harriet, the second Duchess of Sutherland, that Marx was particularly keen to attack in her role as an active campaigner for the abolition of slavery. Marx considered the first Duchess of Sutherland as the perpetrator of vile crimes comparable to those of the slave owners her daughter in-law now petitioned against. In his defence of the Sutherland clearances, prior to 1820, James Loch had asked:

Why should the absolute authority of the landlord over his land be sacrificed to the public interests and to motives which concern the public only?.[73]

In 1853 Karl Marx countered this by asking why then should the slaveholders in the southern states sacrifice their private interest to the philanthropic grimaces of the Duchess of Sutherland?[74]

Harriet's daughter in-law, Lady Stafford and Countess of Cromartie, was also an abolitionist. Together with Lord Shaftesbury, Anne Hay-Mackenzie organised a public reception for Harriet Beecher-Stowe, the great champion of the anti-slavery movement and author of *Uncle Tom's Cabin*, during her tour of Britain in 1853. Lord Shaftesbury and Lady Stafford had sponsored an address against American slavery, signed by 576,000 women. In 1854, Harriet Beecher-Stowe published an account of her visit to Britain in *Sunny Memories of Foreign Lands*, in which she defended the Sutherland clearances, describing them as:

an almost sublime instance of the benevolent employment of superior wealth and power in shortening the struggles of advancing civilisation...'[75]

Harriet Beecher-Stowe did not visit the Highlands as part of her tour. Her second-hand perception of the clearances was based on information from James Loch, an ideologue of the improvement movement in the north of Scotland, who had masterminded much of the plan for the Sutherland clearances. It was her *Sunny Memories* that moved Donald Macleod to publish a contrasting account, *Gloomy Memories of the Highlands*, in which he gave a full description of the atrocities of the clearances in Sutherland and across the Highlands.[76]

A Euphemism for Profit

The Sutherland and Cromartie estates were linked by the marriage of Anne Hay-Mackenzie, Countess of Cromartie, to George Granville, who became third Duke of Sutherland. Management of the Cromartie estate by the women of the family, illustrates the role of women as successors, widows, and trustees. The estate had plunged into serious debt and the need to increase estate income and the subsequent changes in estate policy were made under the guise of improvement. Isabella Mackenzie, (Lady Elibank), succeeded to the Cromartie estate in 1796, after the death of Kenneth Mackenzie, inheriting his debts also. Lady Elibank was anxious to rearrange certain parts of the estate and in 1797 she wished to remove some tenants whose leases had expired. The period in which Lady Elibank controlled the Cromartie estate was associated with a number of tenurial changes that are difficult to chart.[77] Parts of the estate were reported as being advertised for sheep farms as early as 1792.[78] In 1798 there is evidence of the arrival of commercial sheep farming on the west coast. A petition seeking protection of sheep farmers from 'depredations' on their sheep, included the signature of one Alexander MacCulloch, probably the tacksman of grazing lands in Coigach whose rent had risen in recent years.[79] At the same time there was a move on the estate towards a replacement of victual rents with money payments. The

wisdom of this change was questionable, as victuals offered a certain protection against inflation. Consequently, a compromise was reached and in 1799, the bolls of meal due were paid half in money and half in meal; a boll of meal being valued at 16/-.[80] New tenures for arable lands were introduced concurrent with the re-orientation of farmlands in several parts of the estate. The Cromartie estate had been forfeited following the 1745 rebellion after which old soldiers had been given small lots at Strathpeffer. Thus it was a simple measure to extend the already established lotting system to newer ground which might then release other land for rental to sheep farmers. This practice of rearrangement, in effect an extension of the crofting system, was not uncommon in the Highlands at the turn of the century, and quite often involved evictions. In 1801, at least one of Lady Elibank's tenants was faced with eviction by her plans and petitioned her against it.[81]

Living in Newhall, Midlothian, Lady Elibank seldom visited her northern estate. Control of the estate was therefore carried out through correspondence with her factors, and much of this is dominated by demands for speedy payment of their accounts in the south, and directives not to expose her to further debt. Lady Elibank's daughter, Maria, married Lord Edward Hay, who became Mr Hay-Mackenzie on his marriage. Edward Hay-Mackenzie became involved in the management of the estate, in the first instance, as a supervisor on behalf of Lady Elibank. Hay-Mackenzie shared the developing preference of northern landowners for importing factors from the south. Such men were thought to be free from the presumed Highland inertia, and were possessed with the ability to institute rapid change on Highland estates. In the search for a new manager, Lady Elibank and Lord Hay sought a 'solid, sensible young man' who would know every foot of the estate and be able to 'settle everything between

tenants, but not [be] known in the north'.[82] Essentially, Lord Hay required a manager who would show energy and alacrity in paying over the rents. The difficulties faced by the landowner filtered down into the everyday life of the tenants in the form of tenurial change, eviction and higher rents. In 1801 Maria Hay-Mackenzie succeeded to the Cromartie estate on the death of her mother. The problem of debt remained and was compounded throughout the years by the number of women of the Cromartie estate who outlived their men by many years. The wives of both Kenneth Mackenzie and his predecessor, John Macleod, outlived their husbands, and were entitled to a personal allowance. The family of Lady Elibank were in financial difficulties and her successor, Maria Hay-Mackenzie not only married into debt, but outlived both her husband and son. Consequently, estate revenue was carried away from re-investment in the local economy and from further development of resources on the estate. In fact, rents were increased and large areas of Coigach were let to new tenants. Confirming the fears of those who had attempted to quell the flow of sheep farming by organised resistance in Sutherland, and Ross-shire in 1792, large areas of the estate were put up for rent as sheep farms. On 8 July, 1808, Corry, Rhiddoroch, Glastullich, Langwell, Auchindrain, Atlandow and Badenscallie were advertised to let as sheep farms in the *Inverness Journal*. Part of the incentive towards the leasing of sheep farms was the high prices wool commanded, as a result of restricted imports of wool during the war with Spain when prices rose from 4s per pound to 25s.[83]

Edward Hay-Mackenzie managed much of the Cromartie estate, although living for most of the time in Edinburgh. Day to day management of the estate was left in the hands of the factor James Laing. Any idea of improvement on the Cromartie estate was not part of

a plan but was more of a hope, or more likely, a convenient vehicle through which to impose changes on the estate. The removal of tacksmen and changes in the method of payments of rents was carried out in the name of releasing the people from the oppression of the tacksmen: '...indeed were the present tenants or any native to have the whole [of Badenscallie] they would just subsist and enslave the poor creatures as formerly'[84]. Laing supervised the re-arrangement of Coigach which involved the removal of people to Keanchrine along the coast where they were allocated individual lots and became 'crofters'. Crops were to be grown on these small plots, and to supplement this inadequate living, the people were to take up fishing. From Laing's report of 1814, both agriculture and fishing were flourishing.[85] The major portion of land was then reserved for the large tenant, inevitably a sheep farmer, at a high rent. In either cases the rent was paid directly to the landowner who therefore gained the tacksman's percentage. Under Edward Hay-Mackenzie, there appears to be no consideration of ejecting people from the estate and indeed both large and small incomers were encouraged.[86] However, a close and influential neighbour Sir George Mackenzie, author of *A General View of Agriculture of the Counties of Ross and Cromarty*, was of the opinion that if the people could not survive the rigours of famine etc. they should quit their lands. Writing in 1813, Mackenzie noted that the whole of Coigach was about to be let.

As early as 1810 Maria Hay-Mackenzie had 'conveyed all her property and rents of the entailed estate of Cromarty, in trust for behoof[sic] of a variety of persons to whom she was at that time considerably indebted.'[87] The Cromartie factor, Laing became directly answerable to the Trustees, many of whom were in Edinburgh, and took his directions from Maria Hay-Mackenzie's agent there, Francis Walker. It was

Walker who had placed the income of the estate on a new footing whereby rents increased and tenants were systematically placed on crofting lots to make room for the extension of sheep farms. Kelp shores and fishing were also re-let. However, the sudden decline in sheep and wool prices limited the economic potential of these plans. In addition, Walker was explicit in his criticism of the expenditure the maintenance of two houses incurred; the debts incurred by the Hay-Mackenzies were of their own volition. The collapse of cereal, cattle and kelp prices led to near-famine conditions in the years 1816/17. By 1818 Maria Hay-Mackenzie was complaining that the Trust was so limiting to her that life was almost intolerable. Walker cautioned her against placing too much pressure on her tenants and to wait until prices improved. However, the market remained relatively stagnant throughout the 1820s and 1830s. The level of competition in agriculture increased and the immigration of more efficient farmers from the south forced many small tenants to become cottars or to migrate.

The primary concern of Maria Hay-Mackenzie was to augment her income which to some degree she achieved through the introduction of sheep farms and higher rents on the estate. However, any improvement carried out on the Cromartie estate was largely due to the larger tenants, not the proprietor. Certain parts of the estate reached the forefront of agrarian advance. For example, Mackenzie of Hilton, through his improvement of waste ground in Strathpeffer was awarded an honorary premium by the Highland Society in 1817. The landholders were persuaded to drain between 600 and 700 acres of marshy land which was then converted into a state of high cultivation.[88]

Maria Hay-Mackenzie made some attempt to institute economic growth in the area and was involved in the development of Strathpeffer as a spa town. In 1819 Maria Hay-Mackenzie had the pump room built at a cost of £300, which was borrowed. Although the spa received enthusiastic reviews, immediate demand was disappointing. Despite prospects for increasing popularity, Strathpeffer needed a hotel and a village, but any further development was severely restricted by the financial difficulties of the Cromartie estate. In 1822 Maria Hay-Mackenzie added a further burden to estate finances by placing her son, John, in premature control. Thus, with an annuity of her own, she became a dependent of the estate herself. John Hay-Mackenzie died in 1849 and was outlived by both his mother and his wife. The dowager Mrs Hay-Mackenzie not only added to the number of women to be supported by the estate but decided to install herself at Castle Leod, which required an expenditure of £1700.[89]

John Hay-Mackenzie's daughter Anne, married the Marquis of Stafford, later third Duke of Sutherland, in 1849, succeeding to her father's estate the same year. (Fig. 4) However, the Sutherland wealth was to have many demands made on it. Elizabeth Grant of Rothiemurchus was less than sympathetic to the financial difficulties of the Hay-Mackenzies. When she heard that her sister's niece, Anne Hay-Mackenzie, was engaged to be married to the Duke of Sutherland's eldest son she wrote in her diary:

The Sutherland fortune is immense already - a hundred and fifty thousand a year or so. There is an immense family to be provided for out of it however and there are incumbrances - so there are on the lands of Cromartie. How can people get into debt with such

incomes? Our poor Irish hundreds! How pitiful they appear beside these princely revenues...[90]

The estate came under the full control of Lord Stafford and the Sutherland estate commissioners, James Loch and his son George, even though Maria Hay-Mackenzie was still living. There remained a need to improve the finances of the estate. Before his death, John Hay-Mackenzie had initiated a scheme to reclaim land at Knockfarrel where many of those evicted from the Balfour estate in Strathconon had resettled. The scheme was brought to fruition posthumously by Loch and was regarded as a great act of philanthropy on the part of John Hay-Mackenzie. The Knockfarrel plan provides an excellent example of estate thinking at that time. Philanthropy was not the driving force behind the reclamation. No single tenant had shown any interest in renting. The land was most likely to have been improved with the help of grants from the Drainage Commission, set up after the famine of 1846/7. More importantly, the crofters had been employed on the railways and in the south, and were able to offer more rent than a single tenant. Not only does this explode the myth of landlord philanthropy, but it also disproves the argument put forward by many Highland proprietors that Highlanders were lazy and unwilling to find work away from their homes, and that they were unable to make a success of their farms.

Ultimately, however, crofting made little profit for the proprietor and much of the Cromartie estate continued to decline. The great famine of 1846/7 had played an important part in weakening the position of the crofters. Unable to sell their cattle for much, the people were dependent on poor relief in order to survive. The system of poor relief involving work on roads, came at the same time as the short herring season, and many went off to the fishing. The

Fig. 4

House of Sutherland

Earls of Sutherland

Elizabeth Gordon,
 Countess of Sutherland = 2nd Marquess of Stafford,
 Marchioness of Stafford 1st Duke of Sutherland
 Duchess of Sutherland (1758 - 1833)
 (1759 - 1839)

George Granville = Lady Harriet Howard
 2nd Duke of Sutherland
 (1786 - 1862)

George Granville = (i) Anne Hay Mackenzie *
 3rd Duke of Sutherland Countess of Cromartie
 (1828 - 1892) (1829 - 1888)
 = (ii) Mary Blair nee Mitchell

Cromartie, 4th Duke of = Millicent St. Clair-Erskine
 Sutherland (1851 - 1913) (1867 - 1955)

The Mackenzies of Tarbat and Cromartie

Lady Isabella Mackenzie = George, Lord Elibank
 (1728 - 1801)

Maria Murray Mackenzie = Lord Edward Hay, who became
 (1763 - 1858) Mr Hay-Mackenzie on
 marrying

John Hay Mackenzie = Ann Gibson-Craig

*Anne Hay-Mackenzie = George Granville,
 Duchess of Sutherland 3rd Duke of Sutherland
 cr. Countess of Cromartie,
 Viscountess of Tarbat,
 Baroness Castlehaven and
 Baroness MacLeod of MacLeod,
 all in her own right with
 reversion to her 2nd
 surviving son.

Cromartie factor, Andrew Scott, considered emigration to be the most appropriate solution. In common with other Highland estate managers, officials on the Cromartie estate viewed the management of the crofters as a form of social control. The collection of rent and the manner in which land was used represented an ongoing battle for the control of the land. Scott had attempted to remove a number of tenants from Coigach in 1848 but the proprietor had decided against eviction. Later, in 1851, Scott advocated the removal of tenants in arrears as a disciplinary measure and to assert control on the estate. Ann Hay-Mackenzie appears to have been responsible for much of the Cromartie estate policy and her dislike of harsh treatment of the crofters was acknowledged by Scott: 'I know Lady Stafford will not like ... severe measures to be taken with the people there...' Nevertheless, Scott had his own methods: 'let them go without any further notice than a threat at rent time, they would get out of hand altogether.'[91] Scott made repeated recommendations for removals and proper stocking of the lands of Coigach.[92] Estate expenditure exceeded income in the early 1850s and the need to raise rents was imperative. Two sources of augmented income were possible: (i) the land could be let to sheep farmers, or, (ii) to sporting tenants who offered higher rents. Although Laing had supported the rental of a farm for sporting purposes back in 1819,[93] it was not until mid-century, with changes in the wool and sheep economy, that the leasing of land for sport became more important both on the estate and in the Highlands generally. Andrew Scott had outlined a plan for creating a new sheep farm on some of the Coigach land in 1850, together with the introduction of sporting tenancies. Reorganisation of the Coigach lands involved the removal of long established crofts and their tenants. Existing large tenants were considering opting out of their leases by 1852. Scott attributed the cause of their

difficulties to the presence of crofters, especially trespassing. Writing to Lady Stafford in January 1852, Scott stated that Mundell, a sheep farmer, would not consider renewal of his lease:

on account of the trouble and loss he has had to suffer since he became the tenant, at the hands of the Lot tenants on every side.[94]

In order to safeguard the rental of land to sheep farmers and sportsmen in Coigach, it became a matter of importance that the crofters be removed. The plan was to remove as many of the people from Badenscallie as possible to Badentarbat. Lady Stafford endorsed the scheme. In reply to a petition from the people against removal, she was adamant that the plan would proceed, rejecting their claim that her measures would cause them 'poverty and great misery.'[95] Six months later Lady Stafford was even more determined to execute the plan:

I think the sooner and the more decidedly the Badenscallie people are taught their lesson the better, and it will also be a warning to other small tenants.[96]

When the people put up violent resistance to the legal officers charged with carrying out the removals, Lady Stafford was said to be exceedingly annoyed with events in Coigach and determined not to give in to the refractory tenants, if only for the sake of example. She also requested that a public explanation be made through the Inverness newspapers to counter the adverse report; no mention had been made that the tenants were in arrears and were to be resettled elsewhere on the estate.[97] However, Lady Stafford eventually withdrew her plans for removal in the face of continued resistance from the tenants, adverse publicity, and general unpleasantness.

The Countess of Cromartie/Lady Stafford emerged as a prominent aristocrat in the 1850s. An intimate friend of Queen Victoria, Lady Stafford and her husband achieved a certain notoriety as leaders in fashion and in the collection of art. The Staffords were renowned for their great entertainments at Stafford House, Cliveden and Dunrobin, and as patrons of important charities and political causes. Their reputation as great clearing landlords in the Highlands did not ride comfortably alongside their support for coalminers, famine relief, Polish freedom, Italian unification and, most importantly, the anti-slavery movement. The assemblies at Stafford House became the most sought after in London. Meanwhile, the Cromartie estate accumulated debts reaching the sum of £64,819 by 1859. [98]

Elizabeth Grant of Rothiemurchus was not a landowner in her own right, but as a member of the landowning class her Memoirs provide an insight into the difficulties faced by estate owners in the first half of the nineteenth century.[99] From a relatively early age Elizabeth Grant was aware of her father's financial difficulties and the responsibilities of running an estate. Both she and her sister Mary contributed to the family income from the publication of their stories and articles. They were also involved, overseen by their father, in designs for the improvement and building of cottages on the estate.[100] Elizabeth Grant later married Colonel Smith of Baltiboys, County Wicklow, and became very much involved in the practical running of the estate. In later years she again made a financial contribution from her published articles. There are certain similarities between the Duchess of Gordon, the Countess of Sutherland, and Elizabeth Grant in that they were all very much a driving force behind the improvement of rural estates.

Having read a report on improved methods of draining in 1842, Elizabeth Grant determined upon implementing similar methods on her husband's estate :

I mean to drain and to improve the property of Baltiboys... Hal laughs, so he always does... Just fancy getting from eight to ten per cent on your outlay immediately and for ever. Little Jack, if you become a rich man you will owe it to your mother. Laugh as you please Colonel Smith.[101]

Although Elizabeth Grant writes at length on the difficulties concerning the running of an Irish estate, these are not dissimilar to those concerning some Highland estates. For example, both in Scotland and Ireland landowners used Government loans for the improvement of estates and the alleviation of poverty among the working people, whether it was implemented through assistance with emigration, drainage schemes or road construction. On the Baltiboys estate the plan was to accept a Government loan for a drainage scheme which would not only improve the productivity of the estate but provide work for the local population. In her memoirs Elizabeth Grant considered that the scheme was an excellent idea likely to produce future prosperity:

Landlords of Ireland as a body are paupers with incomes barely sufficient for their maintenance... This visitation of providence will thus be the means of prosperity to our nation by bringing forward the help so much wanted without which we must have grovelled on for ages through turmoil and poverty and misery, and with which we may hope... to see plenty and comfort.[102]

In common with many landowners, Elizabeth Grant considered the tenants to be somewhat lazy, responsible for their own hunger. At the time of the

great famine she hoped that the drainage scheme would benefit the peasants, provided that they took up the offer of work and improved their farms:

Perhaps it will be a better year for the poor than they have ever yet known... they must starve or work, no bare existing on roots with idleness, their food will be of a better kind, invigorating to mind and body, they must learn decenter habits. [sic][103]

It was Elizabeth Grant's firm belief that the people had it in their own hands to improve their situation. Informed by newspaper reports she made the following comments:

...both food and work seem to be plenty, it could hardly be that if people were really hungry they would refuse task work... they have got it into their heads that being in distress they are to do nothing to get out of it, but are to sit comfortably down and open their mouths to be fed.[104]

Elizabeth Grant was not totally against the concept of emigration as a means of improving estate productivity. Although she may not have been so anxious to remove tenants from the estate as other landowners she acknowledged the need for a move to an alternative livelihood, or emigration, and contemplated a time when:

We of this class may hope to be comfortable again - more comfortable than before - for our tenants will be few and those will be thriving.[105]

Of those that did emigrate to America Elizabeth Grant wrote, "we miss them not! This winter will surely make some room." [106] Although she hoped that some of the less desirable tenants would emigrate, none were

forcibly removed from the Baltiboys estate, and only a handful of tenants were assisted by Colonel Smith with emigration.

Her lack of sympathy was not however, restricted to the peasantry of Ireland. The problem of absentee landowners was a problem common to both Ireland and Scotland. Elizabeth Grant considered that absentee landowners disregarded their responsibilities to the people living on their estates:

And there are large tracts of land belonging to absentees filled with squatters - all paupers - among whom a shilling is never spent, and who with the neglected peasantry of the indolent landlords are all thrown upon us the willing horses.[107]

In her opinion, a good landlord was one that looked after their affairs, was not cheated of time nor property, and who would check the habits of unruly dependents. Her own brother did not escape her criticism when he became responsible for the Rothiemurchus estate. She received a letter from him in May 1847 in which he had made clear that he did not agree with her judgement of his management of the estate. She considered that:

everything had been done for the place and nothing for the people. I may have expected improvement among the latter incompatible with the peculiar circumstances of the property, but the very tone of his remarks proves to me that he has not a just idea of the duties of landlords...[108]

Elizabeth Grant was fully prepared to provide some form of relief to the estate tenants. In November 1846 she was of the opinion that the distress of the poor would demand considerable sacrifice on the part

of the rich and, it was their responsibility as estate owners to forgo luxuries in order to meet this: 'To feed the hungry' is a duty that cannot be shirked and Hal is not inclined to shirk it.[109]

Conclusion

In the century after Culloden, women as landowners or in control of land, had made their mark as clearers. The concept of Improvement had been a key factor in the motivation for changes in land use, either as a genuine desire for progress, or as a cover for increased profits. One major difference between changes in land use on the Gordon estates in Badeonch and Strathspey and the whole of the Sutherland estate emerges. The Duchess of Gordon aimed to improve the local economy through the introduction of manufacturing industry and new crops such as flax to establish better standards of living for the tenants there. Obviously, an important benefit of the tenants' improved financial position was that they would be more able to pay their rent and arrears, thus adding to the income of the estate, but this appears to be of secondary concern. In contrast, the Countess of Sutherland, also planned to introduce various industries on her estate, but this was almost as a by-product from the development of sheep farming, and the need to relocate those tenants dispossessed as a result. Whilst both women were hoping to introduce their tenants to new means of production, the people of Badenoch remained on their homeland and were later joined by settlers. Sheep farming made little progress in the Parish of Kingussie, despite successful examples in the neighbourhood. The *Statistical Account* of 1791 records a figure of just 7000 sheep. Black cattle remained the primary object.[110] The people of Sutherland were forcibly removed from the land of their forebears to inhospitable regions of the coast, where they were given plots of land deliberately too small for them to

subsist from, forcing them into crofting communities, and to take up unfamiliar, sometimes hazardous, occupations such as coal mining and fishing that bore no resemblance to their experience. Marx put the number of people displaced on the Sutherland estate at 15,000, superseded by 131,000 sheep on 29 large sheep farms.[111] The attitude of the two women also differed with regard to their tenantry, at least in official correspondence. Writing to the estate accountant in 1804, the Duchess of Gordon stated:

You know how much I am interested in introducing industry into that country, where the bravest people in the world are idle and often deprived of even the common comforts of life.'[112]

The Countess of Sutherland however, hearing in 1809 that 60 of her tenants had emigrated, commented that they:

no longer pay for the ground as they once did by enlisting when they were called on...and if they are not willing to go along with improvement then it is better they leave and make room for others. We can well do without the idle ones.[113]

Recruitment of troops was important to both women but their methods of recruitment differed. In Sutherland potential recruits were bribed with offers of crofts if they joined the Countess of Sutherland's regiment, and threatened with eviction if they refused. Jane Maxwell, in contrast, is reputed to have recruited troops with the lure of a kiss and a gold guinea. Threats of eviction against those who refused are largely unrecorded! Very few tenants were actually evicted for refusal to join the regiment. Whatever her methods, the Duchess of Gordon had a much higher level of success in recruitment than the Duke and his men.[114] Evictions on the Gordon estates however,

were not unheard of, and in 1770 over 100 people were removed from North Kinrara in order that the Duchess could make her Highland residence there.[115] However, the Duchess of Gordon was later instrumental in protecting the Gordon tenants from any threat of being cleared from their land and had a concern for the welfare and employment of the Highlanders at a time when many other landlords centred their attentions toward profit.[116] This contrast was fundamental to the manner in which improvement was carried out on the two estates. Furthermore, despite the Duke of Gordon's plans for several sheep farms on his Badenoch estate they do not appear to have materialised to any extent. Recruitment certainly curbed the introduction of sheep in that much of the land was then reserved for those serving in the regiment. However, it is possible that the introduction of flax crops and the lint mill also proved an important check on the development of sheep farming in the district.

In comparison, the concept of improvement on the Cromartie estate represented a medium through which major changes in land use could be imposed, where the essential objective was to increase capital gains. There were no overall plans for 'improvement' on the Cromartie estate similar in scale to those of the Duchess of Gordon and the Duchess of Sutherland. Reorganisation of the Cromartie lands followed the general pattern of improvement applied on many other estates. However, the introduction of sheep farms, sporting leases and removal of tenants into crofting townships, was very much a response to financial difficulties, with little concern for improved living conditions for the tenantry.

At its heart the concept of Improvement was purely economic, defined as the cultivation of an asset in order to profit from it. The extensions of eighteenth

century usage through social, judicial, moral, religious, and aesthetic practice, can be regarded as interpretations of this basic notion. Within this semantic field, as Womack has stated, the process of making something better becomes, quite specifically, an instance of capitalist ideology. Therefore, managing a stock so that it increases in value becomes the universal type of beneficent change. The concept of Improvement in the Highlands symbolised firstly, a better return on capital within the region and secondly, that it would generally develop into a better place. Most importantly, these two aspects were held to be indistinguishable.[117] These principles applied in the plans for improvement the Countess of Sutherland had for her estate. In contrast, the Cromartie estate was concerned primarily with an increased return on the estate and called this Improvement. The Duchess of Gordon, however, interpreted the concept of improvement in her own way. Through her schemes for improvement, the Duchess of Gordon, whilst working within this basic definition, applied a third, additional factor; that of a better quality local economy, coupled with a desire for self aggrandizement.

- [1] J.Hunter, *The Making of the Crofting Community*, (Edinburgh, 1976), 33.
- [2] J.MacDonald, *General View of the Agriculture of the Hebrides*, (Edinburgh, 1811), 5.
- 'Select Committee on Emigration, Scotland', *PP*, 1841, Q 868; W.MacGillivray, *Report on the Outer Hebrides*, (Edinburgh, 1831), 263.
- [4] H.Home, Lord Kames, *The Gentleman Farmer*, (Edinburgh, 1776), xii.
- [5] T.C.Smout, *A History of the Scottish People, 1560-1830*, (London, 1969), 297.
- [6] E.R.Cregeen, 'Argyll Estate Instructions, 1771-1805', *Scottish History Society*, 1964, fourth series, I, xi-xii.
- [7] R.H.Campbell, 'The Scottish Improvers and the Course of Agrarian Change in the Eighteenth Century', in *Comparative Aspects of Scottish and Irish Economic and Social History 1600-1900*, (Edinburgh, 1983), 207.
- [8] 'Report of the Royal Commission on the Condition of the Crofters', *PP*, 1884, LXXV, appendix A, 387-94, Duncan Forbes' report to Argyll.
- [9] R.J.Adam, 'John Home's Survey of Assynt', *Scottish History Society*, 1960, third series, LII, xxxiii.
- [10] A.J.Youngson, *After the Forty-Five* (Edinburgh, 1973), 66.
- [11] Breadalbane's attempt to prevent emigration was denounced by Burns in his *Address to the Beelzebub*; see also M.McArthur, 'Survey of Lochtayside, 1769', *Scottish History Society*, 1936, third series, XXVII, xxiii.
- [12] A.Smith, *The Wealth of Nations*, (Oxford, 1976), V, ii, 15, 832.
- [13] *Ibid*, III, ii, 7, 385; also *Lectures on Justice, Police, Revenue and Arms*, (Oxford, 1896), 228.
- [14] G.Robertson, *Rural Recollections*, (Irvine, 1829), 585.
- [15] M.Gray, *The Highland Economy*, (Edinburgh, 1957), 86-7.
- [16] MacDonald, *General View of the Agriculture of the Hebrides*, 141.
- [17] R.Brown, *Strictures and Remarks on the Earl of Selkirk's Observations*, (Edinburgh, 1806), 93-97.
- [18] Gray, *The Highland Economy*, 132.
- [19] E.Richards, *A History of the Highland Clearances*, (London, 1982), I, 166-177.
- [20] J.MacCulloch, *The Highlands and Western Isles of Scotland*, (London, 1824), 111.
- [21] F.Farquharson, *Jane, Duchess of Gordon, an autobiographical chapter in the life of Jane*, (Glasgow, 1864), introduction.
- [22] The information on the Duchess of Gordon comes from a series of articles by George Dixon published in the *Badenoch and Strathspey Herald* over a period of several months. Most of the relevant details in this chapter from these articles derive from the S.R.O.,

GD/44. However, end notes will refer to the relevant article in the *Badenoch and Strathspey Herald* and the date of issue.

Badenoch and Strathspey Herald, 21 March, 1991

[23] *Badenoch and Strathspey Herald*, 28 March, 1991.

[24] *Badenoch and Strathspey Herald*, 4 April, 1991.

[25] Ibid.

[26] E. Grant, *Memoirs of a Highland Lady*, (Edinburgh, first published 1898, republished 1992) vol. I, 46.

[27] *Aberdeen Journal*, 21, 28 January and 11, 18 February, 1799.

[28] *Badenoch and Strathspey Herald*, 16 January, 1992.

[29] J. Sinclair, *General report of the Agricultural State and Political Circumstances of Scotland*, (Edinburgh, 1814), 115-21.

[30] S.C.R.O. D/593/K/Loch to Shaftesbury, 4 June, 1853.

[31] W. Fraser, *The Sutherland Book*, (Edinburgh, 1892), I, 466-8.

[32] *The Times*, 26 May, 1845.

[33] Wadsett: the conveyance of land in satisfaction of, or as security for, a debt, the debtor having the right to recover lands on payment of the debt.

[34] Richards, *A History of the Highland Clearances*, I, 285.

[35] R.J. Adam, 'Sutherland Estate Management', *Scottish History Society*, 1972, II, 218-221.

[36] R.J. Adam, *Sutherland Estate Management*, II, Marchioness of Stafford to Marquis of Stafford, 15 July, 1805, p39

[37] Ibid, 17 July, 1805, p41

[38] Ibid, 16 July, 1805, p40

[39] Ibid, 39-40.

[40] Ibid.

[41] Ibid 29 July, 1808, p82

[42] 9 July 1810, p120

[43] Ibid, 8 July, 1810

[44] Ibid, 43-44, 17 July 1805, Countess of Sutherland to the Marquis of Stafford.

[45] Ibid, 57-60, 10 January, 1806, Colin Mackenzie to the Countess of Sutherland.

[46] Ibid, 24.

[47] Ibid, 63-65, 11 April, 1807, Cosmo Falconer to the Countess of Sutherland.

[48] Ibid, 68-71, 4 July, 1807, Colin Mackenzie to the Countess of Sutherland.

[49] Ibid, 4 Aug 1808, p85

[50] Adam, 'Sutherland Estate Management', I, xxix, n.4.

[51] Ibid, 80, 14 July, 1808, The Countess of Sutherland to the Marquis of Stafford.

[52] E. Richards, 'The Prospect of Economic Growth in Sutherland at the time of the Clearances, 1809-1813' in *Scottish Historical Review*, 1970, v.49, 159.

[53] Ibid.

- [54] T.C.Smout, 'Scottish Landowners and Economic Growth, 1650-1850', *Scottish Journal of Political Economy*, November, 1964, XI, 218-234.
- [55] E.Richards, 'Structural Change in a Regional Economy: Sutherland and the Industrial Revolution, 1780-1830', *Economic History Review*, 1973, XXVI.
- [56] S.C.R.O., D593/K/ Mackenzie to Loch, 21 February, 1813.
- [57] Adam, 'Sutherland Estate Management', I, lxxxiii; and Appendix A.
- [58] Richards, *A History of the Highland Clearances*, 306-7.
- [59] J.S.Owen, *Coal Mining at Brora, 1529-1974*, (Inverness, 1995), 19.
- [60] D.Stewart, *Sketches of the Character of, Manners, and Present State of the Highlands of Scotland With Details of the Military Service of The Highland Regiments*, (Edinburgh, 1822).
- [61] Adam, 'Sutherland Estate Management', II, 18, 20 July, 1814, Countess of Sutherland to Marquis of Stafford, 225-9.
- [62] E.Richards, 'Structural Change in a Regional Economy: Sutherland and the Industrial Revolution, 1780-1830'.
- [63] Owen, *Coal Mining at Brora 1529-1974*, 17.
- [64] Stewart, *Sketches of the Character of, Manners, and Present State of the Highlands of Scotland With Details of the Military Service of The Highland Regiments*; I.Grimble, *The Trial of Patrick Sellar*, (Edinburgh, 1993), 41.
- [65] Grimble, *The Trial of Patrick Sellar*, 48-57.
- [66] Ibid, 53.
- [67] Ibid.
- [68] Adam, 'Sutherland Estate Management', I, Appendix B, 259.
- [69] T.Mulock, *The Western Highlands and Islands of Scotland Considered, with Reference to Proprietors and People Being a Series of Contributions to the Periodical Press*, (Inverness, 1850), 34-5.
- [70] Ibid.
- [71] K.Marx, 'Sutherland and Slavery; or The Duchess at Home', *The People's Paper*, 12 March, 1853.
- [72] Ibid.
- [73] J.Loch, *An Account of the Improvements on the Estates of the Marquess of Stafford*, (London, 1815).
- [74] Marx, 'Sutherland and Slavery; or The Duchess at Home'.
- [75] H.Beecher-Stowe, *Sunny Memories of Foreign Lands*, (London, 1854), 219-228.
- [76] D.Macleod, *Gloomy Memories of the Highlands*, (Edinburgh, 1860).
- [77] E.Richards & M. Clough, *Cromartie: Highland Life, 1650-1914*, (Aberdeen, 1989), 141.
- [78] Adam, 'Sutherland Estate Management', I, xxix.
- [79] S.R.O., GD/128/36/8, Petition of Donald Macleod of Geanies and others, 1798.
- [80] Cromartie Papers, Bundle xxviii, 17 September, 1799, Chisholm to Lady Elibank.

- [81] Richards & Clough, *Cromartie: Highland Life, 1650-1914*, 141.
- [82] Ibid.
- [83] *Inverness Journal*, 3 March, 1808.
- [84] Cromartie Papers Bundle XXIX, 25 April, 1814, James Laing to Edward Hay-Mackenzie
- [85] Cromartie Papers Bundle XXIX, 26 September, 1814, Laing to Hay-Mackenzie.
- [86] Richards & Clough, *Cromartie: Highland Life, 1650-1914*, 141.
- [87] Ibid, 153.
- [88] R.Southey, *Journal of a Tour of Scotland in 1819*, (London, 1929), 145.
(According to Southey most of the credit was due to the services of Humphrey Davy. Whether this is the famous agricultural chemist, Sir Humphrey Davy is difficult to determine. Certainly Davy and his Scottish wife visited the Highlands, but there is no evidence of a link with this project. Furthermore, Southey refers to him as 'poor Davy' at a time when Sir Humphrey Davy had been a knight for seven years.)
- [89] Richards & Clough, *Cromartie: Highland Life, 1650-1914*, 239.
- [90] Grant, *The Highland Lady in Ireland*, (Edinburgh, 1991), 13 October, 1848, 421.
- [91] Cromartie Papers, 20 May, 1851, Scott to Lady Stafford.
- [92] Cromartie Papers, 5 November, 1851, Scott to Blake.
- [93] Cromartie Papers, Bundle XXX, 25 September, 1819, Laing to Mrs Hay-Mackenzie.
- [94] Cromartie Papers, 16 January, 1852, Scott to Lady Stafford.
- [95] Cromartie Papers, 30 June, 1852, Lady Stafford to petitioners of Achnahaird.
- [96] Richards & Clough, *Cromartie: Highland Life, 1650-1914*, 243.
- [97] Cromartie Papers, 26 March, 1853, Mackenzie to Melville.
- [98] Richards & Clough, *Cromartie: Highland Life, 1650-1914*, 256.
- [99] Grant, *Memoirs of a Highland Lady; The Highland Lady in Ireland*.
- [100] Grant, *Memoirs of a Highland Lady*, Vol I, 321-5
- [101] Grant, *The Highland Lady in Ireland*, 160
- [102] Ibid, 18 October 1846, 268
- [103] Ibid, 21 October 1846, 268
- [104] Ibid, 26 Oct 1846, 268
- [105] Ibid, 6 March 1847, 304
- [106] Ibid, 31 Oct 1848, 425
- [107] Ibid, 21 January 1847, 296
- [108] Ibid, 4 May, 1847, 323
- [109] Ibid, 29 November 1846, 272
- [110] J.Sinclair, *Statistical Account of Scotland*, (Edinburgh, 1791-99), III, Parish of Kingussie and Insh.
- [111] Marx, 'Sutherland Slavery; or the Duchess at Home'.

- [112] Farquharson, *Jane, Duchess of Gordon, an autobiographical chapter in the life of Jane*, January 13, 1804, Duchess of Gordon to Francis Farquharson.
- [113] Adam, 'Sutherland Estate Management', II, 27 June, 1809, Countess of Sutherland to Lord Gower.
- [114] A.Mackillop, personal communication.
- [115] C.Fraser-Mackintosh, *Antiquarian Notes, Historical, Genealogical, and Social, Inverness-shire Parish by Parish*, (Inverness, 1897), Second Series, 396-7.
- [116] I.O.Morrison, *Seven Moray Women*, (Elgin, 1987); E.Grant, *Memoirs of a Highland Lady*, (Edinburgh, 1988)
- [117] P.Womack, *Improvement and Romance*, (London, 1989), *passim*.

II

PROFIT AND PHILANTHROPY

Introduction

By the 1820s great changes were taking place in the management of Highland estates. The concept of improvement was gradually superseded by market forces as motivation for change. The opening up of the land market in the Highlands heralded an influx of entrepreneurs, mainly from the Lowlands and England, although some of the new landowners had family connections with the Highlands. Many of the new proprietors developed large sheep farms, following the pattern established by improvers; the removal of tenant farmers continued. In addition, deer forests were increasingly developed from the 1790s onward, although the 1880s saw the main growth in development. Women landowners were active in both sheep farming and deer forests. The impact of changes in the system of poor relief in 1845 led to a second major wave of evictions following the potato famine of 1846, and here, too, women landowners were in the forefront. During the latter half of the nineteenth century, women with control of Highland estates were also among those instrumental in the development of Highland home industries, as part of a developing philanthropy.

Highlands for Sale

In the two decades following 1820 the pattern of landownership in the Highlands was radically transformed. The acclaimed engineer, Joseph Mitchell noted that during his time in the Highlands almost two thirds of the estates had changed hands.[1] Many of the great landed families of the Highlands were forced to sell part or all of their estates to avoid financial ruin. Between 1813 and 1838, for example,

the MacDonalds of Clanranald sold their lands on the islands of South Uist, Muck, Eigg and Canna, and on the western mainland, Arisaig and Moidart. The Duke of Gordon relinquished his land in Badenoch and Strathspey in the 1830s, and the Argyll family sold all of their land in Morvern.[2]

While the buying and selling of Highland estates was not unique to the nineteenth century, the scale of land sales was exceptional in comparison to the eighteenth century. No less than 55 estates in the western Highlands and Islands were sold in the 40 years between 1810 and 1850, with some of these estates changing hands more than once in this period. Meanwhile, the land market in the rest of Great Britain began to contract from the 1830s, with a decline in sales until the middle of the century. Furthermore, it was not until the 1870s that hereditary landowners outwith the Highlands began to sell their lands, quite possibly as a result of the agricultural depression and the introduction, in 1894, of death duties. Whilst bankruptcy and financial ruin were somewhat exceptional among the landed families of Britain, in the western Highlands and Islands, insolvency was not uncommon in the first three decades after the Napoleonic wars. The reason for the acute financial difficulties of hereditary landowners in the Highlands is not fully understood. However, the conspicuous consumption of Highland landowners living in southern capitals probably accounts for a large proportion of debts accrued by them. The Earl of Seaforth, for example, had a debt of almost £206,000 in 1815; the 15th Chief of Glengarry died £80,000 in debt; and the 6th Duke of Argyll lost £2 million of the family fortune.[3] Many Highland landowners not only aspired towards the Anglo-Scottish ruling elite

but also to the ranks of imperial exploitation. In some cases diversification in the management of land use was promoted as in Argyll with its quarries, iron works, commercial forestry and fishing, and the development of a construction industry. The example of Argyll does not fit neatly into the notion that native entrepreneurship was unable to flourish as a result of the geographic, financial, and demographic restrictions imposed on Highland landowners with the power to bring about social and economic change.[4]

Clearly, debt was not the sole factor of financial annihilation and Devine has suggested that the key factor in financial survival was the balance between debt and income. Once the level of interest charges equalled or exceeded the annual income, Highland landowners faced disaster.[5] Essentially, while Highland landowners may have inherited a large fortune, not all of this was readily accessible, being tied up in annuities to different members of the family, and interest on inherited debts. As shown in the previous chapter, the Cromartie estate is just one example, suffering from both inherited debts and fixed annuities payable to the numerous women who outlived the male heirs. With restrictions on available income, dramatic increases in revenue were necessary. However, with the economic crisis following the Napoleonic wars, the loss of income from kelp following the collapse of the industry, the drop in cattle prices, and difficulties in the fishing industry, Highland landowners found it almost impossible to reduce levels of debt. Many landowners had profited from the boom in the kelp industry of the early part of the century, compelling the majority of their tenants to move to coastal areas. Dependent on wages with little land to support them, the kelpers became burdensome to the

proprietors once the industry failed. This burden was further compounded by the years of famine between 1845 and 1850. The demands of poor relief that subsequently fell on the landowner combined with longstanding debt heralded a new enthusiasm for removal of tenants, preferably overseas to make way for the sheep farmers. High levels of debt, and lack of economic opportunity for radical increases in income, are two factors that help, in some simplistic way, to explain widespread sale of Highland estates.

Land prices in the west Highlands continued to rise in spite of the economic crisis. A high percentage of Highland estates were sold to those with either Lowland or English interests. The Highlands came to represent a source of wool, mutton and cheap labour for the industrial and improved agricultural regions of the south. To a large degree, the subordination of the Highland economy facilitated the growth of prosperity in the Lowlands. The imbalance between the two economies aided the emergence of surplus wealth in the Lowlands. As a result of chronic economic crisis in the Highlands, land there was put up for sale and was purchased by those who had accumulated surplus wealth in the Lowlands. Land rich in coal and iron-ore situated in the manufacturing belt, and good agricultural land, was passed over in favour of Highland estates with uncertain capital return. Highland property offered a safe investment and a passive source of income. With the clearance of small tenant farmers and the development of sheep farms and deer forests, the value of land in the Highlands had increased as a source of dependable income from sheep and sporting rents. Other entrepreneurs hoped to make a quick profit by transforming indebted estates into profitable assets through investment and improvement.

The small tenant was regarded as an economic stumbling block to the profitability of the estate. Consequently, a number of Highland estates were cleared and developed into sheep farms almost immediately after purchase.

Sheep Profiteers

The acquisition of land for sheep farming had become a lucrative business by the 1820s. In Argyllshire, the Morvern estate had for example, been put up for sale in 1819 by the ducal family of Argyll. Within less than 20 years, every property in that parish had changed hands. Large sheep farms had been introduced into Argyllshire at a relatively early stage of improvement in the Highlands, and most of the tenants in the Parish of Morvern had been cleared to the outskirts of the new sheep farms prior to 1815. With the sale of Morvern, clearances there were reintroduced on an accelerated scale. Christina Stewart, an Edinburgh woman, was one of the few women to purchase land in her own right, and in 1824 she bought a group of farms in Morvern, known collectively as 'Fernish', from the Argyll family. Miss Stewart was among a number of entrepreneurs who acquired small estates, with the intention of extracting rental from the sheep farmers as a secure and dependable income. Like many landowners of the period, Christina Stewart is unlikely to have ever lived in Morvern, visiting rarely, if at all. There is no evidence to suggest that there were any plans for improvement. After her death in 1829 she was remembered as the first of the new owners to carry out a major eviction and for her cruelty to the evicted. The property consisted of Ardantiobart, Barr, Fernish, Mungasdail and Unnimore, totalling 9,150 acres. With Stewart's intention to rent out the land as sheep farms, the group of farms

were renamed Glenmorvern and all the small holders from Mungasdail, Unnimore, and some from Barr and Ardantiobart were evicted. A total of some 135 people were removed to make way for two sheep farms based at Mungasdail and Barr.[6] It is possible the purchase by Miss Stewart was made on the advice of her cousins, the Stewarts of Auch, who had acquired a group of farms from the Duke of Argyll in Glencripesdale. The Glenmorvern estate remained in the Stewart family for the remainder of the century. Despite the construction of Glenmorvern Cottage in 1841, the Stewarts never stayed there for any length of time, and the cottage was most often used by servants or as a shooting lodge. John Sinclair, a self-made entrepreneur, also purchased a large estate from the Argyll family. In contrast to Christina Stewart, Sinclair made a home in Morvern and gained the respect of the people there as a local patriarch. This he achieved, despite the fact that in common with Miss Stewart, he had evicted between 100 and 200 people in favour of sheep farms between 1841 and 1861.[7]

Christina Stewart was followed by the infamous Patrick Sellar, who had directed the clearances in Sutherland in 1812-14. In 1838 Sellar, now a rich man, bought his first property in Morvern with sheep farming in mind. Almost immediately he had one of his flocks of sheep transferred from Sutherland and evicted 230 people to make way for them. Further evictions continued in Morvern throughout the 1840s and into the late 1860s. Lady Elizabeth Gordon, the strong-minded daughter of a Cowal landowner, controlled land in Morvern following the death of her husband, Charles Gordon in 1845. Some removals had occurred under the direction of Charles Gordon, but with the pressures of famine and poor relief, evictions were carried out on

a much grander scale by Lady Gordon. Similarly, Mrs Paterson, evicted 28 families, approximately 150 people from the Lochaline estate. The widow of an Oban banker purchased the Lochaline estate when it was put on the market in 1864 following the death of John Sinclair. Mrs Paterson aimed to develop a sheep farm. Many of those she evicted had been allowed to remain when John Sinclair developed sheep farming on the estate. These three women, together with Sir Charles Gordon, John Sinclair and Patrick Sellar, were principal entrepreneurs in Morvern during the second wave of evictions, as landowners motivated in their acquisition of Highland property, primarily, by the prospect of profit.

Starved of Profit

In contrast to Christina Stewart and other entrepreneurial landowners, the women who controlled the Glengarry estates developed sheep farming on their hereditary lands as a means of increasing revenue to keep the family from insolvency. In line with the general pattern of Highland land ownership during the early part of the nineteenth century, large chunks of the Glengarry estate had been sold off in an attempt to alleviate the burden of inherited debt. From 1846 onward the effects of the potato famine imposed additional burdens on the crumbling estate in the form of famine relief. Extensive evictions were carried out by women in the process.

Although the Sutherland clearances aroused perhaps the most enduring hatred, they were undertaken with some sincerity towards improvement. The actions of Marjory Grant and her successors have no such redemption. Marjory Grant of Dalvey became principal trustee of the estate and guardian to the heir, following the

death of her husband, Duncan MacDonnell of Glengarry, in 1788. Although Marjory Grant did not hold the land in her own right, she managed the estate with a high hand and ignored the wishes and advice of her co-trustees.[8] Marjory aimed to clear debts, raise rents, and increase the power and position of the Glengarry family. In order to let Glenquoich as a single sheep farm to Thomas Gillespie, who had introduced sheep farming into Glengarry in the 1780s, Marjory Grant evicted 500 people, many of whom emigrated.[9] Her son, Alistair Ranaldson MacDonnell, as the 15th Chief of Glengarry, took charge of the estate after her death in 1792. In 1798 Alistair MacDonnell raised the Glengarry Fencibles to serve in Ireland during the rebellion. The subsequent demand for men to serve in the regiment put a temporary stop to removals on the estate. However, following the disbanding of the Glengarry Fencibles in 1802, and the return of men to the area, pressure for land increased, and many people were evicted from the Glengarry estate. At the same time, Marjory's daughter, Elizabeth, had taken over the running of the Chisholm's land. Elizabeth MacDonnell had married William Chisholm, a weak and sickly man. The management of the estate was in the hands of his 'strong-minded and heard hearted wife.'[10] In 1801 Elizabeth cleared Strathglass of almost all of its inhabitants to make way for sheep. At a time when many Highland landowners were attempting to retain their tenants on the land, 799 are reputed to have left for Nova Scotia from Strathglass and neighbouring districts. In 1802, according to Alexander Mackenzie, a further 473 people left the same districts and were followed by 480 who emigrated to Pictou in 1803. It has been suggested that a total of 5390 people were forced out of the Highland glens between 1801 and

1803, and a large proportion of these were evicted from Strathglass by Elizabeth MacDonnell.[11]

Alistair MacDonnell died in 1828, £80,000 in debt. Aeneas MacDonnell, 16th Chief of Glengarry, inherited the financial difficulties of the estate brought about by the extravagances of Alistair. Aeneas MacDonnell was left with little choice but to sell most of his Highland properties, except Knoydart. He then emigrated to Australia, like so many other Highlanders, in the hope of making his fortune. Unsuccessful, he died in 1852 after returning home to Inverie. His wife, Josephine MacDonnell, held Knoydart in trust for their son. Sheep farming had been developed in Knoydart from the early part of the century with reports of eviction from Kinlochnevis and other townships on the eastern part of the estate in 1817. The majority of small tenants were crowded into a group of townships along the western coast from Niagard at the mouth of Glen Guseran to the bay of Sandaig by 1841. The population fell from 1000 at the time of the *Statistical Account* (1791-9) to about 600 by 1850.[12] In 1852 the estate was on the brink of bankruptcy and the tenantry were suffering from the effects of the potato famine and from the migration of herring from Loch Nevis. The nominal rent of the estate was £250 but for several years either little or no rent had been paid. By 1853 arrears amounted to £2300, partly because Aeneas MacDonnell had foregone all rents during the famine.[13] Clearly a decision had to be made either to retain existing tenants or replace them with those who would be able to pay rent. Given the burden of debt upon the estate, the administrators, including Josephine MacDonnell, decided to clear the people. Notice of removal was served, and with the aid of the Highland Emigration

Society, the intention was to transport the evicted to Australia or Canada. Arrears were to be forgiven, and free passage with clothing and bedding provided; these were the terms accepted by 400 people.

Josephine MacDonnell borrowed £1700 to pay for this under the Emigration Advances Act of 1853, and was highly commended for her efforts concerning the comfort of the emigrants. However, her concern extended only to those agreeing to emigrate and when some families refused to embark Josephine MacDonnell lost her benevolent facade. In August 1853 legal summonses were served on those refusing to leave and their houses were destroyed and burnt by the sheriff's party. Many were able to find shelter with friends, but between 20 and 30 others had to erect temporary shelters from blankets and refused to move. These blanket dwellings were then pulled down by the officers in an attempt to remove the people from the estate. Further bribes were offered in the form of free travel to Inverness, Glasgow, Fort William, etc., plus free lodgings until the following April, and compensation for their crops. Josephine MacDonnell was trying to persuade her tenants to leave her estate without being seen to be leaving them destitute. Her offer was refused. According to the *The Northern Ensign*, the people were too weak to travel the 70 miles to Inverness. There was little prospect of finding employment and danger of fever and cholera in that town.[14] In November 1853 legal measures were again taken against the refugees on the Knoydart estate; allegations of culpable violence by the evicting party became widespread. The plight of the people had reached the newspapers, and events in Knoydart broadened into a general attack on the system of poor relief in the Highlands. Edward Ellice MP,

owner of Glenquoich, part of the former Glengarry estate, considered that the motivation behind the the Knoydart evictions was to rid the estate of the burdens of poor relief. Many landowners were afraid of compulsory assessment following the 1845 Poor Law Amendment Act. Ellice stated specific cases of suffering, whilst Sir John McNeill, Chairman of the Board of Supervision for the Relief of the Poor in Scotland, claimed that there was no substantial evidence to support Ellice, whilst admitting that at least one premature birth had occurred which would have caused some suffering.[15]

The numerous contemporary newspaper reports provide an insight into the controversy as it developed at the close of 1853. *The Times* correspondent said the fugitives had not been accepted onto the poor roll and there was real danger that they would starve. However, the report concluded that although wool and sheep prices in the Highlands as a whole were buoyant, the recent repeal of the Corn Laws reduced the prospects for arable production in such a marginal region: 'it is thus clear that the Highlands will all become sheep walks and shooting grounds before long.'[16] From the various accounts in the press it is evident that many of the temporary shelters had been demolished four or five times. Furthermore, the leases signed by the incoming sheep farmers contained a clause forbidding them to offer shelter to any of those evicted.[17] As *The Scotsman* pointed out, no one wanted these people anyway because they would become a burden wherever they went.[18] The 38 paupers remaining in the district, most of whom were elderly women, received between them a total of £96 from parochial funds in 1855, representing an example on the drain of poor relief funds a pauperised tenantry could be.[19] The

question of poor relief was likely to have been an incentive for Josephine MacDonnell to hound the tenants off of her estate.

Following the Poor Law Amendment Act (Scotland), of 1845, the voluntary aspect of raising funds for the Poor Law, which was far more important in the Highlands than the rest of the country, was essentially removed. Of the four possible methods, the most frequently adopted method of assessment was made half on owners and half on occupiers, and where the Local Board, in agreement with the Central Board, could fix such a rate on the occupiers as seemed just and equitable. In many parishes, the new Parochial Boards replaced the Kirk Session in holding responsibility for the setting of a rate, and collection of poor relief. The Parochial Boards consisted of heritors, members of the Kirk Session, and in those parishes where a legal assessment was levied, all owners of land and heritages over £20 p.a., plus the provost and bailies of a royal burgh. It was the duty of the Parochial Board to appoint an Inspector of the Poor, to whom the poor would apply for relief. The Inspector was legally responsible for any death where relief had been applied for and he had failed to present the case before the Parochial Board. The system of poor relief in Glenelg would suggest that both Josephine MacDonnell, as heritor, and the Inspector of the Poor stood to save a considerable sum by reducing the number on the poor roll. In 1853 the rate of poor relief there was one shilling in the pound, with one half payable by the landlord. For example, a tenant paying £500 for one year's rent was liable to contribute £12 10s a year. The Inspector of the Poor was himself an extensive farmer and therefore had a vested interest in keeping the rate down by

limiting the amount paid to the poor.[20]

That there were difficulties with the administration of poor relief in Knoydart is almost certain. According to Day, the local parochial board was irregularly constituted.[21] There were no elected members and the heritors were absent from meetings. Edward Ellice, M.P. wrote to the Home Secretary in 1854 regarding the maladministration of the Poor Law in Knoydart, following the death of a man whose application for poor relief for him and his family had been rejected. Ellice had already informed the Central Board of Supervision in November 1853, but his concern was ignored until he wrote to Lord Palmerston as Prime Minister. The reply Ellice finally received in May 1854 proved to be totally unsatisfactory:

it denies in toto the allegation as to the maladministration of the Poor Law, and states....progress made in Poor Law in the Highlands is even greater than it had anticipated...'[22]

The case had in fact, been investigated by the Sheriff of Inverness, and charges had been brought against the Inspector for negligence, although these were later dropped because of the difficulty in proving criminal responsibility. The request from Ellice to make the findings public had been refused by Lord Palmerston. However, an account of the Sheriff's investigation appeared in *The Inverness Advertiser* in December 1854. The Board was not appointed as stipulated; members were co-opted and not elected by the ratepayers, and heritors had not attended as required. The Sheriff also found that of the 38 paupers on the roll, almost all were elderly women, and of these, 24 were aged 70 and over. A man, blind in one eye and crippled, who

had managed to obtain poor relief for himself and his six children, received only 19s 6d per quarter.[23] Clearly, the Board was more concerned with saving money than alleviating the condition of the poor. To what extent the poor relief inspector was influenced by Josephine MacDonnell is difficult to determine exactly, but as one of the heritors she must have had a certain control over his inaction.

A number of contemporary accounts of the Knoydart evictions questioned the validity of Josephine MacDonnell's actions. *The Inverness Courier*, a newspaper not noted for its support of crofters, printed an article in 1853, by an anonymous correspondent who conscientiously supported evicting landowners:

I cannot find that Mrs MacDonnell has a legitimate excuse for the summary course she has adopted with her small tenantry. The lands from which they were ejected cannot be turned to better purposes than annexed to one or more of the adjacent sheep farms... Their holdings lay in the way of no projected improvements - the burden they occasioned the poor's fund was of the very smallest amount - and their labours might easily have been made to the benefit of the estate in a score of ways.[24]

This anonymous correspondent obviously considered that poor relief should not have been a burden to Josephine MacDonnell. However, there was some division among contemporary journalists on the issue of poor relief and level of contributions made by Highland ratepayers. The *Edinburgh Courant* for example, compared the rest of Scotland, with the rate paid in some west Highland parishes, as a percentage of the

total rateable value of these parishes, and as a rate per pound. With a total value of property in Scotland placed at £9,320,784, the rate paid was £505,581, or 1s 10d in the pound. In contrast, the total value of 32 west Highland parishes was put at £114,599, giving a rate of £13,014, or 2s 3d in the pound. Therefore, according to the *Courant*, Highland proprietors actually paid more than their counterparts in the rest of the country. The editor of the *Inverness Advertiser* who reprinted the *Courant's* calculations, disagreed, arguing that figures could be used to prove anything. While the statement before him may have been unchallengable, the editor considered it to be entirely deceptive in relation to the real point of issue; what do paupers actually receive, not how much do rate payers give. Providing his own figures, the editor of *The Inverness Advertiser*, showed that paupers in the west Highlands received £1 12s 0d; compared to £2 17s 3d in Inverness, Ross and Sutherland; whereas in the country as a whole, the level was £4 2s 6d.[25]

These discussions highlight the significant differences between Poor Law in the Highlands and the rest of Scotland. The basis of the Poor Law was local, with the emphasis on each parish to meet the need of its poor from local resources. The root of the problems facing poor relief in the Highlands stemmed from this dependence on local resources. In simple terms, the Highlands lacked the indigenous resources to finance the relief of its poor. Following a century of development after Culloden, the Highland population consisted of a mass of very poor crofters and small tenants, and a comparatively small number of large sheep farmers and landed proprietors. Therefore, in each parish, there were only a few to support many.

Furthermore, members of the local Parochial Boards setting the rate, were themselves ratepayers, and therefore had an obvious vested interest in keeping the rate as low as possible. The difficulty was further compounded by the fact that many of the landowners were absentees and therefore had little understanding or concern for the poor of their distant estates. Strenuous efforts were made to maintain as few as possible on the poor rolls and this appears to be reflected in the high percentage of elderly persons on Highland rolls in comparison with elsewhere in Scotland.

Although Josephine MacDonnell needed to increase estate income, she differed from the Countess of Sutherland, who had a similar objective, in that she planned no improvements, and developed no schemes to improve either fishing or industry on the estate. Her sole aim was to rid her estate of tenants in order to sell the estate, unencumbered by the burden a pauperised tenantry would present to a prospective buyer. Perhaps the most important difference was that Josephine MacDonnell had no source of income other than from her Knoydart estate with which to finance any form of improvement. The Countess of Sutherland however, had access to income from property in the Lowlands or in England, and had no intention of selling her Sutherland estate as means of raising money. The Knoydart estate was eventually sold to the Lowland ironmaster and entrepreneur, James Baird, who also owned a number of deer forests in the Highlands.[26]

Blood Sports

Highland property had, more importantly, also become increasingly desirable with the change in perception of the Highlands by wealthy Britons. The 'wilderness' inhabited by 'barbarians' was transformed into a place of natural beauty and romance with the the developing interest in nature and the literary and cultural Romantic Movement. Through the poetry and prose of writers such as Wordsworth and Scott, the wilderness of nature came to be regarded as necessary to spiritual regeneration and the Highlands, in particular, were given an air of romance through Scott's Waverly novels. Improved accessibility and the sanction of Queen Victoria, the highest ranking absentee landowner, also contributed to the growing popularity of the Highlands as a playground for the rich and famous. By the 1850s the Highlands were well on the way to becoming an important centre for the pursuit of blood sports. By 1860 some 72 deer forests had been established in the Highlands, with an even more concentrated development in the 1880s. Women featured significantly as proprietors of deer forests during this period. For example, in Inverness-shire between 1875 and 1900, women owned nine out of 36 deer forest estates; and in Ross and Cromarty 24 deer forest estates were owned by women compared to 55 owned by men in the period 1865 and 1900.[27]

Sporting rentals had been developing from the 1790s and, with the decline in the wool and mutton economy in the latter part of the nineteenth century, proved to be more lucrative than sheep farms, which spurred the growth of Highland deer forests dramatically. Following the relative buoyancy of the sheep economy from the 1850s to the mid 1870s, Highland sheep farmers now faced competition from abroad. Economies

of scale attained by farmers in the colonies, many of whom had Highland origins, meant that this competition was unequal and prices were forced down. In addition, crops failed over several seasons in the late 1870s, compounding the depression in the northern economy. With many sheep farmers not renewing their leases, the passion for game hunting provided the landowners with an almost perfect alternative through which to gain profitable returns from their estates, in contrast with the floundering income from crofting. The only major drawback was the increasing rancour of the crofters. Although deer forests saw heavy investment they did not constitute a form of production, as sheep farms had, and employed very few men. The number of shepherds employed in the county of Inverness was 814 in 1851, compared to 202 gamekeepers. Two decades later the number of shepherds in the same county had fallen to 770 and the number of gamekeepers had increased to only 297. Similarly, in Sutherland the number of shepherds employed fell from 357 in 1851 to 320 in 1861, whilst the number of gamekeepers grew from 29 to 40. A large deer forest required few employees. The Strathconon estate of 24,000 acres for example, employed four men as foresters in 1853. This figure remained static until 1879 when the estate had grown to 27,600 acres and just three men were employed, a head stalker and two stalkers.[28] Not only did the deer forests fail to provide badly needed employment opportunities, but they precluded any radical change in land use. By the turn of the century 34% of land in crofting areas was used for sport.[29]

Crowded onto subdivided and exhausted lots, crofters began to feel the injustice of their position. A new age of political consciousness was dawning in the

Highlands, influenced to a large degree by the concurrent agitation regarding the Irish question. The Irish Land League had been founded in 1879 by Michael Davitt who was also sympathetic to problems in the Highlands. Davitt was an influential force upon John Murdoch, a leading figure in the Highland land movement. Prompted by the unrest in Skye, and fear that the violent methods of the Irish Land League would be deployed in the Highlands, a parliamentary enquiry into the condition of crofters had begun in 1882-3. Although inadequate, the consequent passing of the Crofters' Holdings Act in 1886, gave crofters a certain expectation of improved access to land, and they became increasingly discontented when this failed to become a reality. As sheep farms became vacant many crofters believed the land should be made available to them for settlement. Instead the land was consumed by extensive deer forests.

This was the case on the Lewis estates managed by Lady Matheson, who had succeeded to them in 1878, on the death of her husband, Sir James. Lady Jane Matheson held in life rent the estate which was entailed on her nephew; with all expenditure cancelled.[30] Sir James Matheson had created Scaliscro and Morsgail deer forests which involved the removal of tenants to Shawbost and farther north. Villages in the parishes of Lochs and Barvas therefore became congested with the dispossessed. There was too little land for too many people.[31] Requests to lady Matheson for land from squatters in Gravir, Calbost and Maravaig, made in 1881-2 were treated by her with contempt. Others who pleaded for land at Dalmore or Park were referred to William MacKay, her chamberlain, who told them there was plenty of land for them in America, but not in Lewis. Lady Matheson refused to lease Park to the

crofters on the grounds that it was unsuitable for small tenants, although the land there had originally been cultivated by small tenants before it was cleared for a sheep farm. More importantly, their presence would prejudice the stalking.[32] Platt, an English industrialist became the new leaseholder of the 80,000 acre deer forest. Platt had previously paid the former leaseholder for the shooting rights, who was then able to pay his rent to Lady Matheson from Platt's money. The crofters *could* have taken the former leaseholder's place, except for the repugnance of their presence to shooting tenants.

By 1886 Lady Matheson was so well regarded by her tenants that she received a 'valentine' in the form of a drawing of a coffin, with the inscription 'Prepare to meet thy God', echoing practices used in Ireland. This she exhibited in the Stornoway Post Office alongside her sarcastic reply.[33] One of the major disturbances in Lewis occurred in November the following year when Park deer forest was raided. In view of Lady Matheson's refusal to rent Park to the crofters, and the inadequacy of the Crofters' Act to secure the land for the crofters, the Highland Land Law Reform Association, (established to give evidence to the Napier Commission, the parliamentary enquiry of 1882-3 into the condition of crofters and to fight for crofter rights), and supporters planned to clear the forest and give it to the people. Crofters in Skye had already shown their contempt towards the proliferation of sporting preserves by driving deer into the sea to drown. The action taken at Park was on a different scale altogether. A crowd of 700 gathered at the head of Loch Seaforth and immediately commenced the slaughter of as many deer as possible. By nightfall at least 100 deer were dead and by the

end of the second day it was estimated that almost 200 beasts had been killed.[34] Theoretically, the raiders were in search of food, but it was hunger for land that dominated their actions. Many of the raiders were sons and grandsons of those who had been evicted 40 or 50 years before, and the younger ones were not provided for in the Crofters' Holdings Act. The crofters and cottars hoped that the forest would be so drastically reduced by the cull, that the tenant would relinquish his lease, thereby compelling Lady Matheson to reconsider her refusal of 1882 to return the land to people of Lochs parish. However, all they achieved was publicity and a government enquiry into the social and economic condition of Lewis, which found that the landless population of the island were suffering from the adverse effects of the slump in the herring industry, reliant as they had been, on wages as their sole means of support.

Further action, land raids, and demands for land ensued. At Galson and Aignish large farmers were informed by the crofters and cottars that they wanted the farms. Almost 1,000 people assembled at Aignish, the military were called in and 13 men were arrested. The unrest continued, but Lady Matheson stood firm in refusing land to crofters and cottars on her estates. Some 300 men travelled across the island from Barvas to Stornoway in order to present Lady Matheson with a petition requesting that the farm of Galson be divided among them. The men arrived wet and weary only to be informed by Lady Matheson that: 'These lands are mine and you have nothing to do with them.'[35]. Eventually, the farms were taken by force by the Highland Land League, which had formed in 1887 by the amalgamation of a number of land reform groups. Although the Countess of Sutherland and Marjory Grant

had instilled hatred and resentment in the hearts of many, they were never obliged to go into hiding for fear of their lives. Lady Matheson however, received threats on her life, and was under police protection from February 1888. The eminent wife of Sir James Matheson, opium dealer and landlord extraordinaire, finally left Lewis for the south of France in May 1888.[36] The income from the deer forests was evidently more important to her than improving the living conditions of the crofting population.

Philanthropy of Guilt

Clearance, emigration and the development of deer forests were not the only responses to post-famine management of Highland estates. A number of women in control of large estates in the latter half of the nineteenth century involved themselves in the development of Highland home industries, especially textiles. With the growing philanthropic movement of this period, these women were motivated to improve the economic prospects of the remaining tenantry. It is important to note, however, that the expansion of home industries was not necessarily an alternative reaction to the financial difficulties posed by the burden of famine relief or the crisis in the sheep economy. In many instances, the desire to inaugurate philanthropic initiatives by Highland landowners ran parallel with the more common patterns of estate management. Lady Dunmore, for example, facilitated the emigration, and hence removal, of hundreds of tenants from Harris in 1847 following the famine; but she was also instrumental in the founding of the Harris Tweed industry. The question then arises; did motivation stem from a genuine concern to improve local industry, or from a need to appease a guilty conscience? The question is almost impossible to answer, but whatever

the incentive, the importance of expansion in home industries to the Highland economy cannot be overlooked.

Removals by Lord Dunmore on his Harris estate were carried out in the late 1830s in order to add to grazing land for sheep demanded by a sheep farming tenant. The clearance attracted the attentions of the Lowland press. Tenants were given three years' notice to quit with the offer of emigration, or for those unfit to go, better lands on the island. The removals were resisted by the tenants and it was only after military intervention that the Earl was able to continue with his plan, clearing the people from fertile land on the west to the rocky east coast. No tenants chose the option to emigrate.[37] The Harris estate was managed after the death of the Earl of Dunmore in 1843 by his widow. Lady Dunmore took an active interest in the Harris estate. Following the potato famine Lady Dunmore encouraged her tenants to emigrate, offering to cancel rent arrears and free passage to North America, together with an allowance to keep them going until they could send wages home. Not one tenant took advantage and a similar offer was made in 1848, this time for 12 families to accompany her uncle, Captain Murray, to America and settle on his land there. Again, not one family came forward. Lady Dunmore was commended for these 'relief' operations although her motives in paying people to leave her estate may not have differed too much from those of Josephine MacDonnell.[38] Lady Dunmore would have faced, as a proprietor the responsibility of providing poor relief to her tenants. Presumably, the cost of shipping them out was more cost effective in the long term.

Unlike Josephine MacDonnell however, Lady Dunmore was an important catalyst in developing a sustainable industry for the Harris people. Lady Dunmore clearly identified the economic difficulties of her Harris estate. Failing to encourage the impoverished tenants to emigrate she diversified from the standard approach to Highland estate management and attempted to improve the local economy by the commercial development of the existing textile industry. Perceiving the quality of the tweeds made by the wives of Harris crofters, Lady Dunmore recognised the sales potential of the fabric. Her first step was to direct some of the weavers to copy the family Murray tartan in tweed, which was reputedly produced in 1846. Suiting for her keepers and ghillies was made up from the cloth. Lady Dunmore then introduced her friends to the advantages of Harris tweed for outdoor wear and endeavoured to widen the market. This she achieved through establishing a scheme to improve the quality by eradicating irregularities in the cloth to bring it in line with machine-made cloth. Dyeing, spinning and weaving for Harris tweed were all carried out by hand which often resulted in uneven quality. The Dowager organised and financed training in Alloa for a number of Harris women to learn how to weave more intricate patterns. The first Harris tweeds were of pronounced checks and Lady Dunmore aimed to devise new blends of natural, more subtle dyes. By the late 1840s tweeds were being sent to customers in London. Most of these early customers were aristocratic and recognised the suitability of the cloth for outdoor pursuits; it was warm, relatively light and shower resistant. The increasing popularity among the aristocracy for sporting activities in the Highlands added to the demand for tweed and was probably an important factor in the successful development of the tweed industry.

Later, in 1857 Lady Dunmore brought further developments to Harris with the introduction of a stocking and embroidery industry. A workroom was built and a woman instructor was employed. Progress in the textile industry was not however restricted to the efforts of landed women. For instance, Mrs Thomas, another enterprising woman, had been involved with Lady Dunmore in the new development on Harris. Her husband, Captain Thomas RN, was engaged on surveying the island for the Ordnance Survey Department, and Mrs Thomas had been presented with a pair of stockings by a Harris woman. Mrs Thomas observed that the major sales effort was directed towards tweed and she therefore determined to procure orders for knitted goods. Sometime after 1859 Mrs Thomas opened an agency at her home in Edinburgh for the sale of tweed and knitted goods, creating a sizeable market in the city.[39]

Throughout the 1840s Highlanders had suffered the ravages of crop failure, famine, and eviction from reasonably good land to poor land, from which it was difficult to subsist. By 1848 it became obvious that an alternative means of support was crucial and the success of Harris Tweed did not pass unnoticed in other parts of the Highlands. Not surprisingly perhaps, Sutherland witnessed the next step in the development of home industries. Harriet, second Duchess of Sutherland established the Sutherland Industrial Society in April 1849, with headquarters at Golspie. An exhibition of home crafts, including cloth-making was held in 1850. The sale of exhibits brought sufficient profit to indicate that the crofting community would benefit from the continuation of the society. The efforts of the Duchess of Sutherland in aiding the textile industry were not

limited to the Highlands. Harriet's social influence was such that in 1859, she was petitioned by the silk weavers of Spitalfields, London. The silk industry was at that time suffering from depression and the silk weavers pleaded with her to accept a bolt of newly-coloured magenta silk, have it made into a gown, and thus make it fashionable. This was one request she responded to positively, and within weeks the Spitalfields looms were working day and night.

Highland textiles continued to be favoured by the aristocracy and royalty into the 1870s. For example, the *Inverness Courier* reported on 12 October 1876 a visit the woollen mill as Lairg by the Prince and Princess of Wales, accompanied by the 3rd Duke and Duchess of Sutherland. The royal couple made extensive purchases of home-spun tweed. With such patronage and publicity the tweed and knitting industry continued to expand and crofters in the southern Hebrides became involved. South Uist tweeds, for example, were available on the London market by the late 1870s. In Skye, crofters were also involved in the industry aided by the interest of MacLeod of MacLeod. Lady Gordon Cathcart, proprietor of South Uist, renowned for her intransigence on the question of land for crofters and the exploitation of kelp workers on her estates, acted as agent for tweeds produced by her tenants. Lady Gordon Cathcart arranged for the cloth to be sent to Messrs Parfitt of Jermyn Street, London.[40] Crofters on Lewis were facing economic difficulties in the late 1870s, particularly in the herring industry. Sir James Matheson had ploughed enormous sums of money into improving his estate and providing work for the crofters, but his schemes failed to provide any permanent employment. The extent to which crofters

had depended on these works became all too evident when improvement on Lewis came to an end with the death of Sir James in 1878. The crofters needed an alternative form of economic production. The tweed industry was flourishing in other parts of the Hebrides and so the Lewis crofters now turned to tweed. The first place on Lewis to make tweed was Lochs, the impetus coming from a local woman. The first web of tweed for sale outwith the island was produced in 1881.

The role of women landowners in the development of Highland home industries is rather interesting. Many were either responsible themselves for removal of tenants in favour of sheep farms and deer forests, or inherited the reputation acquired by their predecessors. That Millicent, fourth Duchess of Sutherland, was one of the leading women in Highland home industries, is no coincidence. She carried the burden of hatred that the Sutherland name inspired following the clearances under Elizabeth, Countess and first Duchess of Sutherland. Some of the greatest philanthropists of the nineteenth century, both men and women, found no difficulty in reconciling the dichotomy of ruthless actions, in pursuit of profit, with public-spirited activities. Guilt has been described as 'the coldest charity of all', with particular reference to Andrew Carnegie, one of the greatest Scottish philanthropists, and Highland landowner. He was also a steel magnate and extremely wealthy and an exploiter of the working classes, with anti-union beliefs.[41] Similarly, with the memory of the Sutherland clearances and the trial of Patrick Sellar still fresh, the second Duchess of Sutherland found no difficulty in combining the most sumptuous of entertainments with a soothing patronage of charity

and anti-slavery campaigns. As has been explained, one of her most famous associates was the anti-slavery campaigner, Harriet Beecher-Stowe, who also made great public repudiation of the involvement of the Duchess and the sufferings of crofters and cottars on Sutherland Estate.[42]

The Sutherland Industrial Society had by 1886 become rather moribund, at which time it was reconstituted as the Sutherland Home Industries by Millicent, then Marchioness of Stafford. (Fig. 5) Millicent devoted a great deal of energy into the organisation, which formed part of a general movement at that time; the Scottish Industries Association was formed in 1889 by the Countess of Roseberry, with Princess Louise as its patron. The aim of the Association was to:

provide a market, to improve the quality of the products by instruction and the circulation of information, to promote the sale of products, and to ensure the payment of a fair price to the workers.[43]

During her visit to the textile mills at Rogart the 4th Duchess of Sutherland was reported to have commented on the special facilities workers in the district had for producing good quality products. Sutherland wool was very soft and therefore in great demand in the south. Although she was complimentary about their spinning, the Duchess was not so favourable about the colour of the dyes used. She disliked the mustard yellow and handed round samples of dyed goods which she directed them to copy, advocating the use of mineral dyes only and not their native dyes. Millicent impressed upon all those present to encourage their men folk to learn weaving



Fig. 5 Millicent St. Clair-Erskine, 4th Duchess of
Sutherland.
Portrait, Dunrobin Castle.

as a valuable occupation for the long winter evenings. [44] The Duchess of Sutherland later became president of the Association. In 1896 the Association became a limited company, as it was by now evident that in order to fund the home workers, a commercial organisation with considerable working capital was necessary. Millicent set off immediately on a tour to examine for herself the conditions of spinners and weavers. During a later tour in 1898, she wrote of her visit to Lewis:

desolation indeed...They starve and freeze but they do it in such a picturesque way that one cannot pity - as one pities the lead poisoned. I lectured on home weaving in benighted churches...I am a woman of action now, with passions as woolly as my tweed.[45]

In order to encourage quality production Millicent established a system of prizes for the best colour, evenness of texture and so on. Depots were opened up in Tarbet, Stornoway, Edinburgh and Golspie. Millicent organised annual sales opened by royalty at Stafford House, her London residence. The enterprise expanded, providing employment for 500 families by 1901.[46] The success of the Highland Home Industries Association, and its importance to the Highland economy, can perhaps best be summed up from her speech, written for the opening of the Association's 1896 annual exhibition in Inverness, as President of the Highland Branch. Millicent stated that the aim of the Association and those involved with it, was to achieve a good return to the poor workers of the Highlands and Islands. However, the Duchess of Sutherland had been known to advise workers that they should accept between 2s9d and 3s per yard instead of the 4s or 4s6d they had formerly wanted if they expected to sell

their product.[47] Her advice must have been well heeded for approximately £25,000 worth of home-spun tweed was produced by them annually, in addition to the more saleable Shetland goods and knitted stockings.

Perhaps one of the most important aspects of Millicent's activity in the Association was her concern to eradicate the Truck system. This was a system whereby goods were exchanged for goods or credit and no cash transaction in 'the coin of the realm' took place. Crofters were frequently fobbed off with inferior goods or an unequal exchange rate, and restricted in their freedom of where to purchase goods etc. By 1790, Truck was a national concern, enmeshed in the majority of dealings among the working class, especially in the industrial centres. Despite the Truck Act of 1831, which prohibited the payment of wages in kind, Truck continued unabated. Following a mass of complaints about the continuing extensive practice of wages paid in kind, the Truck Commission was appointed by parliament in 1871 to examine these difficulties. Despite this enquiry, Truck continued to plague the Highlands, especially Shetland, where it was inextricably linked with tenure.[48]

In order to relieve permanently the burdens of the Truck system, Millicent considered it vital to place the industry on a commercial basis. Acknowledging that the Truck system had its advantages in establishing workers when often on the verge of starvation, enabling them to gain the necessities of life, she considered the system most precocious in its ultimate results. Through the philanthropy of many ladies and gentlemen, a company had been formed, with a suitable capital, enabling then to attack the Truck

system, and in time, to provide a fair wage for fair work. The ultimate aim was that the greater portion, if not the whole of the tweed produced should pass through the hands of the Association, so that, having taken a stand in the market:

the woollen merchants, recognising not only our philanthropic motives, but our business-like capacities, will find their need for our hall-marked tweeds demands not only a kindly but obligatory patronage. Then and only then shall we be able to place our industrious Highland workers in their proper and honourable position...[49] (Fig. 6)

Despite this rhetoric the Scottish Home Industries Association was attacked for breaches of the Truck Acts. Although the directive from the board to its managers was to: 'pay for all purchases of tweed in cash, leaving it in entirely to the option of the crofters whether they will or not make purchases', the managers may have encouraged the purchase of groceries, wool and other commodities sold in the stores.[50]

By 1901 Millicent's public image was that of the 'Red Duchess', although she described herself as a liberal at heart, and just a little bit of a socialist. Ultimately, the Duchess of Sutherland was a reformer, who advocated practical schemes whereby the disadvantaged could break out of the vicious circle of poverty and helplessness, and thus achieve the essential requisite for the crofter, economic independence. According to her biographer, the Duchess of Sutherland's involvement with the Scottish Home Industries Association and her inauguration of the Golspie technical school was an attempt to lay the



Fig. 6 Scottish Home-Industries Association Trade Mark, 1898.
Highland Council Archive.

ghosts of the bitter Sutherland past and make some redress for the wrong-doings of the clearances carried out by her forbears.[51] Millicent abhorred the methods used during the clearances and was profoundly affected by the hostility she encountered as a result of the legacy from the actions of the first Duchess of Sutherland. Millicent based her work on the theory that the working class should be encouraged to gain education and the skills that would then allow them to change society for themselves. The Golspie technical school was innovative for its time, as an intermediate school with a fundamental bias toward the natural sciences, in a remote and undeveloped part of Scotland. The school was necessarily a boarding school owing to the scattered nature of the population it served. Tuition and board were free to the children. The Duchess of Sutherland, like many of her contemporaries, was talented in her ability to extract money from her peers, although she was reputed to disdain begging for money. Her daughter once found Millicent in tears, but the Duchess explained 'I've just been getting money out of Andrew Carnegie.'[52] The building costs for the school, some £30,000 were paid by her husband, the 4th Duke of Sutherland and by Andrew Carnegie, owner of nearby Skibo Estate. The Duchess of Sutherland then obtained promises by others for bursaries of £30 a year, and induced Lord Balfour, Secretary of State for Scotland, to sanction a grant from the government of £250 each year.

Conclusion

The planners of previous generations had failed to improve the conditions of Sutherland and this failure illustrates the difficulty of establishing a foundation for economic progress in an undeveloped area affected by factors outwith the region. However,

Richards suggests that opportunities for employment and subsistence would have been worse had the Sutherland policies not been executed.[53] In contrast, aristocratic women with access to control of the land made a positive contribution to the Highland economy during the latter part of the nineteenth century. Through a different approach, these women were instrumental in the development of the local economy which, by the 1890s had developed into a nationwide concern. The focus of this development was directed at providing and expanding employment opportunities for the indigenous population in order to provide a base for, or augment, the local economy. The accent on the expansion of home industries, represented a shift of emphasis away from the juggling of tenants around the estates and the introduction of unfamiliar industry. Instead, tenants remained in their own homes and were encouraged to build on existing skills. Clearances continued to occur well into the 1890s, some of them instituted by women landowners. A number of these female landowners were also involved in the promotion of home industries, alongside the creation of sheep farms, deer forests and general exploitation of crofters. Ironically, the development of sporting estates on the Outer Hebrides, which had involved removal of tenants, then facilitated a market for the hand made tweeds produced by remaining crofters.

It is possible to explain the paradoxical juxtaposition of eviction and brutal treatment of the tenantry by landowners with their charitable actions, by defining philanthropic actions as the manifestation of a guilty conscience. In addition, the philanthropy of Highland landowners can also be regarded as part of a general movement towards patronage and philanthropy

that swept into Scotland in the latter decades of the nineteenth century. Many middle class and aristocratic women involved in philanthropic activities were further inspired by the birth of the Arts and Crafts movement during the 1870s. Much of this enthusiasm for philanthropy towards the home industries stemmed from a crisis of conscience among the middle and upper classes which had spawned the Arts and Crafts movement.[54] The revival and support of cottage industries, the arrangement for training of workers, and the marketing of products through sales and exhibitions, became the main concerns for many of these women. As society figures women of the aristocracy and upper middle class were key agents in the promotion and development of home industries as patrons, directors, and members of associations and societies throughout Britain. In 1898, the Scottish Home Industries Association could count among its membership princesses, duchesses, countesses, ladies, and a marchioness. (Fig. 7)

The Truck enquiries of 1871 and 1872 had aroused a certain righteous anger through the exposition of merchants' exploitation of workers and inspired many, including the fourth Duchess of Sutherland, to patronise various organisations. To what extent women landowners were involved in the development of home industries as a consequence of the general trend of philanthropy, or from a genuine concern for the amelioration of economic conditions on their estates, is difficult to qualify. Clearly, by the end of the century, philanthropy had superseded the concept of improvement as a motive for economic change and development. At the same time, philanthropy was also an invaluable facade for those women landowners who continued with extractive policies towards tenants.

The Scottish Home-Industries Association, Ltd.

Second Exhibition held at Stafford House,

ON MONDAY, JULY 4th, 1898.

Patrons :

H.R.H. PRINCESS LOUISE AND THE MARQUIS OF LORNE.

H.R.H. PRINCESS LOUISE DUCHESS OF FIFE, AND THE DUKE OF FIFE.

The Duke and Duchess of Portland.
The Duke and Duchess of Montrose.
The Duke and Duchess of Sutherland.
The Duke and Duchess of Westminster.
The Marquis and Marchioness of Tweeddale.
Julia, Marchioness of Tweeddale.
The Marquis and Marchioness of Zetland.
The Earl and Countess of Mar and Kellie.
The Earl and Countess of Strathmore and
Kinghorne.
The Earl of Rosebery.
The Countess of Selkirk.
The Earl Cairns.
The Lady Reay.
The Lord Balfour of Burleigh.
The Lord and Lady Burton.
The Lord and Lady Glenesk.
The Lady Alice Leslie.

The Lord and Lady Overton.
The Lord Malcolm of Portlough.
Lady Farquhar.
Sir Edward and Lady Colebrooke.
Lady Lyell.
Sir J. Stirling Maxwell, Bart.
Sir Samuel and Lady Sophie Scott.
Sir Kenneth J. Matheson, Bart.
Sir James Bell, Bart.
Sir W. Cunliffe Brooks, Bart.
Sir J. King, Bart.
Sir T. Glen Coats, Bart.
Lady Burns.
Sir Donald and Lady Currie.
Mr. and Mrs. Bradley Martin.
Mr. and Mrs. Donald Matheson.
Donald Crawford, Esq., M.P.

Directors :

Her Grace The Duchess of Sutherland, *President*.

Lady Alice Leslie.
Mrs. Beckett.
J. Maxtone-Graham, Esq.
Thos. Moffat, Esq.

F. Kinsey Peile, Esq.
Arthur Robertson, Esq.
Chas. J. Cater Scott, Esq.

Local Committees :

HARRIS.

The Earl of Dunmore.
R. Sinclair, Esq.
J. M. Fraser, Esq.

SUTHERLAND.

The Duchess of Sutherland.
Major Morrison.

LEWIS.

Donald Matheson, Esq.
Provost Smith.
Sheriff Campbell.

Manager :

MR. G. W. CROMWELL, 12 Woodstock Street, Oxford Street, London, W.

Fig. 7 Scottish Home-Industries Association Second Exhibition Programme, 1898. Highland Council Archive.

Nevertheless, involvement in the expansion and regulation of home industries, first begun by the Duchess of Gordon in the eighteenth century, and taken up by others in the nineteenth century, together with the development of sheep farms and sporting estates, proved an important and enduring contribution to the development of the Highland economy.

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III

Women and Protest

Introduction

In 1973 Eric Richards questioned the collective assent amongst historians regarding the passivity of Highlanders in the face of eviction during the clearances.[1] According to Hanham, Highlanders were pacified, tamed and domesticated to such an extent post 1745, that during the clearances, 'scarcely a hand was raised against the destruction of much loved homes'. Furthermore, by the middle of the nineteenth century, Highlanders had become 'notoriously god-fearing and law-abiding, and unwilling to cause trouble'.[2] Ferguson states that 'there was little resistance, the people were leaderless and stunned, the clergy for the most part siding with the lairds'.[3] Similarly, Mackenzie considers the remarkable patience of the crofters who:

had endured for generations their hardships, without open resistance to the oppressions of some proprietors, or far worse, those of their tyrannical factors.[4]

Linklater stated that 'a singular feature of the clearances is the absence of resistance'.[5] In contrast to these opinions, Richards suggests that the established view of Highland passivity should be perceived as suspect. He challenges the received interpretation of popular response to the clearances, *vis à vis* the corollary that the crofter's war of the 1880s heralded the beginning of resistance, and as such, rendered the 'Battle of the Braes' as a unique moment in the history of the Highlands. Where any acknowledgement has been made of earlier resistance it has not been regarded as being of any lasting importance:

There had always been some patchy, isolated resistance to eviction and to the excesses of landlords: the odd crowd of women hurling stones, a broken head or two.[6]

Traditionally, historians have tended to overlook the popular resistance of the Highlanders because of the failure to achieve any definite change in overall land management policy. Although earlier incidents of resistance failed to bring a halt to the clearances, which continued for over a century, such interpretations detract from the continuum of popular protest that occurred in the Highlands in every decade from 1790 onwards. In his survey of evidence relating to popular disturbances between 1800 and 1855, Richards records a continuity and recurrent pattern in repeated outbreaks of spontaneous resistance. He discovered at least forty occasions where the forces of law and order were challenged.[7] Furthermore, Richards considers, 'The role of women in Highland resistance is another curiosity - to a remarkable degree Highland riots were women's riots.'[8] Where historians have acknowledged resistance to clearance, the participation of women has attracted frequent comment:

Some fifty incidents have been identified between the 1740s and 1880s... They took a variety of forms. Many of these protesters were women, just as it had been women who attacked the Lochaber shepherd in 1782.[9]

However, little attempt has been made to analyse women's participation. Contrary to many conventional interpretations of clearance in the Highlands, the aim of this study is to confirm that there was indeed resistance to eviction and, more specifically, to examine the role of women within this phenomenon, concentrating on events in Inverness-shire, Ross and Cromarty, Sutherland and Caithness. A further element

for examination is the possible connection between clearance riots and those relating to church patronage. Within this framework, the first points for consideration are what the methods of resistance were, and the nature of women's involvement. Secondly, why were women so prominent in opposing the forces of the law?

The participation of women in acts of rioting and mobbing during the nineteenth century can be broadly considered within four phases, in relation to the changes in land use. Although sheep farming in the Highlands began to expand in the later decades of the eighteenth century, displacing the population in many areas, the widespread pattern of clearances began in the first twenty years of the nineteenth century. While the emphasis of this study lies within the nineteenth century, the early introduction of sheep into the Highlands was met with some resistance, and focused on the sheep and the new sheep farmers. Thus, the first phase of women's involvement, although limited in its extent, began in the early 1780s. Attacks on sheep, their farmers, and a major attempt to drive sheep out of Ross and Sutherland for ever, continued in the following decade, but women do not appear to be prominent in the reports of these demonstrations. Similarly, in 1813 when the next major attempt at resistance to the displacement of people in favour of sheep took place in Kildonan, women do not feature in the records. Undoubtedly, women were involved in these collective actions, constituting more than half of the community, and as part of the crowd. No women were arrested or conspicuous in their actions, and therefore the female element remains anonymous. However, women played an important role in another riot that same year, as they had in other disturbances in the county from 1777 onwards. This disturbance was concerned with the

question of church patronage; a question that cannot be entirely divorced from the changes in land use during this period.

The second phase where women figured prominently in disturbances occurred in the early 1820s, by which time the major sweep of clearances on the Sutherland Estate had been effected. Notable outbreaks of violence occurred in Sutherland however, during the period 1820-1823, and in neighbouring counties where women seem to have been the main instigators in the thwarting of established authority. The levels of resistance at this time varied but, more often than not, injuries were sustained, usually on the part of the authorities. Casualties did occur among the rioters however, as in the Culrain disturbance of 1820, when two women and a boy were shot. In most cases prisoners were taken and women were among those arrested.

From the early 1840s to the mid 1850s a third cycle of women's involvement in resistance occurred, as the second major wave of clearances took place, when the cost of poor relief soared following the failure of staple crops. Again, the number of people involved, and the degree of resistance was variable, but those incidents that occurred between 1852 and 1854 were particularly violent, culminating in the Greenyards disturbance where many women were severely assaulted by the police. Although Richards has described actions of resistance as spontaneous, on a number of occasions the people were prepared, organised help from surrounding districts, and kept watch for a number of weeks in anticipation of the confrontation. Between 1820 and 1854 the proportion of people involved in disturbances in a representative sample of parishes fluctuated from as little as 1 per cent to 93 per cent. (Appendix 2) Unfortunately it is not possible to determine whether or not all those

involved in a particular incident were residents of that parish. There is some evidence in sheriff reports and contemporary accounts that people may have participated in disturbances outwith their home parish. That all efforts of resistance were not premeditated, or that they occurred without external influence, is here open to question.

It is not until the fourth phase of opposition to changes in land use and the attendant repercussions, that historians generally acknowledge the people's ability to organise against, and challenge landlords and the established authorities that protected their interests. The last quarter of the nineteenth century saw the formation of the Land League and the adoption of a more political approach to resistance. The pattern of resistance in the 1880s followed a similar form to that of earlier cycles, but the impetus derived now, not only from the threat of eviction, but from loss of grazing rights. No longer faced with the threat of complete removal (from the immediate district), opposition became more tactical. External influence was now obvious following events in Ireland and communication and co-ordination with sympathetic Lowlanders and Gaelic exiles. Local leaders began to emerge, and tenants were encouraged to support policies of non-compliance with the estates. In order to examine the nature of opposition and the role of women within resistance it is not intended to list every incident, but rather, to focus on representative cases.

Early Resistance

During the first phase of struggle against the spread of sheep farming the earliest recorded instance of women's involvement in 1782 concerned a sheep farmer from Selkirkshire. Walter Grieve arrived at Letterfinlay, by Loch Lochy, to examine some land with the aim of taking a lease for a sheep farm. A group

of women, headed by John Cameron MacInnes set upon the sheep farmer and beat him up. Shots were fired by MacInnes the next day as the farmer and his companion left the area for Fort William.[10] This, and later attacks on sheep farmers, were unsuccessful in checking the development of sheep farming in the Highlands. The Estate of Rosehall in Creich, Sutherland, was one case in point where, in 1788, five small farms were consolidated by the owner into one, and subsequently let as a large sheep farm. The former tenants were driven away.[11] ,There is no record of resistance at this stage, but in 1792, *Bliadna Nan Caorach*, the 'Year of the Sheep', a plan to round up all the sheep of Ross and Sutherland and drive them south was determined. The plan was proclaimed in the churches and public houses of Creich and Lairg. At least 18 men were later charged with:

...advising, exciting and instigating of persons riotously and feloniously to invade, seize upon and drive away [the] property ..., by lawless and seditious proclamations made at...the churches or places of worship where the inhabitants are convened upon a Sunday for the purpose of attending divine ordinances'.[12]

Creich church was one of those named in the indictment, which also described the plan as 'preconcerted', which would suggest that even in these early stages, resistance was organised to a certain extent and was less than spontaneous.[13] Although the official records refer only to men, the operation was so widespread that the support of women would have been crucial. Support for the disturbances in Ross-shire among the people of Creich is likely to have stemmed from the recent increases in sheep numbers and the corresponding decrease of black cattle, horses and small tenants. George Rainy,

minister at Creich, commented on the incompatibility of people and sheep in his entry to the *Statistical Account*. [14] Following the death of Reverend Rainy, Creich became the focus of further sedition in 1811 when Murdoch Cameron was presented as minister by George, Prince Regent and Elizabeth, Marchioness of Stafford. So unpopular was this choice that Cameron's admittance to the parish was made under military protection. That opposition from the parishioners was anticipated is born out by the military presence, and that the people were prepared to resist the admittance of Cameron is evident in the ready supply of stones. The presence of the military did nothing to prevent the riot that followed in which women were actively involved. An old woman aged seventy, in hurling stones at the commander of the armed force, shattered his sword to pieces. [15] The parishioners were not given to acts of violence and had been commended for their regular and orderly behaviour. Indeed, according to Rainy, only one person had 'suffered for a capital crime within these twenty years'. [16] Given the recent changes in land use, the lack of evidence pertaining to any strong religious convictions of the people against Cameron, and their normally peaceable nature, it is reasonable to suppose that this disturbance was in many respects the manifestation of discontent against the policies of the landowner and therefore had political overtones.

Two years later further disturbances broke out in Assynt, Sutherland. This followed the displacement of Inchnadamph parishioners to the coast to make way for sheep farmers in 1812. At the same time, 88 Kildonan tenants were given notice to quit with plans to move them to the north coast of Sutherland. The Kildonan people opposed the plans made for them, riots ensued. Petitions were sent by the people to the landowner and the Prince Regent, but the matter was settled by the appearance of troops. The men arrested were released

some time after the troops were withdrawn in March 1813, but this did not quell the troubles on the estate. The Countess of Sutherland and her husband, Marquess of Stafford, presented Duncan MacGillivray as minister of Assynt. MacGillivray was not popular among the parishioners who preferred the appointment of an evangelical, John Kennedy, who was at that time assistant in the parish. MacGillivray was known to have sided with the Staffords and the factor during the Kildonan riots, having acted as a spy for Patrick Sellar. As presentee of the landowners the people were naturally suspicious of the new minister. At MacGillivray's settlement people came from all over the parish to Inchnadamph church with a view to prevent the settlement. Women had piled up a large quantity of stones against the church door, but William Young, representative of the estate, had the heap removed prior to the induction. The parishioners surrounded the manse where MacGillivray, Young and the Presbytery were staying. The crowd brandished sticks, forcing most of the party to leave the manse and the parish as quickly as they were able. The minister and his family were allowed to spend the night in the manse but members of the crowd:

gutted it of everything before morning and they transported man, wife and child, cradles, blankets, beds, chairs, and all ...to a heath near Glen Cool...about ten miles distant and left them there.[17]

The following day MacGillivray was harassed further by attempts to make him leave the parish altogether. Men had been the main protagonists in the Kildonan riots but women were clearly active in protesting against the imposed minister. Although no charges were brought against women after the Assynt disturbance, their involvement was recorded in estate management records, and in the evidence of the three men arrested

and tried.[18] William Young considered this disturbance to be more serious, a complete threat to public order in the district, commenting that, 'it was ten to one that lives were not lost...The Kildonan riots were a mere nothing to this and people had some shadow of excuse'.[19] The situation was considered to be so grave that military assistance was sought by Cranstoun, the Sheriff Depute. The show of military strength, which did not appear until after the unrest had subsided, had relatively little effect. Cranstoun's view was that there, 'existed considerable irritation in the minds of the people generally in Sutherland'.[20] Such irritation would not have been lessened by the eviction of two of the Assynt rioters by the Countess of Sutherland after they had been to Dunrobin Castle to ask her forgiveness.[21]

The 1813 riots took place during one of the major and most devastating phases of the Sutherland clearances, which involved the removal of thousands of people. That the people were unhappy with the changes is without doubt, and evident from the Kildonan riots. Furthermore, the disturbance surrounding the settlement of a new minister suggests a mood of discontent and anti-landlord feeling far above any religious concerns. The position of the clergy cannot be entirely divorced from the question of changes in estate management. Clearly, a certain loyalty was expected toward the landowner from ministers regarding these changes. Patrick Sellar was particularly outraged by the lack of support of ministers:

I do not exaggerate the matter when I say, that during the Riots no minister settled by the *patronage of the proprietors* in Sutherland stirred one inch to support the law.[22]

MacGillivray had, according to Sellar, been the only preacher 'to exhort his flock to peace, and to commune with us.' [23] For his support MacGillivray was rewarded by the landowner with promotion to Assynt; a gesture that did not go unremarked by the people of that parish.

Further resistance

By 1820 the major wave of clearances had been carried out on the Sutherland estate, and elsewhere landowners were introducing sheep farms onto their estates. The early years of the decade witnessed the second phase of women's involvement within an increasing opposition to the evictions this sheep farming necessitated. The first significant incident took place in Culrain, on the estate of Munro of Novar, where six hundred were to be evicted without provision. The population of the entire parish, (Kincardine), was 1,865. [24] Thus the clearance from the Novar estate represented the removal of almost one third of the population.

In the first instance, the officer serving notices of removal was met by almost 200 women (some reports suggest that these were men in women's clothing [25]) who took from him, and destroyed, all the warrants. The officer was ill treated and threatened with loss of life should he return on such an errand. A precognition was sent to the Lord Advocate who advised that as no men had been involved in the deforcement, that a second attempt be made with the aid of the civil power and the staff of the Ross-shire militia. The party, numbering forty plus, were again met by at least 200 women, who had been collected together by the sounding of horns as an alarm. They ordered the sheriff's party to return, stating that they were determined at all hazards to prevent them going further. With the refusal of the sheriff's party to remove, the women let fly several showers of stones causing some injury.

The Sheriff Depute, MacLeod, sent his account of the fray to the newspapers in order to correct what he considered to be inaccuracies in their reporting of the affair. MacLeod had ordered a charge of bayonets to deter the mob, which was so infuriated that many of them ran through the soldiers and met with wounds, 'inflicted by their own madness'. [26] Although most of the mob were discouraged from advancing, they continued to stone the official party. Members of MacLeod's party perceived a second line of protesters visible within a quarter of a mile, composed entirely of men, many of them armed. At this, confusion broke out and some of the sheriff's party ran up the hill in an attempt to disperse the crowd. The mob replied with a volley of stones, knocking down five sergeants and a drummer. Outraged by this, a number of the sheriff's men fired into the crowd; two women and a boy were shot. There appears to be no evidence that the armed, second line, came to the aid of those in the midst of the attack. Those hurling stones continued to do so, and injuries were sustained among the constables. The protesters broke bayonets and damaged the carriages that had brought the official party. The crowd was estimated by the authorities to number at least 200, of which approximately 165, or 83%, were women. However, the press put the estimate much higher and reported that some of the men came from neighbouring Sutherland. The *Caledonian Mercury* reported in March, 1820:

the rioters have been joined by a number of discharged military, and that they are acting under a regular organised plan. They are said to amount to 1000 in all and are divided into four parties which act in concert by signal and to the sound of the bugle.

This would suggest that the resistance was far from spontaneous. However, a report in the *Inverness Journal* considered these figures to be somewhat exaggerated.[27] According to the *Black Dwarf*:

The mob appeared as if raving mad; and those who first attacked seemed furious and were chiefly women. The men were drawn up on a height and had taken quite a military position behind a wall, with their firearms in readiness... the women instead of running away, as expected, literally rushed among the bayonets.

They supposedly cried: 'We must die anyway, better to die here than in America or the Cape of Good Hope; we don't care for our lives.'[28] Such sentiments may explain why the women were so determined to resist.

Later that year another, small scale deforcement took place at Wester, Caithness. The messenger at arms was refused access to the house of John Davidson, the tenant to be evicted. He attempted to force entry to the house with a hammer and he was struck by a stone thrown by Helen Davidson. More women, armed with stones, proceeded to hurl them. The officer and his colleagues left to return with more men. The officers were thwarted in their second attempt at eviction by the shower of stones pelted at them by the women, who were now joined by several men. Eleven women and five men were later charged with deforcement. All, except one man, were found guilty and imprisoned in Wick jail; the women for three months and the men for six months.[29]

At least one woman was arrested and charged with mobbing, assault and wounding an officer of the law following the disturbance at Achness, Sutherland, in 1821.[30] It was believed that the people were

expecting help from Caithness, and Ross-shire. Troops were brought in to tour the troubled areas. At Bonar Bridge their numbers were increased to 200 and from here they went to Gruids. No opposition was reported at this time, but violence later broke out at Gruids, the following June. The boatman who took the sheriff officer to serve the notices of removal warned him that he was likely to meet with resistance. On landing, his assistants took to their heels, and the sheriff officer was surrounded and laid hold of by a crowd of women who stripped his clothes from him. The women tied his hands and threatened to throw him into the River Shin. With the intervention of one of the women, his breeches were eventually restored to him. His papers were removed and burnt, with threats that he himself would be put on the fire. One young woman threw some of the burning papers into his face. He was then taken to the Lairg side of the water where he was knocked to the ground by a lump of moss thrown at him. He observed some men among the women but was unable to identify them. One of his assistants, whilst fleeing the scene, was pursued by a mob of women and boys. At some distance he was met by two men who seized him by the collar and returned him to the mob, who removed some of his clothing but did not offer much personal violence. The sheriff officer's letter case was brought to him by one of the women but he refused to take it. Six of the women were brought to trial with four of the men. The majority were found guilty and outlawed; in the case of one man and a woman, the case was not proven. It was the view of the public prosecutor that the report sent to the Lord Advocate was grossly exaggerated. [31]

The Protest Continues

A similar pattern of resistance continued in the third cycle of women's participation in popular protests. One major difference in the disturbance that took place at Durness in 1841, was the absence of men in

the early stages of resistance. More than 160 people were to be removed from Keanabin in mid term, at forty eight hours notice, and without provision for any resettlement. The *Inverness Journal* considered that turning them out between terms would lead to their starvation on the high road. The men were away at the herring fishing in Caithness when the Sheriff officer arrived to serve summonses of removal on the Keanabin people in August 1841.[32] The women, who turned out in great numbers laid hold of the officer, maltreated him, removed his papers and burnt them in front of him. A second attempt was made, this time by the Superintendent of police, Phillip Mackay. He met with the same treatment. Some of the women protesters were injured in the scuffle. A force, including the sheriff substitute, Procurator Fiscal, a large party of sheriff officers, and special constables, set out for Keanabin to seize the female offenders. As soon as their arrival was detected, the people gathered in large numbers until a crowd of three hundred had assembled, all carrying sticks, flails and other weapons. The crowd included men who had by now returned from fishing. Many of the women were carrying shearing hooks. A rush was made to throw Mackay over the precipice, but was thwarted. The officials were threatened verbally, but no physical violence occurred. They were driven from the inn at the dead of night by a crowd of a hundred or more. Over 400 women were thought to have been involved and with a population of just over a thousand in the parish, the local minister was not exaggerating when he noted that the serving officers had been resisted by almost all of the women in the district.[33] The resistance gained the people a period of six months' notice.

The following year, at Lochshell on the island of Lewis, a number of women drove the sheriff's party away, without committing any bodily injury.[34] The

people were reacting, not so much about being removed to make way for sheep, but to claims that their men had stolen a number of sheep. The women complained to Sheriff Taylor that they resented being driven from their homes as thieves. The case of sheep stealing had never been proved and they were not in arrears with their rent. Taylor was sympathetic to their argument and withdrew his men and later consulted with the Lord Advocate. There is a suggestion that Taylor's sympathy stemmed from a suspicion that he may himself have been on the wrong side of the law.[35] Sheriff Principal Jardine was sent to investigate and as a result of his enquiry, the proposed evictions were postponed for a year. The tenants gave an undertaking to remove voluntarily the following Whitsunday and no punitive action was taken against them for their resistance.

1842 also saw the first attempt to remove the sub-tenants of Glencalvie, Ross-shire. The people had been assured that they would not be removed if they offered rent equal to that offered by the incoming sheep farmer, which they agreed to do. In reply to a request by the sub-tenants to meet with the factor sheriff officers arrived carrying writs for their removal. The serving officer was met on the bridge by a crowd of women. They smiled and called out, asking for the writs. These were handed to them and promptly burnt. Grinning, the officers returned to Tain. Three days later the Sheriff substitute arrived with a small force and was met by a crowd of over one hundred, comprised almost entirely of women, armed with cudgels. Despite attempts to persuade them not to resist, the women mocked the officers, and then seized and burnt the writs. So determined were the people in their resistance that the sheriff deemed it less than useless to continue.[36] A third attempt was made to remove the people in 1843 but women held the officer's hand over a fire and burnt the papers he

was holding. Their resistance had some effect, by delaying any further attempts to remove them until the following year, although they were eventually evicted in 1845. By this time however, the disturbances, and many of the dispossessed who had taken refuge in the Croick church yard, had caught the attention of the national press.[37] With growing awareness of the political implications of landlord action the people of Glencalvie appealed to the general public through a petition which explained their position and called for financial aid. With the help of five Free Church ministers the petition appeared in *The Scotsman*, and was accompanied by an advertisement placed by the ministers which was forthright in discussing, 'the grasp of powerful invaders' (sheep farmers).[38] One of the ministers, the Rev. Gustavus Aird, criticised the displacement of the people to make way for trees and animals, and offered his manse at Bonar Bridge as a place of refuge for those who were too old or infirm to withstand the rigours of living under canvas. The role of the Free Church was crucial in bringing to public attention the events in Glencalvie. However, it was Rev. Gustavus Aird who was instrumental in quelling the opposition of the people, and encouraging them to accept their fate peaceably, whereby the clearance was eventually implemented.[39] The involvement of ministers in matters concerning eviction, in this case and many others, was paradoxical.

In the same period both men and women banded together to resist the eviction of one tenant at Balcladdich, Assynt. John MacLeod had been summoned to remove at Whitsunday 1843. Not only had he disregarded the summons, he had sent violent and threatening letters to the landowner, the Duke of Sutherland, and his managers. True to his word he gathered some fifty men and women against the sheriff officers attempting to serve the warrant of ejection. The crowd pelted the

officers with stones and insulting, opprobrious language, and succeeded in driving them away. Sheriff Lumsden who was in the district at that time, lost no time in engaging a force and arrived at the scene of the disturbance with the Vice-Lieutenant, Procurator Fiscal, several Justices of the Peace, and 30 special constables. Against such a force MacLeod discarded any plans of resistance and surrendered. The most interesting aspect of this particular disturbance is that the newspaper report of the incident made a distinct statement that this case was wholly unconnected with the Church agitation or general politics, and that the eviction was a case of necessity.[40] Given that the incident took place only months before the Disruption, that an earlier patronage riot had broken out in that parish, together with the extent of clearances in the county as a whole, this statement reveals more than it seeks to conceal.

Stones were again a major weapon used against evicting officers in Sollas, North Uist. Following the famine of the late 1840s, landowners were anxious to reduce the number of tenants on their estates and consequently reduce the demands made on them for poor relief. MacDonald of Sleat offered to help with emigration costs but the people refused to go. MacDonald intended to evict six hundred people in July 1849; more than one eighth of the entire population of North Uist.[41] When the sheriff's party arrived at Trumisgarry to complete the evictions a black flag was hoisted and a great number of men, women and children assembled. Sheriff Shaw was popular among the people and they assured him that he would not be hurt but that anyone attempting to eject them would meet with instant death. Shaw decided to return the next day in order to allow the people to reconsider. Some of his men spent the night in the district and the place where they were staying was bombarded with huge rocks.

A further attempt was made by Sheriff Colquhoun and a party of 33 constables. The people were highly agitated and clashed with the official party, women being the chief assailants, raising a continuous yell and using stones to intercept the officers.[42] Following the arrest of ringleaders of the previous deforcement, evictions continued the next day when women stampeded the police. Those arrested however, were all male. The disturbance and the evictions attracted the interest of the press, the *Inverness Courier* sending its own reporter to the scene. Lord Cockburn, the presiding judge at the trial advocated leniency of the Court when the verdict of guilty was returned in considering the cruel, though legal, proceedings adopted in their ejection without the prospect of shelter.[43]

Further episodes of resistance followed in the early 1850s with major confrontations occurring in Coigach and Greenyards. Although seventy five tenants of Achiltibuie and Badenscaillie had agreed to remove to new lots two miles away, making way for sheep, the remaining eighteen refused to go. This minority stood to lose their crofts and valuable hill grazing, while those who had co-operated stood to lose only part of the hillgrazing. Faced with outright eviction these eighteen resisted and succeeded in blocking the entire scheme. When the sheriff officer and a small party arrived to serve the summonses of removal they were met by a great gathering of men and women who had anticipated their arrival and had been on watch throughout the night. The women rushed the party, tore open the officer's clothing in search of the summonses, which they then burnt. The women also burnt papers relating to sub-tenants who were in arrears. The sheriff's group was forced to withdraw.

A second attempt was made and as the contingent, including police, sailed to Achnahaird, there were several hundred people amassed along the coast. The factor, Scott, said that the legal party were entirely outnumbered by mutinous people at both Achnahaird and Achiltibuie:

all this was done by women but I have no doubt all the men of the place were backing them...there were not fewer than 250 men and as many women concerned in the riot but although the latter only were the active agents in the deforcement, had any serious resistance been offered, the men would neither have been slow nor gentle in punishing such resistance.[44]

The temper of the people was such that one of the tacksmen involved in the resettlement arrangement offered to withdraw from the contract he had made with the estate administration. The factor, however, persisted and another set of summonses were seized and burnt. Their boat was hauled and dragged over the shingle for some three hundred yards by scores of women, one man still sitting in it, the whole cheering them on. It was placed high and dry in front of the inn. The incident was reported in both of the Inverness newspapers and plans for the resettlement were postponed for twelve months. According to the press the people of Coigach:

have it currently amongst themselves that the Queen will not allow the military to be sent against them, and as for Civil power, they care not a straw for it.

No legal action was taken against the offenders.[45]

Later that year an improved offer for the land was made by a southern *nouveau-riche* distiller, Lord Dupplin, who intended to use the land for shooting. He insisted that the people and the sheep be removed to enable the introduction of deer. Resistance to authority by the people of the district had made the land unlettable. Their resistance had not been confined to the issue of eviction as a constable collecting poor rates had been deforced. Furthermore, the people refused to pay their arrears although they were presumed to be well able to do so with the increase in cattle prices. The factor, Andrew Scott considered that the law had become a joke at the hands of 'turbulent, riotous people', and believed that only military force would prevail against the Badenscaillie tenants. He was supported in this view by the landowner, Lady Stafford. The people had appealed to Lady Stafford to cancel the removal plans in a petition to her. Her advice to them was that they should end their resistance as her plans would most assuredly be carried out. Pending a renewed attempt to execute removals, the people arranged a constant surveillance of all movements by the factors, with scouts at Ullapool to give advanced warning.

The next attempt came in early February 1853. The sheriff's party were violently assaulted by a large body, consisting mainly of women. Again summonses were wrenched from the officer and burnt. He was then stripped almost naked and sent to Coigach in a boat. Women were reported as the leaders. Scott referred to the people as the 'Coigach insurgents' and called for military aid. According to Scott, the popular resistance of the previous year acted as inspiration both locally and beyond. Despite these fears the Law Officer of the Crown in Edinburgh did not consider there had been a deforcement to justify the sending of a force, and consequently instructed the use of the local, County police. The Solicitor General also

judged that the deforcements had not been sufficiently grave to require the intervention of troops and ordered a third attempt with ordinary law officers and police reinforcements. Again the officers were humiliated and deforced. The Cromarty management gave up the campaign in defeat and no further removals were made from Coigach. The victory of the Coigach people was almost unprecedented in the Highlands and inspired crofters in the eastern districts to emulate collective resistance. The Coigach crofters entered into folk memory whereby they were remembered thirty years later as heroes of the Highland land war. In the minds of the landlords and the police, Coigach served to harden their resolve, and consequently, subsequent years witnessed some of the bloodiest conflicts between the law and crofters in renewed clearances at Greenyards, Ross-shire.

In March, 1854, the Greenyards people were on watch day and night in anticipation of summonses for removal. When the sheriff officer appeared 50 or 60 men and women gathered, stripped him, removed his papers, burnt them, and finally, marched him out of the district, depositing him at the braes of Dounie, the site of the Culrain riot thirty years earlier. Calls were made for an adequate force to ensure the execution of the summonses and to put an effectual stop to the lawless deforcements for which Ross-shire had an unenviable notoriety. At least forty people continued to keep watch day and night, assembling in great numbers at the least alarm. It is likely that some of them were armed, as an excise officer, who was mistaken for a sheriff-officer, was set upon and chased away by a man brandishing a pistol.

Sheriff-substitute Taylor planned a surprise raid for the 31 March, but a warning was printed in the *Inverness Advertiser* that a strong force was to be sent to serve the summonses. The article stated that

the inhabitants were still filled with the spirit of opposition and were resolved to renew the fierce contests of Culrain and Glencalvie, being able to summon upwards of 300 supporters on a given signal.[46] Similarly, according to Mackenzie, Sheriff of Ross and Cromarty, the Free Church paper wrote in such a strain as to encourage the people to violent resistance to officers of the law.[47] The legal party numbering 30 constables and several sheriff officers proceeded to Greenyards at 6am on 31 March. On their arrival guns were fired by the people and about 300 persons, of whom approximately two thirds were women, assembled in a tumultuous manner in preparation to resist the constables. The women were in the front, many of them armed with sticks and stones, supported by men at the rear, most of whom were armed with cudgels. Sheriff Taylor and Mr Cumming, Superintendent of Ross-shire police, tried to persuade the people to disperse peaceably, but their voices were drowned out by the clamour of the mob which pressed forward. Some of the women attempted to grab Taylor and in the process hit him. At this point Taylor gave the order for the constables to clear the way. After a short resistance the people were dispersed and the officers were able to execute the summonses. In his report to the Lord Advocate, Mackenzie explained that the constables were obliged to use their batons vigorously, for if they had not done so they would have been overpowered by the superior numbers of those opposed to them. He regretted that several women had been seriously hurt in the conflict, as well as the men, though the latter were able to escape. Some 20 women were injured, at least one of them was believed to have died from a broken skull.[48] Given that the men had escaped, Taylor explained:

we were obliged to content ourselves with the principle ringleaders among the women. One of the women had been so very badly hurt by the batons that it would have been cruelty to drag her along with us.[49]

Four of the injured women were arrested and detained in the tolbooth at Tain. Ann Ross was later found guilty of mobbing and rioting and was sentenced to twelve months imprisonment, along with Peter Ross.[50] The disturbance was widely discussed in the Scottish press and a number of pamphlets were published on the subject including *The Massacre of the Rosses* and *The Russians of Ross-shire*. These pamphlets were written by Donald Ross, a Glasgow lawyer, who interested himself in Highland affairs.[51]

Wider Developments

It is evident that crofters employed a number of tactics in opposition to changes in land use ranging from refusal to pay rent to direct confrontation with incoming farmers, estate managers and legal forces. The pattern of resistance was well established by the time the Highland Land League came to be formed. The methods of resistance employed on Skye in the 1880s were a combination of those used throughout the century. What made the Skye events of 1882 different was developments outwith the Highlands, especially in Ireland. Landowners and the government were anxious to avoid a repeat of the Irish troubles on Highland soil, just as the government of the late eighteenth century had been nervous of insurrection at home after the French Revolution and the American war of Independence. Troops had been brought in against the crofters in the early days of resistance, and were employed again for the same means almost a century later. In contrast, military aid had not been forthcoming during the main sweep of clearances and resistance. The outcome however, was different at the

end of the nineteenth century. Influenced by the Irish question, the Government at last began to examine the problems of economic change in the Highlands through an inquiry led by Lord Napier. Furthermore, the disturbances on Skye were reported in the national press which instigated great public debate.(Fig. 8) Although the morality of landowners having the legal right to remove tenants from their land had been questioned in the press throughout the century, the Government had managed to ignore the issue. It was not until political agitators from Ireland were perceived to be helping the crofters to organise that the Government took action.

One of the most significant disturbances that took place on Skye was what came to be known as the Battle of the Braes. The crofters of Braes had been denied common grazing rights on Ben Lee since a lease had been taken out by a sheep farmer in 1865. The lease was due to expire in 1882 and the crofters, knowing that the existing leaseholder was having some difficulty paying the annual rent of £120, offered a higher rent. This was refused by the landowner. The Braes tenants were also under the impression that the lease had been promised them at its expiry by a previous factor. The tenants then refused to pay rent until their claims were recognised and grazed their sheep on the hill. Some tenants, notably two widows, complained to the factor of intimidation by an angry crowd because of their refusal to sign an agreement not to pay rent.[52] Some of the agitators were earmarked for eviction and the officers serving the summonses of removal were deforced by men and the papers were burnt while women heckled. Fifty policemen were dispatched from Glasgow to assist Sheriff Ivory in arresting five men accused of deforcement. The expeditionary force arrived at the first township at 6am whilst all the inhabitants slept. The Braes people were expecting the force and



Fig. 8 Women at a Land League meeting, Skye, 1884
Illustrated London News Picture Library.

anticipated being able to gather at least three hundred. The tenants of neighbouring Balmeanach were gathering as the force reached them. The five men were arrested and then:

the wildest confusion followed, stones being freely used on both sides, the policemen charging with their batons as well.[53]

Women were 'the more energetic of the attacking party' and consequently received the most serious injuries. Six women and three men were reported to be seriously injured, three of the women were close relatives of the men arrested; of the other women, one was aged over 70 years, while the two remaining women were described as very young.[54] The men accused of mobbing and rioting were tried and found guilty but received moderate sentences, and an agreement was eventually reached for rental of Ben Lee grazings. With the contemporary organised opposition of the Glendale tenants and the adoption of Irish tactics including threatening letters, the Government was forced to consider the issue of land management in the Highlands.

Despite the Royal Commission inquiry, evictions and crofting disputes continued. One example is that of Uig, Lewis, where repossession was due of the islands. Almost all of the men were away at the fishing on the east coast and Shetland when the tacksmen and others intended to remove the inhabitants. The women, in anticipation of their arrival, held a council of war and determined to resist by sea and land. Accordingly, they made ready a large fleet of sailing boats and when the tacksman's party came into view the women were well prepared with a supply of stones and stout sticks. A sea fight ensued about a mile from the shore and lasted for four hours. Following the hot, fully contested battle, the women emerged as

victors, the tacksmen having been driven away landing only five cattle out of more than 40 and no sheep at all. Some of the women had been wounded but not seriously. The women then determined to keep sentry on the islands until the men returned.[55] Similar disturbances continued well into the 1890s in which women were heavily involved.

Why Women?

Studies of popular protest movements have shown that throughout the eighteenth and nineteenth centuries the role of women as protesters was considerable. With a high profile in many disturbances such as food and land riots, and religious protest, women were crucial to the success of collective action.[56] In Ireland, women protested against eviction as they did in the Highlands. There are similarities between rural Ireland and the Scottish Highlands. Land was of prime importance to both communities, and represented the entire basis of life and culture. As TeBrake has stated, maintaining the possession of the family holding was essential to the economic, and psychological well-being of the entire rural community. Consequently, many protested against eviction, and women were often a vital force in such activities.[57]

From the examples of incidents discussed so far, it is possible to determine the pattern of women's involvement in popular protest. Methods of resistance used in the Highlands can also be compared with those employed in protests involving women in Ireland.[58] Events in County Gallway are illustrative of the role played by peasant women in the Land League movement. When eviction notices were to be served on the tenants of Carraroe in 1880, the serving officials, were thwarted by a crowd of more than 400 peasants, many of whom were women and boys. When attempts were made to serve a writ on the first cottage Fenton, the officer

in charge 'was set upon by the women and the process snatched from his hand and torn to pieces.' At the next cottage, one of his men was hit by a burning turf hurled by the female tenant. Fenton succeeded in serving only four eviction notices from a total of 120.[59] Other techniques used by Irish women included verbal abuse and threats, and the use of stones, mud and manure as missiles. At Lough Mask, Galway, the process-server, Sears, managed to serve three eviction notices in September 1880 before confronting Mrs Fitzmorris, who not only refused the writ but alerted her neighbours to his intentions by waving a red flag. The women hurled threats and insults at the officials and then used a variety of missiles with which to pelt them, forcing a retreat.[60] Frequently, in the Highlands, and in Ireland, women were at the head of the crowd, were the first to confront officials, and not infrequently, sustained the most serious injuries.

The presence of men as onlookers in popular protests while women took the lead in challenging the authorities in the Highlands has been noted above. The phenomenon was also common to popular protest in Ireland, and other European countries. Women were to the fore in the bread riots of the 1780s and religious riots of the late 1790s in France; Dutch women predominated in many of the food riots in the 1690s and 1760s, and were present in a numbers of Orangist demonstrations during the Dutch revolutions of the late eighteenth century.[61] In England, women were involved in food riots and religious protests, organizing the Leveller petitions and protests in the 1650s.

In the Highlands, where men were present they often held back, and in some cases formed a second line of defence. However, they do not appear to have provided much assistance or protection during the most violent

incidents. Although some among their number are sometimes described as ex-soldiers and in possession of firearms, they are generally reported as being the first to run away. This behaviour is somewhat inconsistent with the image of the fearless Highland soldier. It is possible that the reports made by local sheriffs were exaggerated in order to warrant more help from the police or militia. The presence of armed men may also have been reported by these officials to cover up the fact that the legal parties were deforced by mere women. In many struggles where men were present they did not join the protest until the last possible moment. The resistance at Carraroe discussed above, was led by women and boys, while the men looked on. They did not take part until the women and boys had met the police head on.[62] At an incident in Claremorris, Galway, men stood by and encouraged the women to resist. They did not take action themselves until after the police had carried out a second violent attack on the women. Although one man advised the police that if any of the women were to die, they too would die, the men appeared to have taken little action to stop violence against the women folk. Another man at Claremorris was heard to cry: "The women's blood will be spilled first." [63] Men made no attempt to defend the women under attack during resistance to eviction in 1881 near Kiltimagh, County Mayo.[64] At Greenyards, Ross-shire, the men retreated at some speed while the women sustained severe injuries from the police and their batons. At Culrain, Kincardine, shots were fired into the crowd but injuries were sustained by women and a boy.

The presence, but lack of involvement of men in popular protest against eviction is difficult to explain. With regard to Ireland, TeBrake has suggested that women, rather than men, led the challenge against the authorities, because it was expected of them by the peasant community, which considered it a woman's

responsibility to preserve the home. Within the rural community the home and the domestic economy were the concern of women whatever the circumstance.[65] This attitude was confirmed by the Catholic Church. In April 1881, Father O'Leary, speaking at a land meeting, defended the participation of women in the Land War, declaring that it was the duty of women to fight for their households. While this is an important aspect of women's role in resistance to eviction, to suggest that defence of the domestic front was women's work is too simple a theory. Nor does it explain the numerous riots where men predominated or where there is no mention of women. (see below)

A further question for consideration is whether women were deliberately placed in the forefront as part of a definite strategy. There was an assumption by the rural community that women were less likely to be arrested. This may have been an important contributory factor in the reticence of men to become involved in physical protest.[66] This assumption is common in other parts of Europe including Holland, England and France. Women of Akersloot, Holland, for example, were inspired to rescue a bargeman arrested for tax evasion by this belief, saying to the men: "not you, let us do it, because we can't be prosecuted."[67] There was no doubt some disparity in the letter of the law and practice in Holland, as elsewhere. Betje Wolfe and Kat Mussel, were imprisoned for their renowned involvement in the Orangist riots of the late eighteenth century.[68]

It appears that whether a woman's actions were premediated or not made a difference to her treatment in the eyes of the law. An English justice's book much used in Essex during the seventeenth century stated:

"If a number of women or children under the age of discretion do flocke together for their own cause, this is none assembly punishable by these statutes unlesse a man of discretion moved them to assemble for the doing of some unlawful act."[69]

However, this ruling only applied if the riot was spontaneous. Where evidence of planning occurred, such as the repetition of similar riots in a short period of time. Indeed, where women were seen to instigate violent behaviour, magistrates became less tolerant, especially if property was destroyed. For example, in Manchester, Hannah Smith was sentenced to hanging as a highway robber for her part in leading raids by men, women and children on potato carts and shops in 1812. In sentencing her the judge stated he passed this sentence on her to prove that she was:

" one of the most determined enemies to good order, and it is fit to be understood that sex is not entitled to any mitigation of punishment."[70]

It is possible that men were reluctant to put themselves at risk of arrest, believing that women were less likely to be arrested, or if they were, that they would be treated more leniently. This may have been the case in Ireland during the land war. As TeBrake has stated there is likely to have been a common fear that male protesters would meet with the full penalty of the law and be imprisoned for long periods, or face execution. The family would then be deprived of the head of the household.[71] However, in the Highland situation, such a loss would have had less of an impact on many families who were well used to the absence of a male householder, particularly during the fishing season and at the time of the Napoleonic wars. Much has been said by historians that women were involved in clearance riots because the men were absent so it unlikely that they would

have become involved through fear of losing the head of household. This fear may have been stronger in Ireland, but as in the Highlands, women were arrested and imprisoned for their participation in land agitation. The official record of an appeal against the wrongful arrest of Nora Sice for throwing lime at a policeman during an eviction protest in Tuam, County Galway, suggests that there was a determination on the part of the authorities to punish anyone attempting to resist eviction, whatever their sex.

Among the Sheriffs involved in Highland disturbances there was a widespread view that women were placed at the front as a definite strategy. Thomis and Grimmett confirm this opinion and suggest:

The willingness of the male crofters to allow women a front line defence position in clashes with authority must derive in part from a commonly accepted view that the issues at stake were traditionally women's concerns. There is also evidence of an assumption that the rioters' femininity brought them a certain immediate advantage, which is supported by the element of transvestism in the riots.[72]

The latter theory is certainly substantiated by the comments of Sheriff Substitute Taylor:

Indecision on our part would have certainly ended in our defeat, and would have been cruel to the people themselves by confirming their idea that women have an impunity from attack,(for which reason they are always put in the front of the mob,) and thus encouraging the refractory spirit among them till a military force would become necessary...[73]

Furthermore, Thomis and Grimmett consider that although women led attacks, they were unlikely to be arrested and charged because the authorities held a dogged belief that any ringleader should be a man. Events at Greenyards in 1843 would seem to support this theory. Of the four women arrested only one was eventually charged. The messenger-at-arms later returned from Tain with two policemen in order to arrest the 'true' ringleader, Peter Ross. If Ross was present he was unlikely to have played a major role.[74] However, after the 1841 Durness riot the sheriff substitute, Procurator Fiscal, and a large party of sheriff officers and special constables returned there specifically to seize the *female* offenders. There was little question of male ringleaders as most of the men were reported to have been away at the herring fishing in Caithness when sheriff officer, Campbell, was deforced.(See above)[75] Campbell was attacked by the Keanabin people who turned out in great numbers, maltreated him, stole his papers and burnt them in his presence. The authorities at Dornoch were informed of the outrage and Phillip Mackay, superintendent of police, was sent to apprehend the parties. He received similar treatment, as did a third party when a further attempt, with a stronger force was made. Finally, the sheriff-substitute, Mr Gordon and Mr Fraser, Procurator Fiscal, accompanied by a large party of sheriff officers and special constables repaired to Keanabin. On their approach they were met by 200 or 300 people carrying sticks, flails and other weapons. Most of the women of the parish took part, many of whom were armed with shearing hooks.[76] Although both men and women were involved in the riot that ensued, no prosecutions were made. Military intervention was rumoured and the women were thought to have taken flight to Edderachilles.[77] The matter was eventually settled when a compromise was achieved with the help of the local minister. The people

apologised to Anderson, the tenant instigating the clearance, and in return their removal was delayed until the following year.

The suggestion has been made that direct action, such as arrest or violence, was less likely to be taken against women in attempts to explain the high level of female participation in popular protest. For example, in his examination of women's role in the forefront of riots generally, Thompson considered:

belief in immunity from arrest and lighter penalties probably did exist, and sometimes this confidence was justified. Constables did sometimes hesitate to arrest women, and sometimes the sex of the offender allowed women to escape with mitigated punishments. But expectations of such leniency were a very dubious basis on which to act, for there was no predictable or consistent response from the authorities.[78]

From a reasonably representative sample of 30 disturbances in the Scottish Highlands related to clearance or patronage, women were actively involved in 19 instances. (Appendix 3) Arrests were made in seven of the disturbances and in four cases women were among those arrested. Of these four instances, the number of women arrested outnumbered that of men arrested on three occasions, and in the fourth instance one man and one woman were taken into custody. (Appendix 4) Where the prisoners came to trial, both men and women were found guilty and sentenced, although the men received longer sentences. In the majority of cases where women were arrested they were also sentenced. (Appendix 5)

The lack of consistency Thompson refers to is certainly apparent in the northern Highlands where on a number of occasions legal forces fled in fear of their lives, pursued by women. Clearly, the authorities were at times, predisposed to underestimate the rioting capacity of women, by placing the emphasis on male insurgents and in seeking only male ring leaders. Pleas for military aid were sometimes rejected by the authorities in Edinburgh, where women had been the primary deforcers. As was the case in the Coigach disturbances, the deforcements by women were judged to have been insufficiently grave to warrant the intervention of troops.[79] In contrast, the authorities were at times heavy handed in upholding the law. Although available evidence shows a relatively small number of women were arrested, there is an indication that authorities frequently used violence against women in an attempt to prevent their participation in protests. Women were stabbed with bayonets, punched, and clubbed with rifle butts in their efforts to prevent evictions on the estate of Hans Browne in 1880.[80] The following year at Kiltimagh, women were kicked, punched and hit with rifle butts by the police, and a seventeen year old woman was shot. She was later arrested along with five other women and a man for taking part in the riot.[81] At least two women and a boy were shot when armed militia fired into a crowd of women at Culrain. (See above) During the protest at Greenyards a number of police batons were shattered, such was the force with which they were employed against the front line of women. Serious injuries were sustained by 20 of the women during the attack, while a lesser number of men sustained only slight injuries as they made their escape.[82] Similarly, women were held to be as responsible as men in disturbances that took place in Argyll. For example, after the riot at Arichonan in 1848, both men and women were arrested. Witnesses consistently cited widow Catherine Campbell and her

daughters as taking the most active part in the affray. Although three men and only two women were found guilty the Superintendent of Police laid the blame on the women, stating that three of the most violent among the women had incited the men to riot by suggesting that they were only half men otherwise they would have thrashed the police properly.[83]

Amongst some government officials and estate managers, however, there was a generally held view that tenants thought women had some immunity against the forces of the law. According to Suther, an agent for the Sutherland estate, 'the opinion of the people here is that a woman can do anything with impunity.'[84] Such an ideology would be likely to invoke reckless actions and would seem to be far removed from the reality of events. It has already been shown that women were just as likely as men to be sentenced, and in some cases, as in Caithness, women received identical sentences as the men.[85] The Lord Justice Clerk, in presiding over the trial of the Greenyards disturbance, warned against the dangers of the idea that women had some impunity:

It is a very mistaken notion indeed that the acts of such offenders are more leniently viewed because females put themselves at the head of the mob. We know that it is a very common thing in mobs to thrust women forward in making resistance - a most cowardly act on the part of their male confederates; for, if due vigour is shown by the authorities, the women must suffer and not the men; and it is a most mistaken notion to think that the authorities will neglect their duty, although women should forget their own character and the nature of their proper duties, and take part in scenes of lawless violence.[86]

Hamish Fraser considers that the presence of women could be a very effective tactic in 'wrong footing' the authorities. Fraser suggests that troops would have difficulty in attacking women, and that the adverse publicity they would attract if they did would be detrimental to the authorities.[87] The prospect of a bad press did not however, deter the forces at Culrain and Greenyards, and despite much public debate and sympathy for the Greenyards women, the Lord Justice Clerk does not appear to have made any allowance for public opinion in his sentencing of the woman concerned. Clearly, the concept of women's impunity in the face of the law is hardly a sufficient explanation for the prominent role women played in disturbances, given the reality of female arrests and injuries.

Undoubtedly, women represented a considerable threat to the ease of execution of removals. Mackenzie, Sheriff of Ross and Cromarty certainly considered women to be a problem. Writing to the Lord Advocate in April, 1854, Mackenzie states:

(As Sir Robert Peel said of Ireland), my chief difficulty' in Ross-shire has been 'the women'. It was the women...who, at Coigach, aided and abetted by the men *twice* defeated Sheriff Cameron and the ... constables of the County. It was the women, who in the Invergordon riots...attacked the soldiers with stones and other missiles, and compelled the officer in command to charge them with the bayonet. It was only after this charge and after some of the women had been wounded with the bayonet that the mob was dispersed. In the present instance it was the women, who, according to custom, maltreated the officers...by stripping them naked and

burning their papers; and who violently obstructed the police in the execution of their duty, so as to leave them no alternative but to repel force by force.[88]

Several reports also stated that some of the 'women' involved in these disturbances were actually men dressed as women, which also suggests that there was a definite ideology surrounding women in protest, both in the Highlands and abroad. The transvestite element - men dressed as women, was, a recurrent feature of Highland disturbances. Thomis and Grimmett believe that the element of cross dressing supports the assumption that a rioter's femininity brought a certain advantage.[89] This could be true if authorities were looking only for male ringleaders. In addition, the comment of Suther's that the people believed in the impunity of women could also shed some light on why men chose to masquerade as women. However, as has been shown, it is inconclusive to attribute the expectation of lighter treatment of women before the law as the sole reason for transvestism in these disturbances.

The occurrence of men donning women's clothing was not unique to the Highlands and was evident during both the French Revolution, and riots and disturbances in England and Wales. Such instances include the destruction of a tollbooth in Greenlaw in 1792; political demonstrations in Leeds, 1832; and perhaps most well known, the Rebecca riots of the mid nineteenth century in Wales. In his authoritative history of the Rebecca riots, Williams does not go beyond disguise as an explanation of why men appeared dressed as women. Furthermore, this theory is undermined by his own account of the inadequacy in concealing identity, and that many of the rioters were well known.[90] It is more likely that female clothing would attract rather than detract attention from the

activities of the protesters. It is possible that this may have been the purpose of wearing women's clothing when *coups* were carried out with light-hearted panache. Howells relates the wearing of women's clothes and masks to the 'carnival right of criticism and mocking', where the distinction between this and real social protest sometimes became rather blurred. The inversion of respectable behaviour at carnival time is reflected in the transvestite element. Furthermore, transvestism allowed men to assume women's position as defender of the community's interest and woman's perceived ability to ridicule men in authority.[91] In the Highlands suspected incidents of transvestism in popular protest, such as those at Culrain and Gruids, are reported to have occurred in the first stages of resistance.[92] In a number of cases of initial deforcement and resistance women made fun of the officers and humiliated them, all with reasonable humour. It is possible that Howells' reasoning may go some way to explain the element of cross dressing in Highland disturbances. In this context, female attire was symbolic rather than any kind of effective disguise.

Although Richards draws attention to the recurring element of transvestism in Highland disturbances, he offers no analysis of the phenomenon. Thomis and Grimmett have hypothesised on the adoption of women's clothing in working class protest in England and Wales, suggesting that the type of apparel worn was chosen to mock aristocratic women. Fashionable tresses, parasols and the like were adopted by the rioters as gross exaggerations of the fashions of the leisured upper classes and the gentry-dominated established Church.[93] There is little descriptive evidence as to the type of clothing worn by the men in Highland disturbances and it is therefore difficult to apply this particular hypothesis. If the incidents of transvestism had occurred on the estates of female

landowners, then it may be that this could explain their dressing up, but those incidents described by Richards did not occur on such estates. It is possible however, that the men dressed as women were attacking the landowning class as a whole.

A further theory supposes that women's clothing was never meant to turn riot into masquerade, rather it provided a 'symbolic rationale for male involvement in a traditionally female protest area...'[94] The fact that economic protest engaged in by Luddite and Rebeccaite 'women' was considered a female domain holds the key to the most likely explanation of cross dressing in popular riots. Social protest, when economic and domestic issues were at stake, was evidently seen as women's work; women's participation in food riots was a well established tradition. As the guardians of the home and family, and of standards of living necessary to preserve these institutions, women were viewed as the embodiment of justice, humanity and a traditional culture, at risk when social protest occurred. Where women were themselves unable to uphold rights and standards because they, 'lacked physical strength or stamina for nocturnal destruction, the next best thing to a woman was a man in women's clothing.'[95] This theory may well explain the transvestite element among rioters in England and Wales but it is hardly applicable to the Highlands; there were far too many incidents where only men are recorded as having taken part. In addition, the number of disturbances involving both men and women far outweigh the occurrences of men dressed as women.

Women's Work

In discussing the role of women in the Highland clearances, which were, 'by far the most aggressive female activity in early nineteenth century social protest', Thomis and Grimmett apply the theory of

protest as women's work. According to this supposition, women were inspired to feats of heroism in defence of their home, their family and the land. Such resistance which:

surpassed that of the men both in its determination and its violence,...was spontaneous and non-political in its nature, sporadic in its occurrence, and devoted to a conservative, not to say reactionary, social and economic ideal that was under threat.[96]

That resistance was purely spontaneous is open to question, given the instances already discussed above, where watch was maintained for days at a time, a system of warning signals was employed, and supporters from neighbouring townships could be called upon. Resistance was sporadic in that it did not occur in every incidence of removal. Where plans for removal were opposed, resistance was fairly consistent, in particular the deforcement of sheriff officers. Furthermore, the methods of resistance used by women especially, were also reasonably consistent, involving humiliation of the legal party, burning of writs, and the use of stones as missiles. In addition, resistance to clearance can also be regarded as political in that the people were reacting against economic change, albeit at a basic level. Despite the remoteness of most of the areas to be cleared, the people were undoubtedly aware of wider issues and changes in economic policy with many of their men and women travelling across Britain as seasonal migrant workers. Thus, in many cases tenants perceived the effects of proposed changes in land use and formed consolidated opposition to the landowners. This is most evident in the Skye disturbances. However, long before the crisis in the Braes, crofters had petitioned landowners, refused to pay rents, and had made their plight known to the press, as in the

Kildonan riots of 1813 when the people sent reports to the London newspapers, notably *The Star*.^[97] Neither were all the people cleared illiterate or solely Gaelic speakers. Many also spoke and read English, as for example the Glencalvie people, who were noted for their bi-lingualism, and who scratched their interpretation of events in English on the windows of Croick church. In a number of cases the tenants were not in arrears and were perfectly prepared to equal the rents offered by incoming tenants. Perhaps the only criticism that can be levied against them here is that they may have failed to grasp that the level of rent was not the sole issue at stake.

Thomis and Grimmett's overall belief that resistance to removal was women's work is debatable, not least because of the many instances where only men are recorded as being involved. The concept of women as guardians of the home and family and as the embodiment of humanity and traditional culture, may have been an important aspect of women's role in Highland society, but alone, it is an inadequate explanation of women's prominent role in resistance. Certainly, Victorian ideology focused on the division of the world into private and public spheres in parallel with the world of work and home. Women came to be associated with the private realm of the household and the family, while men were firmly placed in the public sphere of work. Furthermore, women were heralded as the moral guardians of the home and as symbols of Christian purity. However, as Eleanor Gordon points out:

this domestic ideology was essentially a middle-class notion, and whilst the increasingly important economic and social role of the middle classes endured the hegemony of bourgeois ideas and ideologies in society, it is by no means clear that the

ideology of domesticity in its middle-class form was unreservedly embraced by the working class.[98]

Indeed, the confinement of women to an exclusive, private realm in the home, physically separated from the work place was not the experience of Highland working women. Unlike their urban counterparts, Highland women were not confined to the home while the menfolk went to a separate place of work, as in industrialised areas. Although there was a definite sexual division of labour in crofting communities, the home and its vicinity formed the working environment. Where employment was outwith this area, such as fishing, women as well as men migrated in search of work. However, the concept of separate spheres reached its apogee during the Victorian period to such an extent that historians have been inclined to view women from the assumption that this ideology was an accurate representation of reality. This perspective led one leading historian to state, 'withdrawal from public activity by the women of the working class is incontrovertible.'[99] Although the bourgeois domestic ideal of womanhood had a certain influence among English working-class communities, the ideology was not so readily accepted in Scotland.[100] Women remained firmly in the public sphere of work and played an important role in the economy of the early nineteenth century. The percentage of women engaged in the coal mining industry during the 1840s was 4.53% compared to 1.5% of English women. Female agricultural workers in Scotland constituted 11.3% of the total workforce engaged in agriculture, whereas their English counterparts accounted for only 3.96%.[101] Given that these statistics come from government figures and the difficulty in knowing what criteria was used in their compilation, it is likely that the number of women may have been much greater. Thus the vision of the Highland woman whose only task was to

Fetching home peats on Skye; c.1890



Fig. 9 Carrying Peat, Skye, c. 1890
F.Thompson, *Victorian and Edwardian Highlands From Old Photographs*, (London, 1976)

provide homely comforts is less than consistent with reality. In practical terms, cottar women for example, were, 'the pack horses of the period, carrying everything - grain, hay, and manure - in creels on their backs'.[102](Fig. 9)

So far, there is a distinct lack of written accounts by Highland women which might help to explain the reasons for their militancy in popular protest. However, the memoirs of Christian Watt, a Fraserburgh fishwife, have been published. Her life story spans much of the nineteenth century and contains many of her opinions on contemporary conditions. Watt travelled to the Highlands and Islands to work and her observations are invaluable:

We went to Lewis and Barra and Strathy in Sutherland. I liked travelling the fishing for it gave a true picture of the Highland way of life and the clearances which the government turned a blind eye to.[103]

Writing about Skye, Watt commented on the poverty of the tenants and the hardheartedness of the landowners:

an old wifie of over 80 we visited regularly in a hovel...this old creature was banished to Canada along with the whole of the Sleat Peninsular when Lord MacDonald started the clearances with unbelievable cruelty. He drove the people out; and when we returned in later years not a soul was to be seen for miles and miles. I met his Lordship on the pier at Kyleakin, he had a party of toffs with him. I was not going to lose the chance, I said to him before this audience, 'You are lower than the outscourings of any pigsty, causing all that human suffering to innocent people', - had he been on the east

coast his fine castle would have been burned down; though I was a herring gutter I was as much a descendent of the Lord of the Isles as he was.[104]

Whether Watt actually met MacDonald or would simply have liked to have confronted him in such a way is one of the difficulties of memoirs as primary sources. Nevertheless, her attitude is very revealing and provides some insight into the mentality of working women:

for if somebody attempted to burn my house, I would have lifted their skull with the sharpest stone I could lay my hands on, and organised the others to do the same.[105]

Clearly, widow Campbell of Arichonan had a similar attitude. As one of a number of tenants about to receive a summons of removal in 1848, Catherine Campbell or McLachlan, showed no hesitation in using stones to attack the officers and organised others to do the same.[106] Presumably, it was the same disposition that induced many Highland women to militancy. This sense of self-assuredness and the ideology of a right to one's home is likely to have derived from the importance of women's role in the work place. For example, Tilly and Scott, in discussing women as actors in economic and popular struggles, consider the actions of women within these struggles as shaped by a combination of their position in the socio-economic structure and division of labour within the household.[107] Moreover, Scottish working women had a certain independent identity that English plebeian women never seem to have had. From medieval times it had been the custom of married women to retain their names, and in the nineteenth century there was much debate regarding the role of wives in the working class home. Sarah Troop was fairly

representative of some Scottish women in her strongly held opinion that, 'in every weel regulated hoose the wife is the maister'.[108]

Conclusion

For much of the nineteenth century the Highlands remained a relatively pre-industrial society and it is within this context that the phenomenon of women's prominent role in popular protest can begin to be understood. With the focus on the accepted ideology of separate spheres Thomis and Grimmett allow only a passing glance at the role of women in Highland society generally. However, their observation that women played an arduous role and were accustomed to working alongside the men, performing strenuous tasks involved in general farming, is a key element to the psychology of the Highland woman. Unfortunately Thomis and Grimmett do not expand on the fact that Highland women were unaccustomed to a privileged role and would not have expected to take a back seat in defence of their way of life.

The slower growth of capitalism in Scotland facilitated, to some degree, a comparatively higher status of Scottish working women to that of their English sisters. As Ehrenreich and English suggest:

the Old Order is gynocentric; the skills and work of women are indispensable to survival. Woman is always subordinate, but she is far from being a helpless dependent.[109]

Furthermore, the hidden 'matriarchal' dimension of Scottish plebeian culture constitutes an additional element in the make up of the Highland woman. The image of tough, strong-minded women, is one of the most noticeable and most recorded characteristics of Celtic society from the earliest Irish saga downwards. Henderson considers that, through the evidence of

folklore, a certain understanding can be achieved in questioning why it was the women, rather than the men, who offered any resistance there was to the Highland clearances.[110] The force of this cultural legacy should not be underestimated because it was, 'enormously powerful in unleashing the militancy of women in a whole range of industrial and political disputes'. Combined with the importance of women in the economy, this contributes to the understanding of the high profile of women in Highland disturbances. Traditionally women throughout Scotland were actively involved in a variety of disturbances, not just those related to 'bread and butter' issues, such as the meal riots of the early decades of the nineteenth century that took place in Kircudbright, Newmills and Portpatrick. Contrary to the stereotypical image of woman as defender of the home women were active in politically motivated protests including patronage riots, and militia riots. For example, women constituted a substantial proportion of the crowd in George Square, outside Lady Arniston's house, during the King's Birthday riot of 1792.[111] Women were also involved in militia riots, the most famous of which took place at Tranent. A contemporary account stated that:

"the women were particularly clamorous, and for some time seemed to take the lead, for the men, either ashamed of the business, or wishing to conceal their strength, kept out of sight." [112]

When the Deputy-Liutenants arrived in Tranent they were met by a large and hostile crowd, 'chiefly women'. Two of the 12 people shot dead by the troops during the riot, were women. Women were therefore, not only active in opposing the Militia Act, but were victims of the violent reaction to that opposition. [113]

Engels claimed that: "work brought equality between the sexes". Although this has been questioned, and to an extent, disproved in relation to industrialisation, the Highland historical experience bears witness to his argument.[114] Highland women worked alongside men, frequently performing the more arduous tasks. As such these women did not exist in a separate 'private' sphere, holding a relatively high profile in the economic life of the Highlands. Equally, therefore, women participated alongside the men in acts of resistance to clearance. Given that the Highlanders existed to a large degree, in a pre-industrial environment, the participation of women in resistance reflects the heterogeneity of the common people engaged in struggle. The success of mass movements depended on the co-operation and collective action of the greater part of the community, and as women were part of the rural community many forms of popular protest, including the Land League movements in Ireland and the Highlands, could not have taken place without the involvement of women.

There is little reason to expect that women should have had any less a belief in their right to traditional occupation of land, than men. Women were therefore as likely to defend that right. With industrialisation, the dominant form of proletarian struggle became trade unionism, based on occupational categories, and was therefore a more exclusive form of protest. In the rural situation, Highland women were acting under the pre-industrial belief that, membership of the common people alone entitled them to be actively involved in protest.[115] The role played by women in popular disturbances should not be regarded as being in any sense separate from the role of men:

"women took part in popular disturbances because they experienced the same pressures, felt the same hunger and reached the same conclusions as the male part of the common people."[116]

As in the Highlands, protest against eviction was a something of a traditional form of activity among Irish peasant women. In both the Highlands and Ireland women were denied a public forum through which to make known their opinion. For women who were not so much silent as silenced, riot, was a form of political action. Riot and protest enabled women to make themselves heard through their actions.

Women's participation in resistance to clearance and other protest was not confined to taking the place of men who were absent on military service or away fishing. Crowds of protesters were often made up of both women and men. The only extraordinary thing about the role of women in protests and disturbances is the way historians have highlighted the participation of women as being unusual, with the underlying assumptions that the only active participants in political and economic struggles were male.

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IV

Enterprising Spirit

Introduction

The manufacture and distribution of illicit whisky was an important factor in the Highland economy from the late eighteenth century to the early nineteenth century. The economic distress of the Highlands was generally attributed to the inherent inertia and conservatism of the indigenous population. However, Devine has suggested that the development of illicit whisky production between the 1760s and the 1830s ran contrary to this assumption and was indicative of substantial peasant enterprise. This entrepreneurial activity indicates that Highlanders did respond to market forces, and were in a position to compete with the Lowland economy.[1] As illicit whisky was important to the Highland economy, women were a significant factor in the production and distribution of the spirit. Although historians have often commented on women's involvement with illicit whisky, as yet there has been no attempt to examine their role in any detail. The aim here is to rectify the balance and consider the extent of women's involvement in this particular aspect of the Highland economy. Within this context there are a number of questions to be considered. Firstly, did women have one or two specific tasks, or were they involved at every level of the industry? Secondly, how does the role of women in the mythology of smuggling compare with the reality found in documentary evidence provided by judicial records, parliamentary papers, and contemporary newspapers? Thirdly, why were women so committed to this illegal process?

In addition, the role of landowners will be examined. As representatives of the legal system were landowners actively involved in the curtailment of the industry, or did they help its development? The extent of

illicit whisky production in the late eighteenth-century was such that in 1782 over 1000 illicit stills were seized in the Highlands alone. More importantly, these seizures were estimated to represent only one twentieth of such stills in operation at that time.[2] In addition to high levels of duty, the lack of severe penalties served to encourage the development of illicit whisky production and smuggling. The landed class in the Highlands formed the basis of law administration, with many landowners holding the position of Justice of the Peace. Furthermore, with control over tenancies and the power to evict, the landowner was in a position to discourage illicit distillation with some effect. In those counties where illicit whisky was endemic magistrates were often found to be extremely lenient. This was largely due to the phenomenon that the gains of illicit whisky production were enjoyed at every level of the community. What, if anything, did landowners stand to gain from illicit distilling, and how? There were landowners who imposed restrictive clauses in tenant leases in an attempt to reduce illicit distilling early in the nineteenth century. However, it was not until the early 1820s that the role of court officials and landowners was seriously called into question, when it was suggested that landowners should be legally required to accept responsibility for illicit distillation of whisky on their property. Can the changing attitudes of landowners to distilling be linked to the development of clearance policy on some of the larger estates?

The development of whisky as a popular drink throughout Scotland, and the subsequent growth in demand for the spirit, coincided with rising taxation. How did revenue legislation affect the development of distilling in the *Gaidhealtachd*? Throughout the eighteenth century the British Government imposed duties on malt, distillation, and on the finished

product. Early nineteenth century legislation regarding the legal capacity of stills outlawed many previously legal distilleries, and also led to a fall in the quality of legally produced whisky. Incentives for the illicit producer were therefore significant. What part did the Government play in the lawlessness of the Highland distiller? Why was the manufacture and sale of illicit whisky so extensive? In order to examine these issues and the scope of women's role it is necessary to consider the development of illicit distilling generally and its importance to the local economy.

Whisky first gained in popularity outwith the Highlands among the common people. This popularity increased following the decline in ale production after the imposition of malt duty in 1725. The wealthier classes continued to favour wines and foreign spirits and whisky did not become a serious rival until the 1760s. Even in the 1770s Thomas Pennant described whisky in Kintyre as a 'modern liquor'. [3] Ian MacDonald, a former excise official, concluded, perhaps somewhat naively, that the manufacture and use of whisky must have been limited until the late eighteenth century, owing to the small quantities charged with Excise duty; 110,000 gallons in 1707. [4] Most of the whisky manufactured in the late eighteenth-century was distilled on a small scale in the home for family consumption. It was perfectly legal to distil for personal consumption provided the still used was less than 12 gallons content until 1786. By 1758 the production of whisky on which duty was paid had risen to 433,800 gallons. [5] The imposition of duty on wine in 1780 furthered the demand for whisky, with a corresponding growth in illicit manufacture. By the beginning of the nineteenth century whisky had become the principal drink among the elite of the Lowlands.

The growth in production of illicit whisky was also dependent on demand and the Highland spirit had two major markets. Firstly, in the lowland cities of Glasgow and Edinburgh, illicit spirits sold for double the price of the legal equivalent. The illicit whisky was not only more palatable than its legal counterpart, but the fact that it was smuggled no doubt lent a certain romance to the product among the Lowland elite. Secondly, in the Highlands where much of the whisky consumed across the social strata was illegally produced; the public houses, inns and dram shops of Inverness, Tain, Dingwall and Aberdeen were well stocked with illicit whisky.[6]

Legislation

The relationship between government legislation and the growth of illicit whisky is of vital importance. Referring to smuggling, Adam Smith considered that the 'laws of the country made that a crime which was never meant to be so'. Smith's perspective is especially relevant to illegal distilling.[7] The introduction of a boundary line between the Highlands and the Lowlands in 1787, (Fig. 10), with differentials in duty payable, furthered the development of illicit distillation. Duty was levied at 20s per gallon capacity in the Highlands and at 30s in the Lowlands. The differential in favour of the Highlands was to compensate for the poor natural resources and high transport costs of the region. To counter any unfair advantage over Lowland distillers, transportation of Highland whisky across the line was made illegal, as were stills below 40 gallons. Thus in a single stroke, many small distillers were outlawed, and what had been a popular home industry was now prohibited. Similarly, any exporter of legal Highland whisky became a smuggler overnight. With many Highlanders producing whisky on a small basis for personal use over generations, this legislation represented a gross

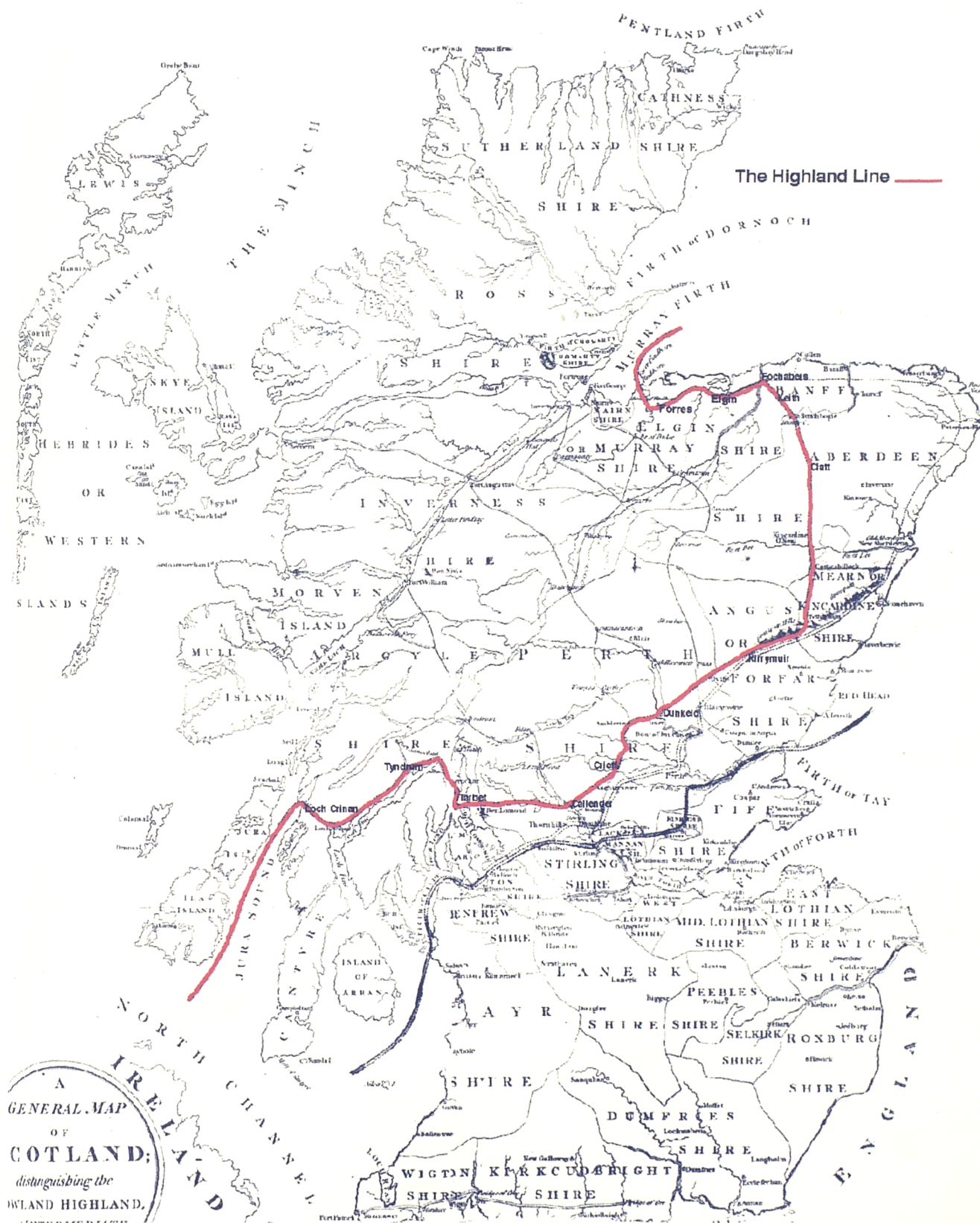


Fig. 10 General Map of Scotland Distinguishing the Lowland, Highland and Intermediate Districts, 1799, Highland Council Archive, Wick.

infringement of personal liberty. Adjustment to the concept that their practice was now illegal was difficult, and many continued to distil regardless.

Legal distillers were also compromised by the new laws. Duty was now charged on still capacity and not as formerly, on the actual amount produced. Annual licences were also based on potential production. Thus legal distillers speeded up the distillation process in order to produce more than estimated by the Excise, thereby increasing their profit margin. However, the quality of their product suffered, and demand for the superior whisky produced by the smugglers continued to grow.[8] Furthermore, the risks incurred by illicit distillers were outweighed by the increasing profitability of their art. The 1790s also saw an increase in the duty on malt and licences. These changes had a detrimental effect on legal distillers. In Kintyre for example, legal production collapsed in Campbeltown for two decades as a direct result of changes in legislation. The corresponding gap in the market was taken up by illicit manufacturers. (Appendix 6)

The Napoleonic wars not only brought a rise in excise duties, but grain prices also soared. Consequently, distillation was prohibited between 1800 and 1801, 1804 and 1808, and 1809-1810. The combination of rising taxes and the prohibition of distilling were major factors in the increase of illicit whisky production. In addition, the high duty on malt had encouraged legal distillers to use raw grain in their whisky distilling. The quality of the legal spirit suffered once more, and the gulf in taste between legal and illicit whisky widened, with a corresponding increase in profit for the smuggler. In 1814 legislation served as an interdict to legal distilling with the prohibition of stills less than 500 gallons capacity. A further and more permanent factor in the

development of illicit distilling was the fall in agricultural prices after the war and the subsequent distress which set in after 1815.[9] The production of whisky provided a market for grain, which had previously been taken up by legal distillers. With so few stills over 500 gallons capacity in the Highlands, the legal market for grain was lost and the level of illegal distillation continued to increase. As a result the Government was petitioned by county authorities to legalise smaller stills. In 1816 the minimum capacity for licenced stills was reduced to 40 gallons. However, so many restrictions remained that distilleries established at this time failed to become successful. Essentially, the legal distiller was taxed on a specific quantity of the spirit, made from a wash of a particular strength, irrespective of whether or not the required amount was extracted. It was in the interest of distillers to produce as much whisky as possible, at an increased rate, in order to offset these duties. The quality of the end product was inferior to that produced by the illicit distiller who operated without these restrictions and at a slower pace.

Table 1

Level of Detections Compared with the Level of Duty

<u>Year</u>	<u>Duty per gallon produced</u>			<u>Nº of Detections</u>
	£	s	d	
1823		6	2 -	14,000
		2	4	
1834		3	4	692
1844		3	8	177
1854		4	8	73
1864		10	0	19
1874		10	0	6
1884		10	0	22

Source: I. MacDonald, Smuggling in the Highlands, 62.

Economics of Smuggling

The production of illicit whisky was well suited to conditions within the Highland economy. Very little capital was required in order to obtain the necessary equipment and this was quite often purchased on a group basis, (Appendix 7). In the early part of the nineteenth century the distillation of whisky in the Highlands was described as a household process. A group of eight or ten tenants were said to each bring their barley to a central still.[10] Grain was purchased from local producers for malting, and the draff left over from the distilling process was used as fertiliser or to feed local cattle. Sale of the whisky provided tenants with the necessary cash income to pay their rent. In Killearnan, Ross-shire, distillation was considered by the minister to be 'almost the only method of converting our victual into cash for payment of rent and servants; and whisky may, in fact, be called our staple commodity.'[11] Patrick Sellar, one of the managers for the Sutherland estate, recognised that the people of Assynt had little alternative but to engage in smuggling because 'they are placed in situations where no access exists to any other species of industry.'[12] Sellar estimated that more than 25% of the total rental from the Sutherland estate was dependent on illicit distillation and the sale of black cattle.[13] Similarly, in Easter Ross, rents were reportedly paid from the sale of illicit whisky.[14] In many cases a tenant's rent represented almost half the value of the cash product of a farm or holding. In Barrisdale, Inverness-shire, for example, tenants who derived £11 5s from the sale of cattle in one year, paid an annual rent of £5 10s. On a number of other estates between one half and two thirds of the cash product of farms was paid to the landowner.[15] In 1816 Sellar calculated that a tenant in Sutherland could make £3 to £4 10s from the sale of illicit whisky distilled from one boll of barley costing 30s. This represented

a greater source of cash income than could be derived from other products.[16] Therefore, to pay an average rent of £5 per annum, a smuggler would need to convert two or three bolls of barley into whisky.[17]

Owing to the illicit nature of production it is difficult to determine an accurate figure for the amount of whisky annually distilled by a smuggler. However, as an approximate guide, the record book of a Campbeltown maltster shows that a female illicit distiller purchased 22 bolls of malt in one year. [18] In Argyll as a whole, some 20,000 bolls of bere were said to have been made into whisky in one year at the end of the eighteenth century.[19] Illicit distilling therefore represented a significant subsidy to income from fishing and agriculture in that county. For example, the money tenants in Kintyre were able to earn in this way, allowed them to maintain a larger stock.[20]

Another important factor in the growth of illegal whisky production was that the benefits were enjoyed not only by the distiller but by other members of the community, most notably the landowners and tenants of large farms. Kintyre landowners were alleged to encourage illicit distillation to ensure payment of rents.[21]. When acting in their capacity as justices of the peace, landowners were considered to be rarely inclined to impose the appropriate penalty on illicit distillers, whilst encouraging the practice to ensure the tenant received a good price for his bere.[22] In Sutherland, Patrick Sellar stated that the smuggler shared the profits of illegal distillation with the justices of the peace, who sold their barley to smugglers for 30s to 35s instead of the 15s or 20s on the legal market. In addition the justices of the peace received 30s per acre in rent from illicit distillers instead of the more usual 20s. The clergy also benefited from the stipends paid by the highest

fiar prices, as did the Excise Officer who received any fines imposed.[23] It is doubtful whether the latter made the profits from smuggling presumed by Sellar, as Excise Officers had to pay their own expenses in the pursuit of illicit whisky, which often involved the employment of others. However, the exciseman was not always above the law; to stamp out smuggling altogether would deprive him of a major source of his income.

Without doubt, the lack of prohibitive action on the part of landowners as justices of the peace was a major factor in the development of illicit whisky production and distribution in the Highlands. In matters concerning revenue, there was no supervisory jurisdiction over justices of the peace. As the distillation of whisky constituted a means of improving the rental on inferior land, in some cases by as much as three times the real value, the justice of the peace, often the landowner, stood to gain from illicit practices. Giving evidence to a parliamentary enquiry into illicit distillation in 1823, Sir George Mackenzie of Coul, a justice of the peace himself, explained the difficulty:

When we sit in judgement, we see before us our own and our neighbour's tenants; we know...that when we inflict even the lowest penalty...if the tenant be able to pay he will not pay his rent; and if he be no[t] able to pay we must send him to prison, where he can do nothing to help his affairs; while in the meantime his family may be starving...or attempting to find relief by conduct far worse than that of defrauding the revenue...if our tenants fall we must fall along with them.[24]

With such close economic bonds between justice of the peace and smuggler, Mackenzie was not alone when he considered that under such circumstances 'it cannot therefore be expected...[that] we can feel hearty for the cause of the revenue.'[25] Furthermore, distillation of whisky provided landowners with a ready market for their grain. Sheriff MacLeod of Geanies, explained the lenient attitude of his colleagues with the question, 'How then are we to sell our grain?'[26] When the demand for grain declined, or difficulties in transportation reduced access to markets, illicit distillers converted bere or barley into whisky - a much higher value commodity.

The process of production and distribution involved the whole family in many cases. In his note concerning Sutherland, Patrick Sellar commented on the midnight watching of the smuggler's wife and family, and how the children were trained up in deceit, to exceed their father in turpitude.[27] With the importance of illicit whisky to the Highland economy distilling was a serious pastime, highly organised and heavily invested in. Illegal production required a degree of commitment that sanctioned violence, and in some cases, murder. Contrary to popular belief the 'smuggler' was not necessarily always male. Tales abound of women outwitting the exciseman or gauger, as he was more commonly known. The involvement of women in the production and distribution of illicit whisky is born out in the diversity of records - financial, literary and judicial.

It has already been noted that much of the illicit distilling was organised on a group basis, sometimes with a central still. Thomas Pennant noted in 1772 that on some farms the task of distilling was allocated to maid servants and other 'inferior persons', therefore affording the farmer some protection from prosecution. Pennant also stated that

women made whisky while their husbands were in the field.[28] Illicit distilling may have been regarded as part of general domestic duties, or as a source of ready income especially for widows and single women.[29] Certainly, women were engaged in illicit distilling on their own account in Kintyre, as well as being part of a group. There is no reason to doubt that female distillers operated in other Highland districts. Widow Mary McRae, for example, operated an illicit still on Kishorn Island, Ross-shire [30](See below).

The evidence of women smugglers in Kintyre comes from the record books of Robert Armour, a plumber and coppersmith in Campbeltown. Four of his jotters, bound into one volume of manuscripts, entitled *Old Smuggling Stills*, form a sales record from 1811 to 1817. The manuscript provides important information relating to the nature of illicit distillation in Kintyre. From 200 consecutive transactions, 100 involved men only, as individuals or as part of a group. Of the remaining transactions 58 concerned women, either singly or more frequently in groups, and 42 transactions involved mixed groups.[31] The purchases documented in Robert Armour's book show that one fifth of these were made by individuals operating alone. Armour's entries of his client's occupations indicate that many of them were persons of substance; shoemaker, cooper, flesher, wright, miller and innkeeper.

A number of Kintyre smugglers, including women, purchased malt directly from Campbeltown maltsters, saving themselves the trouble of converting bere. John Colville, maltster, recorded details of his business with illicit distillers in two books from 1814 to 1819, and 1823 to 1826. Of the 127 customers documented in the first book 68 (53.5%) were women. It is likely that women, especially older women, would

have been less capable of malting bere in remote and difficult places. Women comprised 30 of the total 76 clients (39.4%), listed in the second book. A large proportion of the distillers were regular customers, purchasing all year. One of these regular customers, Flory MacTaggart, made 34 purchases in 1824, a total of some 22 bolls. Like many of Colville's customers Flory sold some of her whisky to the maltster, from as little as one pint to almost half a gallon.[32]

Myth versus Reality

Women are well represented in the many tales and legends of whisky smugglers; but what of the reality? Legal records and newspaper reports indicate that women figured significantly in all aspects of illicit whisky production and distribution. This section sets out to compare the legends with contemporary evidence by examining a selection of tales together with relevant legal records and newspaper accounts in order to determine if women were involved to the extent suggested in popular smuggling tales. The romance and risk of smuggling has appealed to many chroniclers of Scotch whisky. Ian MacDonald, of the Inland Revenue, was among the first to publish stories of whisky smuggling, and a number of tales that have subsequently appeared are taken from his work.[33] Women most frequently appear in these tales smuggling whisky to the point of sale. Apprehended, the women outwit the gaugers in a variety of ways. The MacNeill woman from Amod who was apprehended by an exciseman in Knocknaha brae on her way into Campbeltown, destroyed the evidence by pretending to tie her shoe. In bending down she picked up a stone and threw it at the jar of whisky she had been carrying, smashing it to pieces and thus destroying the evidence. A Knockhanty woman, apprehended at Witchburn, Kintyre, appealed to the exciseman to allow her a final swig of her smuggled whisky before surrendering it. This granted, she spat her mouthful into the gauger's face, and

disappeared.[34] MacDonald has a similar tale of a woman from Abriachan escaping with her whisky by squirting the spirit into the gauger's eye.[35] As the women in these tales made their escape, it is perhaps not surprising that legal records have yet to be uncovered to confirm stories such as these. It may be of course, that the very lack of evidence is confirmation in itself.

However, legal documents do attest to women's involvement in one of their most important roles, that of distribution of the illicit spirit. Women's attire allowed the concealment of a variety of whisky vessels: stone jars, bottles, small casks, and skins. The usual practice was to secrete the chosen vessel beneath their long skirts, cloaks and shawls. Evidence given to a parliamentary inquiry in 1823 consistently described how women carried the whisky into town. At Inverness, it was brought in by women in half gallons and band-boxes. Carriers from Glenlivet brought their spirit across the mountains on horseback and were met by men, women and children eight or ten miles outside of town and the whisky was carried undetected into Perth, concealed in small tin cans.[36] Seizures of smuggled whisky around Inverness, made in the first two decades of the nineteenth century, although fairly frequent, were usually of very small quantities. The illicit spirit was rarely brought into town by carts and horses, and was commonly brought in by women using tin vessels made to fit their shape, or in other small receptacles. Not only was it easier to conceal small quantities, but should the smuggler be apprehended and forced to relinquish the spirit, the seizure would not have been such a heavy misfortune.[37].

Smuggling lesser quantities of whisky into town undoubtedly increased the number of journeys and risks, but it was easier to escape with the goods if

confronted by the Excise. In 1821, for example, a party of excise officers discovered five men and three women conveying several small casks of smuggled whisky into Inverness. A scuffle broke out, and despite injuries, the smugglers escaped with all of their booty except one small cask.[38] As an indication of the small quantity smuggled into the town of Inverness, between three and four gallons of smuggled whisky were carried by each of the four women captured and tried in 1821.[39]

By twentieth century standards three or four gallons may seem a fairly large amount to carry undetected. However, the long skirts, cloaks and shawls worn by women in the last century facilitated the concealment of a number of containers as illustrated in evidence given to a parliamentary inquiry concerning female smugglers in Ireland, where illicit distilling was also a major cause for concern. In the Donegal of the 1820s women had pockets made from tin and, 'a breast and a half-moon, that goes before them; ... with a cloak round them they will walk with six gallons, and it shall not be perceived'.[40] One Irish distiller even went so far as to have a tin vessel made with a head and body in the shape of a woman which 'he dressed to resemble his wife, and rode to market, his poteen on the pillion behind him'.[41]

Women did not confine themselves to the distribution of illicit whisky but were also involved in the actual distillation of the spirit. Among the tales of smuggling a number of women appear as renowned distillers. Mrs Watson of Auchterhouse, Tayside, was regarded as one of the finest makers of illicit whisky. Distillation of whisky had been a family activity for several generations and Mrs Watson had been active in the process since childhood. Following the death of her husband when she was in her early thirties, Mrs Watson continued her practices for more

than three decades. Another Auchterhouse woman, Jeannie Gray, had a still concealed beneath her kitchen and the whisky was hidden in the woodpile. Whilst the excise officers watched the snow-covered woodpile in anticipation of retrieving the spirit, the women of the community were distributing the whisky concealed in the false bottoms of the milk pails they carried and in bladderskins hidden beneath their skirts.[42] A Knapdale woman, known as Sarah of the bog, concealed her smuggling activities by practising necromancy. The people of the district were very superstitious and to encourage her favour they provided peats, potatoes and meal. Growing old, and having acquired a taste for whisky, Sarah took too large a dose from her keg one night and stumbled into the fire. She was found with her head black as a cinder, and thus, in 1853, the last known witch was burned.[43]

Unfortunately, examination of legal records relating to illicit distilling has so far failed to uncover any further examples of whisky-distilling witches, but there is considerable evidence concerning women charged with operating illegal stills. In Sutherland, for example, Barbara Leslie and Jean Ross were imprisoned in Dornoch jail for six months having been found guilty of illicit distillation in the 1820s.[44] Further south in the county of Inverness, Catherine Mackintosh and Jean Forbes served a three month sentence in the Inverness Tolbooth for their part in illicit distilling.[45] Between November 1819 and August 1830, 39 people were committed to Dornoch jail for their involvement in illegal whisky production. Women constituted almost half of those imprisoned; 20 women compared to 19 men.[46]

The production and distribution of illicit whisky carried a certain amount of risk which, because of its importance to the individual and the local economy,

had to be accepted. There was the obvious risk to the equipment and the personal liberty of the distiller and associates if they could not afford to pay the fines should they be caught. However the risk of personal injury, even death, was far more serious, not only for the smugglers but for the excisemen engaged in seeking them out. Since women were active in all aspects of smuggling, and were imprisoned for their involvement, it is to be expected that women too, were part of the violence surrounding their occupation. In disturbances against clearance, women constituted a large percentage of the crowd, and similarly, women were among those who mustered against the excisemen. Certain areas of the Highlands were notorious for their resistance to the law and officers of the Revenue, particularly in and around Inverness. The collector of revenue for the district, in his evidence to the parliamentary inquiry of 1823, stated that officers had been prevented by force from making a seizure in the town in the middle of the day. A respectable proprietor of the town was one of those who interfered against the officer. Other reports declared that officers dare not enter certain districts, including Strathconan, Glenbucket, and The Cabrach. On a number of occasions officers had been shot at in the course of their duty. At Taynuilt, Lorn, the 'Exciseman's Cairn' was said to mark the spot where an officer clashed with the people who cut off his ears and nose.[47] There was agreement among some of the excise officers examined that in certain parts of the country smugglers would resist even the military.[48]

Despite changes brought by the Excise Act of 1823, aimed at reducing illicit distilling, smuggling continued and with it, resistance to excise officers. In 1829 a General Surveying Officer of Excise reported to the Board at Inverness that local officers in the Strathconan district found it impossible to do their

duty without the constant attendance of a party of soldiers. The Surveying Officer's report followed the deforcement of his party at Strathconan where they had been prevented from destroying two illicit stills by the violent reaction of the country people. On returning to the spot soon after, the excise party were met by a mob, largely composed of women, who showered them with stones, forcing a retreat. The stills were eventually destroyed only with the help of soldiers from Fort George.[49] In other areas excise officers were prevented from seizing stills and equipment merely by the appearance of a crowd of women. In the parish of Kingussie the supervisor of excise and his officers watched as a farmer, his wife and sister, removed several ankers of whisky to safety, afraid to take action because of their uncertainty of the crowd that had gathered. The crowd was principally composed of women.[50] In this instance no violence occurred but the excise officers were nevertheless thwarted in their mission. One of the women and a man were imprisoned for twelve months as a result. This mode of resistance and the involvement of women was common in the Highlands at times of conflict with authority, especially where the issue was clearance, patronage, or illicit distilling, and quite often the pattern was repeated during food riots and recruitment riots. Resistance to clearance and illicit distilling followed a similar pattern of using stones as missiles thrown by large crowds, composed largely of women throughout the 1820s and in subsequent riots up until the 1880s.

Excise officers were generally inclined to pursue their duty even when confronted by a crowd, as an incident in Ross-shire shows. In March, 1816, John Proudfoot, in his duty as an officer of the revenue, was surrounded by a mob of women and girls, when he attempted to remove 10 bushels of smuggled malt from a farm in Red Castleride. The women pelted him with

stones and unyoked his horse from the cart. Proudfoot was then hunted off and the harness and cart were destroyed. Unable to make his seizure the officer ripped open the sacks and scattered the malt. The women followed him as he made his way to a neighbouring farm and continued to pelt him with stones. As one mob approached, he met the party of women and threatened them with his stick, striking one of them as they retreated. A cry of murder was raised and the women turned on the officer who was then forced into a stable. The women, now joined by some men proceeded to break into the barn and Proudfoot ran into the farm house where he was followed by four or five women and a couple of men. He was bound with ropes, dragged through the house, across a midden and thrown into a dirty pool where he was pelted with stones. Eventually he was rescued by two of the farm men and made his way back to Inverness where he was attended by a surgeon for 10 days. Although the people involved were obviously engaged in an aspect of illegal distilling, the charges against the five women and two men arrested did not address this aspect. Deforcement and wounding of an officer of the revenue was the charge on which one of the women was found guilty. She was sentenced to 12 months imprisonment in Dingwall jail.[51]

The use of stones as missiles thrown by crowds, largely composed of women, emerges as a common response in many parts of the Highlands against attempts at law enforcement. As discussed in an earlier chapter, this method of resistance was employed not only in matters concerning illicit distilling, but also in resistance to clearance. However, stoning was not the sole weapon used against the revenue. Some Highlanders were armed with guns and did not baulk at using them against excisemen. In Strathglass, Inverness-shire, 20 smugglers were reported armed with muskets.[52] Those instances

where excisemen were shot at tended not to result in arrests or seizures for obvious reasons. With the lack of legal evidence it is therefore almost impossible to determine whether or not women were involved in these incidents. Certainly women were involved in face to face combat as shown in the Proudfoot case above. Women did not appear to have required the relative safety of the large crowd for they are found to be active in struggles with excisemen where they were alone or part of a very small group. In one instance, the attempted seizure of smuggled whisky by excisemen in Huntly Place, Inverness, resulted in a scuffle in which both sides received serious injuries. Of the eight smugglers involved, three were women. All of the smugglers managed to escape, except one man who was so badly injured he was taken to the infirmary.[53] Although excisemen were frequently in danger and suffered personal injury, smugglers experienced a fair share of wounded and dying.[54] Here too, women were among the fatalities. When smugglers were intercepted on a beach in south-east Arran, for example, three people were killed in the clash that ensued. Mrs Isobel Nicholl of Largybeg was among those killed by excisemen. Although John Jeffrey, the man in charge of the cutter was tried for assault, he was found not guilty on all charges.[55]

Links with Clearance

A number of landowners were seriously concerned about the extent of illicit distilling on their estates. The Duke of Argyll and the Countess of Sutherland were among those proprietors who took action against the development of the industry prior to the 1823 Excise Act, which compelled landowners to accept a certain responsibility for illicit distilling on their land. Proprietors adopted two main options in their attempts to quell the burgeoning production of illegal whisky on their land. The first method was to remove tenants

found guilty of illicit distilling and other smuggling offences. The second approach was the establishment of legal distilleries in smuggling districts. (See below). Both programmes were often part of a wider plan for improvement on a number of estates and involved the removal of tenants. It is likely that there was a direct link between clearance policy and illicit distilling; ongoing resistance and disobedience suggest a connection.

As early as 1800 the Duke of Argyll made a concerted effort to eliminate illicit distilling on his estate by announcing his intention to receive rent by payment in kind. The Duke's main intention was to increase rents. As a consequence of the French wars, grain was both expensive and scarce, and therefore more valuable to him than cash payments. The practice of illicit distilling was a stumbling block to this end in that much of the local barley was used in the process. By forcing the people to surrender their barley as payment for rent, the Duke aimed to prevent it being converted into whisky. Unfortunately for the Duke, the policy failed to deter his tenants from their illegal occupations; in 1801, 157 people from his estate were convicted by the justices of the peace for illicit distilling.[56] Prior to the imposition of heavy licence fees by the government in 1786, there had been a flourishing legal whisky industry in Argyll, especially on Tiree. Farms there had at least one still, producing for both local consumption and export to neighbouring islands. Farm rents were paid largely from the proceeds of whisky sales, some 200-300 gallons per annum according to the local minister.[57] The increases imposed in 1786 crushed the Tiree distilling industry and inflicted serious economic difficulties for the islanders. The obvious option was to distil whisky illicitly despite the risks.

With plans for improvement and increased rents thwarted, the following instruction was issued by the Duke of Argyll in June 1801 to the Chamberlain of Tiree, Malcolm McLaurin. This was accompanied by a list of the 157 persons recently convicted of illegal distilling:

It is his Grace's particular order that without delay you demand payment from these persons of every farthing they owe, and give notice to such of those who do not comply, that they must remove from their possessions...[58]

The Duke of Argyll did not consider the evictions harsh because he had given ample warning of his intention to collect rents in barley. These tenants had chosen to break the law by refusing his request and making the grain into whisky. In addition, the Duke considered that in order to 'deter such improper conduct in future', further action should be taken. Therefore the Duke ordered that every tenth man of the 157 be deprived of their present possessions and of all protection from him in the future. The following year, McLaurin was ordered to export the barley and to prohibit distilling. However, illicit distilling continued to some extent, and barley was shipped to Ireland in secret to be distilled there, and at least two ships smuggled spirits back into Argyll. The Chamberlain reported growing unrest among the tenants and called for a company of volunteers to be stationed on the island to maintain social order.[59]

Similarly in 1801, Malcolm of Poltalloch ordered the destruction of smuggling bothies on his estates and instructed that tenants who continued to distil illicitly be evicted.[60] A number of proprietors later followed the example set by the Duke of Argyll and had clauses written into leases enabling the landowner to remove the tenant should they be found

guilty of illicit distilling, especially after the Illicit Distillation Act of 1822 which placed landowners in a position of culpability for any illicit stills on their estates. The *Inverness Courier* condoned these moves by landowners and carried the following report in 1825:

In framing the leases on an extensive estate in this county...the proprietor has introduced one clause - that any tenant convicted of illegal distillation, or of any offence therewith connected, either by himself, or by any person or person on his farm, shall thereby forfeit the lease, and subject himself to immediate removal from his farm.[61]

The possible link between removals, improvement and illicit distilling should not be overlooked. The motivation behind the rise in rents on the Argyll estate was to further the Duke's plans for improvement. Evictions carried out at Stemster on the Forse estate in Caithness were defended by the factor on the grounds that he had uncovered a false wall in one of the houses, concealing an illicit still. Mull also witnessed evictions for whisky production.[62] There are also clear indications that the problem of illicit distilling was linked with plans for redevelopment on the Sutherland estate in the early years of the nineteenth century. From around 1800 to 1820 in areas where improvements such as road construction and letting in lots were planned, the proprietors were faced with opposition. Evidence given throughout the Parliamentary report of 1823 on illicit distilling stated that defiance was at its strongest in those districts where smuggling was practised.

Much of the northern coastal lands of the Sutherland estate were re-surveyed around 1817, owing to the fact that in an earlier survey, rents had been based on the presumption that they were to be paid from the profits of smuggling. The Sutherland estate manager, James Loch, had been told by a former factor, MacDonald, that there were 300 illicit stills in the area and that the quantity of whisky produced was so great that it had to be shipped by sea.[63] In 1813 Loch was concerned that while the proprietors were spending large sums on relief for the poor, 'these fellows are buying up all the barley in the country for the purpose of illicit distillation.'[64] Loch gave explicit instructions that rents should be appropriately low to eliminate the need for dependence on illicit whisky.[65]

Sellar compiled a lengthy report in 1816 concerning illicit distillation in Sutherland and suggestions for how the phenomenon might be eradicated, or at least diminished. It was, he believed, within the power of the Countess of Sutherland and her husband Lord Stafford to restrict illegal whisky production on their estate. That any proprietor in Sutherland should tolerate 'so damnable a traffic on his estate' was totally incomprehensible to Patrick Sellar. His suggestion was based on the system followed by the proprietors and essentially involved the 'bringing [of] the patient from the inaccessible coast where alone this mortal complaint rages, to the accessible coast where with proper care it can't exist'.[66] Sellar's *Note Concerning Sutherland* examines the Sutherland Estate parish by parish, and reports on the prevalence of smuggling in each. The underlying theme of the whole is the removal of tenants from the interior to small lots along the coast. The purpose of establishing crofting townships along the coast was threefold. Firstly, the removal of tenants to the coast would deter any illicit practices due to the

increased risk of detection in such an open location. Secondly, tenants should take up alternative employment with increased opportunities such as fishing and other industries established as part of the 'improvement' programme, thereby eliminating the need to engage in smuggling. Thirdly, and most importantly, the interior lands would be clear for the development of sheep farming. These sheep farms could be then be leased for far greater rents than could be obtained from small holders.

In his report Sellar accepted that the people of Elphin, Knockan, and Altnachy, in the parish of Assynt, had some excuse for smuggling, as their situation afforded no access to any other form of industry. There had already been some clearance of Assynt tenants in 1813. The area of Creich that belonged to the Sutherland Estate, Invershin and Achinduich, had been a complete nest of smugglers until put under sheep prior to 1816. The population of Creich Parish in 1801 was 1974. If Sellar was correct, this figure included a considerable number of smugglers. With one exception all the Rogart rents were paid from the profits of illegal whisky, because the parish was: 'entirely packed and crammed with whisky smugglers.' The Rogart population of 1801 amounted to 2022. In those areas of Rogart where people provided more rent than sheep farms could, such as Rearquhar, Evelix and the district toward Dornoch, tenants had been allowed to settle in allotments. However, it was Sellar's opinion that as many as possible should be removed to the coastal village of Brora. The same applied to the tenants of Wester and Easter Aberscross, Strathlundie and Scottry districts of Golspie, approximately 1616 people.[67] These tenants all lived by smuggling whisky and should therefore be brought into Golspie or Brora. Those remaining in Clyne and Kildonan after the clearance of 100 families in 1813, were engaged in the production

of illicit whisky. Sellar proposed that they should also be removed to Brora. According to Patrick Sellar, the people of Kildonan paid their rent with profits made from smuggling barley brought over the mountains from Caithness, and by returning whisky to that same county and to Orkney.[68] As part of the great plan for improvement on the Sutherland Estate, Brora was to form a central point as an industrial town, with its salt works, coal mine and brick works. Illicit distilling was almost certainly an important factor in some of the earliest clearances executed on the Sutherland Estate. It is possible that Patrick Sellar may have exaggerated the extent of smuggling activities on the Sutherland Estate given his low opinion of the indigenous population. However, people from the parishes of Lairg, Kildonan, Rogart, Creich and Golspie, were to be found among the inmates of Dornoch jail around this time, incarcerated there for illicit distilling and other offences against the Excise.[69] (Appendix 8)

The importance of illicit distilling to the local economy has already been noted, and the prevention of such a lucrative occupation represented severe disruption to the way of life for many people. Apart from the obvious distress and upheaval caused by possible forced removal, the tenants stood to lose a valuable source of cash income. The elimination of illicit distilling was one of the reasons for removing tenants, and it is therefore hardly surprising that there would be some form of resistance. Open conflict erupted during the clearances of 1812/3 in Kildonan and Clyne, where violent opposition lasted more than six weeks. Several large sheep farms were planned on the Sutherland estate and the dispossessed tenantry, numbering several hundred, were to be offered allotments on the northern and eastern coasts. Many of these people were thought to be engaged in smuggling and James Loch, estate manager, considered

they would do more for the estate as fishermen. The determination and defiance of the Kildonan people to resist can be partly explained by the prospect of the loss of whisky smuggling as a source of income.[70]

There was an eruption of anti-clearance violence on the estate of Munro of Novar in 1820 at Culrain, Ross-shire. Such was the level of violence that troops were called in to quell the resistance. It was generally feared that the revolt might develop into a widespread northern revolt against the landowners. The 600 people to be removed certainly had cause for complaint. Munro had no plans for their resettlement; the tenants were simply required to leave the estate. There may have been a further dimension to the cause of the Culrain resistance - the production of illicit whisky. Thomas Mackenzie, committee member of a parliamentary inquiry, gave evidence in 1821 stating that 'There are certain districts in the county of Ross in which illicit distillation very much prevails.' Mackenzie believed the effects of this industry caused demoralization among the inhabitants and that the resistance to warrants of removal the previous year, 'may be attributed to the habits engendered by illicit distillation.'[71] The habits referred to by Mackenzie are not, as might be supposed, those of inebriation, but more likely, the habit of using the profits from these illegal practices to live by and to pay rent.

There is no conclusive evidence to suggest that the production of illicit whisky was the sole reason for resistance to clearance, not least because rioting occurred in areas not known for smuggling. During the 1820s, for example, violence broke out against eviction in Wester, Caithness and Gruids in Sutherland. Although illicit distilling was likely to have been actively engaged in by many of the inhabitants, these particular districts maintained a

low profile in the court documents, with few records of crimes against the excise laws. There is seldom one single factor in the motivation to riot, and as the examples above suggest, the importance of illegal whisky to the local economy was almost certainly a contributory factor in some areas to the outbreak of resistance. If illicit distillation was one of the reasons for clearance, it would equally have been an element in motivation to resistance.

Legal Distillers and Retailers

A second option open to landowners in the campaign against illicit distilling was to set up legal distilleries on their estates in areas renowned for smuggling whisky. This option also formed part of plans for improvement and was linked in certain cases with the eviction of tenants. On the Sutherland estate for example, the establishment of a distillery at Brora was part of an overall plan to make the settlement an industrial centre. Plans for a distillery on the Sutherland estate were put forward in 1818. The following year Clynelish distillery, a respectable and commercial industry was set up. The distillery employed 50 men and provided a market for Brora coal and local barley. The draff (spent grain) from the distilling process was used as feed in an adjoining piggery and the manure from the piggery was used on local barley fields. (Fig. 11)

Throughout the early decades of the eighteenth century a number of landowners attempted to establish legal distilleries. However, at least until 1823, many were faced with stiff opposition from illicit distillers. Captain Hugh Munro built a distillery on his Teaninich estate in Ross-shire in 1817. However, the hold over the markets for grain and whisky by the illicit distillers, proved too strong to break. Munro's distillery managed to survive, although other



Fig. 11 Clynelish Distillery, Brora, showing original buildings, photographed 1994

distilleries set up in Ross-shire during this period floundered. On the whole the establishment of legal distilleries was not particularly effective in quashing the illegal producers. Not only did the setting up of a legal operation require considerable capital but illicit distillers appear to have continued relatively unaffected.

The Excise Act of 1823 lessened the problem of illegal distilling to some extent. Legal distillation on a small scale became more viable with the cost of a licence set at £10 and reductions in the rate of duty. Many illicit distillers bought licences and set up in legal production following these changes in revenue legislation. No women were recorded among those illicit distillers who set up legal operations at this time. However, farmer John Cumming, a former smuggler set up a legal business, based on his illicit operation originally begun by his wife, Helen. The legal enterprise at Cardhu however, was run in her husband's name. (Fig. 12) Elizabeth Cumming, Helen's daughter-in-law, later came to be one of the few female proprietors of a legal distillery. In fact, Elizabeth Cumming ran the Cardhu distillery with great success for 17 years. A widow with three sons to support, Elizabeth Cumming became well known for her business acumen. The local banker wrote of her: 'Her own hand was in everything: book-keeping, correspondence, and supervision of every detail of farm and distillery.' Elizabeth Cumming was responsible for the rebuilding and expansion of the distillery. In 1896 she secured the financial future of her family and the distillery by entering into partnership with John Walker and Sons, which ensured the successful continuation of the distillery well into the twentieth century.[72]



Fig. 12 Helen and John Cumming, distillers, Cardhu, Strathspey, courtesy Cardhu distillery

Prior to 1823 very few women were listed as still licensees. In 1802 Catherine Haurty and Jane Hill appear to have been the only female licence holders in Ireland out of a total of 116. Only one woman was registered as proprietor out of a total of 69 distilleries in London during the 1790s.[73] Scottish women do not appear at all in the records for the beginning of the nineteenth century. All 106 licences granted in 1802 were held by men.[74] By 1826 five women were listed as distillers in Scotland out of an approximate total of 181 representing just 2.76% of licensees.[75] The reason is unclear at this stage as to why so few women obtained a licence to distil, although there may be some connection with the greater capital required to establish a legal still. Many of those licensed to distil were in partnership with others. In 1826, almost 40% of licensees were listed as either two people, or as a company, and they were all men. A legal distillery may have been easier to establish with two or more people and their combined resources. Men appear to have formed partnerships for this purpose with other men. Women license holders were listed as individual proprietors and may have set up their legal distilleries with limited resources. Current historical research into nineteenth century English businesswomen suggests that a significant proportion of women either inherited or took over the management of their business on the death of the male proprietor.[76] It is possible that some Scottish distilleries became licensed to women in a similar manner. Irrespective of how a woman came to be the licensee of a distillery, it would appear from available evidence that she would be unlikely to form a legal business partnership with a man. The lack of joint finance may provide one reason for the lack of women licensed as distillers. However, the majority of licensed distillers in 1826 were listed as individual men, who presumably had more financial

resources than the women who set up in legal business. It is also possible that men were more able than women to raise capital through loans.

If women had limited resources it could be expected that their stills would be smaller and therefore produce less whisky than their male counterparts. However, women who operated legal stills were producing similar quantities of proof spirit as male competitors. From an account of the number of gallons of proof spirit distilled over a six month period in 1826, the average number of gallons equalled 6,634. The average of proof spirits distilled by women amounted to 6,390 gallons. Of the five women listed as distillers at this time, the smallest number of gallons of proof spirit produced was 1,095, with the greatest number of gallons being 19,107. The least number of gallons distilled by a man was 80, and the greatest was 78,150 gallons by William Younger, Burntisland.[77] The evidence would suggest that those women who set up legal stills had substantial capital. This illustrates the importance of significant funding in the establishment of a legitimate distillery.

Although very few women were licensed distillers, women were prominent among licencees as retailers of whisky and other spirits. Illicit whisky was an essential factor in the Highland economy and as has been shown, benefited all levels of the community. The production and distribution of illegal whisky involved women as well as men. Similarly, women were represented among the retailers and consumers of the spirit. Whisky was consumed across the social strata, by both women and men alike. In her memoirs, Elizabeth Grant gives a detailed account of whisky consumption in Rothiemurchus, Inverness-shire, during the early decades of the nineteenth century. Her personal view was that the drinking of whisky was altogether a bad habit and there was too much of it.

The spirit was offered at every house and refusal would often offend. In Elizabeth's home, the whisky bottle and small glasses were placed on a silver salver and set on the side table with the cold meat every morning for her father, the laird. In the pantry the daily allowance was one bottle of whisky to be offered to messengers or visitors to the house regardless of age or sex. Elizabeth relates the story told to her by her aunt of a woman who came to the house with a child in her arms and another at her knee. On accepting a dram and taking a good swallow herself she then gave some to each of the babies. Gentlewomen began their day with a dram. So did the men working in wood manufacture on the estate, who also drank it at lunch and in the evening. Even the poorest of cottages could offer whisky.[78] Most of this whisky would have been illegally produced, at least until 1823.

In the parish of Urray, Ross-shire, the Reverend Downie, accepted the necessity for illicit distilling in the absence of any other means by which the people might pay their rents. Downie considered the worst effect of a plentiful supply of spirits to be the appearance of dram shops set up in almost every village. He was concerned that such 'tipling[sic] huts' were run by those least able to procure a licence or pay a fine. Although the Reverend records his parishioners as having a sense of religion and decency, he noted the young and idle frequented the dram shops and got drunk.[79] The minister of Grange, Strathisla, towards the end of the eighteenth century, lamented the substitution of punch and drams in public houses in place of the more traditional beer, which he considered a more wholesome beverage.[80] Consumption of whisky continued to increase and by the early 1820s, the town of Inverness with a population of 12,000 consumed 1,000 gallons of whisky each week. More importantly in the context of

this discussion, only a very small proportion of this whisky was duty paid.[81] As in many other towns, whisky was sold in Inverness through hotels and inns, public houses, and spirit shops. Many of these outlets were run by women. Records for the Burgh of Inverness show that between 1766 and 1786, a total of 464 licences were granted to victuallers and retailers of spirits. 107 (23%) of these licences were held by women. The percentage of women licensed to sell spirits during this period ranged from 16.6% in 1781, to 33.3% in 1780, and averaged just over 23%, (Table 3). Between 1856 and 1862, 809 licences were granted, and of these 150 (18.5%) were granted to women. The majority of women licensed to sell spirits were publicans. For example, in 1856, 36 women were licence holders, and of these 20 were publicans, 55%. Nine female spirit dealers and grocers held licences that year, and seven were granted to landladies of hotels or inns. From the limited available evidence, this ratio appears to be fairly consistent. (Table 2)

It is difficult from contemporary records to evaluate whether married, single or widowed women were more likely to earn their living from the licensed sale of spirits. The marital status of women applying for a licence frequently went unrecorded in the Burgh registers. Most often only the forename and surname were entered. Where a title was included it was most often that of Mrs. Only six widows appear in the registers examined, and just two Misses. It might be assumed that widows would probably have had the most need to earn their own living, especially if they had young children to support. However, having a husband may not necessarily have precluded the need to work. Not all husbands were able to provide for their families, despite the common assumption that they were. Married women may therefore have had as great a need for an occupation as widows. Equally, the single woman without the support of her family required a

source of income. Married women may have had an advantage in that they were perhaps more likely to acquire sufficient resources for the purchase of a licence. It is therefore difficult to draw any firm conclusions from this evidence, but it is fair to say that the licensed sale of spirits was not a profession commonly pursued by widows alone.

Table 2

Women Licence Holders in the Burgh of Inverness

<u>Year</u>	<u>Total</u>	<u>Publicans</u>	<u>Innkeepers</u>	<u>Spirit Shops</u>
1856	36	20	7	9
1857	29	12	13	4
1858	19	12	2	5
1859	19	11	3	5
1860	21	13	2	6
1861	17	11	2	4
1862	19	11	2	6
1867	23	13	4	6
1870	26	13	4	9

Source: Highland Regional Archive, IB/9, Register of Licences 1856-70.

It is likely that an equal number of women were engaged in the sale of spirits without the benefit of a licence. Records show that women were regularly fined or imprisoned for selling whisky without a licence. Other prosecutions made against women were for selling spirits after hours or on the Sabbath. Many of the women prosecuted for selling spirits without a licence ran shebeen houses. These were unlicensed houses selling spirits and liquor. Of the three people prosecuted at Strome Ferry in July 1871 for keeping shebeens, only one was male. The sentence was a fine of £7 or six months in jail. At the Elgin court, Morayshire, 24 prosecutions were made for the sale of spirits without a licence between 1855-8. The cases against women constituted one quarter of these prosecutions.[82]

Decline of Illicit Distilling

Although the extent of illicit distillation was reduced to a large degree by the 1823 changes in revenue legislation, it was not curtailed to the extent many have assumed. As the prosecutions above show, the sale of spirits without a licence continued long after 1823; the same can be said for illicit distilling. Combined with heavier penalties, the reduction in duty helped to reduce drastically the number of prosecutions for illicit distillation and increase the amount of duty-paid whisky. Estate factors and excisemen in Kintyre, Islay and northern parts of Perthshire considered illicit distillation as a thing of the past by the 1830s.[83] The number of persons convicted by magistrates continued to fall; in 1819 there were 3,234 convictions compared with 116 in 1833.[84] Between 1816 and 1838, the Inverness courts processed 44 warrants relating to illicit distillation of whisky or deforcement of excise officers. Of these, an equal number of warrants were issued against women and men for possession of illicit whisky. Warrants issued against women for the deforcement of excise officers numbered half those issued against men. No women were charged with illicit distilling or possession and deforcement. The greatest number of charges related to the non-payment of duty on whisky; 96 men and 21 women. (Appendix 9) By 1850, the number of prosecutions in the whole of Scotland had fallen to just 19 from a total of 50 detections.[85] The level of prosecutions in the magistrates' courts may have been much reduced but reports in *Inverness Advertiser* and *The Scottish Highlander* show that as many as 25 detections were made in the decade 1880-1890. The important factor here is that not all detections reached the prosecution stage. Between 1849 and 1890, 112 reports in the Inverness newspapers concerned illicit distilling and unlicensed selling of whisky. (Appendix 10) One article reported the detection of some 13

illicit stills all in working order in Strathcarron and Strath Oykell.[86] Devine has suggested that illicit distilling prevailed in parts of the remote north-western mainland where it had long been a traditional part of the economy supplying the family or immediate locality rather than distant markets. The absence of licensed distilleries, cash incomes and inaccessibility helped to preserve illegal distilling in these areas.[87] Many of the detections from the 1850s onward were indeed in the north west; Strathcarron, Poolewe, Lochalsh, Gairloch, but a number of illicit stills were discovered further north in Thurso and Wick. More importantly perhaps, over a quarter of detections reported were in areas around Inverness, including Kiltarlity, Kilmorack, Beaully and Cawdor. In some of these cases the absence of legal distilleries may not have been a factor in the prevalence of illicit distilling. Inverness had had its own legal distillery, Glen Albyn, since 1844. The establishment in 1812 of Royal Brackla, a legal distillery, on the Cawdor estate had little effect in quelling the illicit distilling in the area. As late as 1866 illicit stills were discovered on the estate.[88] There had also been a legal distillery at Pulteney, Wick since 1826, but illegal distilling continued in that district well into the 1880s. John Mackay of Aucherole was brought before the Provost in 1878 for possession of distilling utensils and enough malt to manufacture 20 gallons of whisky. It was reported that Mackay had been engaged in illegal distilling for some 20 years. It would seem that John Mackay was a well known figure, attracting support in the local community. Those who attempted to rescue him from police custody were very likely to have been loyal customers or fellow distillers.[89]

The reason for the continued existence of illicit distilling, may have had more to do with the cash income it supplied than lack of legal production

nearby, together with a certain lack of accessibility. Illicit whisky appears to have continued as an important factor in the local economy and smuggling bothies were consequently well defended. During the late 1880s Revenue officers were known to have retreated scenes of illicit distilling as a result of the violence they met with. In September 1886 the *Scottish Highlander* reported the defence of a discovered still at Torridon, the ferocity of which forced the officers to flee to safety. The same newspaper detailed the destruction of certain distilling utensils at Melvaig, Gairloch, by officers of the Excise on 21 July 1887. The operation was carried out under a shower of stones hurled down on them by angry distillers. The assault on officers attempting a smuggling seizure by Loch Torridon was reported on 15 August the following year in the columns of the *Scottish Highlander*.

The illicit distilling that prevailed in the latter decades of the nineteenth century was not necessarily carried out on a small scale. The *Scottish Highlander* reported the discovery of a distilling bothy at Langwell, Strath Oykel on 27 October 1887. The capacity of the mash tun was 300 gallons. Reports of similar quantities seized continued to appear. The capture of 300 gallons of whisky in the Strathcarron hills was announced in the *Scottish Highlander* 21 March, 1889. A newly built and commodious bothy was uncovered the following year in Dornoch, complete with home made still and mash tun of 300 gallons capacity.[90] It is unlikely that these stills were used to produce this quantity of whisky entirely for home consumption. Illegal distillation may have been carried on in the remote north-west for home consumption, given the lack of nearby legal operations or law enforcement. However, in those areas surrounding Inverness and other towns where legal stills existed, whisky also continued to be distilled

illegally, often in large quantities. The cost of whisky should not be overlooked as a possible reason for the continuation of illicit distilling. Duty may have been reduced by the 1823 Excise Act but the fact remains that it was still payable. Margins may have narrowed but illicit whisky was still cheaper to produce and was sold tax free at a lower price. The demand for cheaper spirits is no doubt a constant force. As evasion of British duties on spirits act as an incentive for cross-channel shopping today, so too the avoidance of paying tax on whisky would have been a significant factor in the continuation of illicit distilling after 1823.

Detections reported in newspapers and listed in Parliamentary Papers in the latter part of the nineteenth century, did not necessarily include the capture of the distillers. Where prosecutions were made, women were not much in evidence. Of the small number of women convicted for illegal distilling during this later period, widows are prominent. This suggests that illicit distilling continued to be an important source of cash income. The case of Mary McRae illustrates this point. Mary McRae had been widowed and was left with a young family to support. Living on Kishorn Island, in the remote north west, there was little opportunity for employment. In order to provide for her children she set up an illicit still. Despite the remote location of her operations Mary McRae was eventually arrested for illicit distilling and left for New Zealand in 1872 where she continued to produce whisky. (Fig. 13) So far it has not been possible to determine the sentence passed on Mary McRae from court papers, but oral history suggests that she may have been deported. Although penalties for illicit distilling had become more severe, deportation was not normally an option. It is more likely that the 'Cailleach an Eilan', as she was known, was forced to emigrate as part of the movement



Mrs Mary McRae (the Cailleach) and John McRae (Long Shonny) outside their house at Hokonui.

Family Photo, 1909.

Fig. 13
Courtesy of Mrs. H. Murchison.

toward eviction which occurred at that time on the adjoining mainland.[91] The area was known for illicit distilling and others had been charged with illegal production of whisky, including Duncan McRae, who may have been a relative.[92]

Other widows appear in the courts for concealing illicitly distilled whisky and for selling whisky without a licence. One particularly well-documented case in 1851 concerned widow Janet Stewart of Laggan, Glengarry. The school house where Janet Stewart was employed to clean and light the fires was searched by Revenue officers following reports that she had been dealing in smuggled whisky, both wholesale and retail, without a licence. Over five gallons of whisky were uncovered from the school house, together with a number of accounts.[93] It is not clear whether the whisky she sold had been illegally produced. What does emerge quite clearly from this is that the sale of whisky without a licence appears to have been the main area of activity for women following the decrease in illicit distilling. Whilst the large quantities of illicit whisky produced may not have been for private consumption or for export further afield it is apparent that the sale of the spirit within the district remained an important part of the local economy, especially to women. As such the continuance of illegal production and sale of whisky and the commitment of women to such activity can be attributed to its importance as a cash income.

Conclusion

This examination has shown that women were active at every level of the production and distribution of illicit whisky. Legal records, sales ledgers and local newspapers have provided evidence of women's active role in purchasing malt and distilling equipment, in producing whisky, and smuggling the

liquor into town for distribution. Women have also been found to have sold illicitly produced whisky, with or without the necessary licence.

In the work of Angus Martin and Dr Glen there is an implicit suggestion that widows and single women were more likely to be involved in order to support themselves financially. It is difficult to form any firm conclusions regarding the status and possible reasons for women's involvement in illicit distilling as discussed earlier. Legal records are not consistent in documenting the marital status of women. Equally, the record books kept by Armour and Colville do not always show whether their female customers were married, widowed or single. Married women are however, known to have been involved in smuggling. In Argyll, the books of both Armour and Colville each show at least one married female customer. There is also evidence of married women distilling further north in Strathspey. For example, it has been shown, Helen Cumming supported her farmer husband by running the first distillations at Cardhu farm. The next woman to run Cardhu was a widow. It is therefore likely that single, widowed and married women were all involved in illicit distilling. Although single women and widows needed to support themselves, married women were also faced with economic pressures.

During his tour of the Highlands in the 1770s Thomas Pennant recorded that women made whisky while their husbands were busy in the fields.[94] By this Pennant suggested that distilling was regarded as a simple extension of a woman's domestic duties. This was probably the case. At the time of his tour, the distillation of whisky on a small scale for domestic consumption was still perfectly legal. However, Highland men were frequently absent from home, either through fishing or military service. The division of labour was therefore less clear cut with women

carrying out men's work as well as their own. The argument that women distilled while men worked in the field is therefore not entirely convincing. Neither is Pennant's suggestion that women distillers acted as a 'front' for tenant farmers. Although this may have been a factor it should not be overstated. Women were just as likely as men to be prosecuted for illegal production, and to receive similar punishment, whether fines or imprisonment. Given the evidence of community support for those imprisoned or fined, where jail breaks were attempted or groups collectively paid the fines, it would seem unlikely that male farmers would allow their female workers to be punished on their behalf. It is more likely that the traditional role of Highland women as active members of the local economy facilitated their participation in all aspects of illicit distilling.[95]

Women were at the forefront of many violent outbreaks against eviction and clearance, and were similarly involved in clashes with excise officers and other figures of authority engaged in the suppression of illicit distilling. Where parishioners rioted on the issue of kirk patronage women were frequently found to play prominent roles. Similarities are not only evident in women's involvement in conflict with authority but also in the nature of the violence. The collection of large stones thrown as missiles by women is common to violent confrontations concerning clearance, patronage and illicit distilling. In addition, the contemptuous disregard for authority was a familiar aspect of violent confrontation in both clearance riots and illicit distilling, manifest in the ritualistic humiliation of revenue officers, sheriff officers, and their escorts. Women frequently took on the task of putting officers in their place, most often by stripping those concerned and/or setting them adrift in a boat. Occasionally this ritual was carried out by men dressed as women.[96]

When stills of less than 40 gallons were outlawed in the 1780s distilling attracted certain risks and would not have been undertaken lightly. It is possible that men became increasingly involved as more labour was required to avoid detection in the construction of hidden stills. It is unlikely that men became involved in order to protect women from the dangers of being caught. It has been suggested that some farmers delegated the distilling of whisky to maid servants and other 'inferiors' in order to protect themselves from prosecution.[97] By the 1820s, when illicit distilling was at its greatest extent, men were involved to a greater degree than previously. However, female involvement continued at a high level. As an indication, women constituted more than half the number of offenders incarcerated in Dornoch jail charged with offences concerning illicit whisky between 1819 and 1830.

Further to the findings of Glen and Devine, it is apparent that women played a significant role in the distillation and distribution of illicit whisky.[98] Women were not allocated specific tasks but have been found to be involved at every level of the process, including resistance against excisemen. This is in contrast to the traditional view of such illegal activities as a male preserve. Stories and legends of smuggling have mentioned women, particularly in their defiance and outwitting of the guager. Where judicial records have failed to record such encounters it may be that this gap in the court papers suggests that women did indeed elude capture and prosecution. Contemporary newspaper accounts have supported the myth in their accounts of women smugglers who engaged in violent encounters with the excise but escaped to distil another dram. Archival records and parliamentary reports have confirmed women's

involvement in the distribution and manufacture of illicit whisky alluded to in popular stories of smuggling.

The pro-active participation of women in violence against excise officers and the method of attack runs parallel with their involvement in other riots, notably those concerning patronage and clearance. It is no coincidence that many evictions by landowners took place in areas renowned for smuggling activities. The acceptable image of the Highlander to the landowner and the wealthy elite was of an indolent and lazy creature, resistant to change or progress. Such an image made it easier for the landowners to move the people about their estates at will or remove them from the country altogether. The fact that many Highlanders were successful entrepreneurs who managed to pay their rent and provide food from the profits of illicit distilling was contrary to plans for improvement by landowners. The changing attitudes of landowners to illicit distilling, which ranged from complicity to condemnation and obliteration, can be seen to some degree, as a metaphor for some of the changes that took place in the Highlands. Women have been found to be active participants at every stage in the exploitation of the economic opportunities brought about by the illicit distillation of whisky, and in the defence of that industry against legal authorities.

- [1] T.M.Devine, *Clanship to Crofters' War*, (Mancehster, 1994) 119.
- [2] 'Papers Relative to the Distilleries of Scotland', PP, 1798, appendix 36.
- [3] T. Pennant, *A Tour in Scotland and a Voyage to the Hebrides*, (Chester, 1772).
- [4] I.Macdonald, *Smuggling in the Highlands an account of Highland whisky with smuggling stories and detections*, (Inverness, 1884), 39.
- [5] S.W.Sillett, *Illicit Scotch*, (Aberdeen, 1970), 18.
- [6] Devine, *Clanship to Crofters' War*, 129.
- [7] C.G.Harper. Lord Teignmouth, *The Smugglers*, (Wakefield, 1973), 192-3.
- [8] The term 'smuggler' was generally used in the Highlands to describe an illicit distiller in addition to the usual description of anyone involved in illegal distribution of taxable goods.
- [9] J.Barron, *The Northern Highlands in the Nineteenth Century*, (Inverness, 1907-13), I, xxxii-xxxiv.
- [10] J.Smith, *General View of the Agriculture of the County of Argyle*, (Edinburgh, 1798), 92.
- [11] J.Sinclair, *Statistical Account of Scotland*, (Edinburgh, 1791-99), XVII, Killearnan Parish.
- [12] R.J.Adam, 'Sutherland Estate Management', *Scottish History Society*, (Edinburgh, 1972), I, 179.
- [13] E.Richards, *Leviathan of Wealth*, (London, 1973), 203-4.
- [14] J.Robertson, *General View of the Agriculture in the County of Inverness*, (London, 1808), 135.
- [15] M.Gray, *The Highland Economy*, (Edinburgh, 1957); S.R.O., Forfeited Estate Papers, 'Particular Management', nos. 135,136,138,180,183.
- [16] Adam, 'Sutherland Estate Management', I, 176.
- [17] Average of £5 rental deduced from rental given in Appendix A of Adam, *Sutherland Estate Management*, for the Lowlands of Golspy where 11 tenants paid a total rent of £47 3s 6d in 1815.
- [18] A.Martin, *Kintyre Country Life*, (Edinburgh, 1987), 105.
- [19] J.Smith, *General View of the Agriculture in the County of Inverness*, (London, 1908), 92.
- [20] R.A.McGeachy, *Aspects of Commerce, Community and Culture: Argyll 1730-1850*, unpublished M.Litt. thesis University of Glasgow, 1987, 123.
- [21] 'Papers Relative to the Distilleries of Scotland', PP, 1798, XI.
- [22] Smith, *General View of the Agriculture of the County of Inverness*, 99.
- [23] Fiars - the price of grain legally struck or fixed for the year at the *Fiars Court*, so as to regulate the payment of stipend, rent, and prices not expressly agreed upon.
- [24] 'Fifth Report of the Commissioners of Inquiry into the Revenue Arising in Ireland etc.', PP, 1823, VII, 382.
- [25] Ibid.
- [26] Ibid.

- [27] Adam, 'Sutherland Estate Management', I, 179.
- [28] Pennant, *A Tour in Scotland and Voyage to the Hebrides*, 126.
- [29] I.A.Glen, 'A Maker of Illicit Stills', *Scottish Studies*, 1971, XIV, 67-83.
- [30] Personal communication from Mrs Helen Murchison of Kishorn.
- [31] Glen, 'A Maker of Illicit Stills', 77.
- [32] Martin, *Kintyre Country Life*, 105.
- [33] Macdonald, *Smuggling in the Highlands*.
- [34] Martin, *Kintyre Country Life*, 115.
- [35] Macdonald, *Smuggling in the Highlands*, 68.
- [36] 'Fifth Report of the Commissioners of Inquiry into the Revenue Raised in Ireland, etc.', *PP*, 1823, VII, 155, appendix 10, 324-5.
- [37] *Inverness Courier*, 28 May, 1828.
- [38] *Inverness Courier*, 29 November, 1821.
- [39] *Inverness Courier*, 14 January, 1821; H.R.A., L/INV/JP/33-15/6, Information from Robert Stewart, commander of the excise cutter Atalanta.
- [40] 'Fifth Report of the Commissioners of Inquiry into the Revenue Raised in Ireland etc.', *PP*, 1823, VII.
- [41] C.Otway, *A Tour in Connaught*, (Dublin, 1939), 253-5.
- [42] S.McHardy, *Tales of Whisky Smuggling*, (Moffat, 1991), 108.
- [43] A.Barnard, *The Whisky Distilleries of Scotland, 1887*, (Gartocharn, 1990).
- [44] H.R.A., L/S/M1/2.
- [45] H.R.A., L/INV/JP/8/15, 21.
- [46] H.R.A., L/S/M1/2.
- [47] C.Lesingham Smith, *Excursions through the Highlands and Islands of Scotland in 1835 and 1836*. (London, 1838), 10.
- [48] 'Fifth Report of the Commissioners of Inquiry into Revenue Raised in Ireland, etc.', *PP*, 1823, VII, 325-8.
- [49] *Inverness Courier*, 28 May, 1829.
- [50] *Inverness Courier*, 18 April, 1823.
- [51] H.R.A., L/INV/HC/9/38; 10/33.
- [52] *Inverness Courier*, 18 April, 1827.
- [53] *Inverness Courier*, 29 November, 1821.
- [54] Between 1809 and 1821 the *Inverness Courier* reported at least five smugglers wounded, three fatally, and three excisemen injured.
- [55] McHardy, *Tales of Whisky Smuggling*, 79-80.
- [56] E.Cregeen, 'Argyll Estate Instructions, 1771-1805', *Scottish History Society*, (1964), 4th series, I.
- [57] Ibid, 16n2.
- [58] Ibid, 53.
- [59] Ibid, 64-5.
- [60] A.B.A., DR2/15/1.
- [61] *Inverness Courier*, 31 March, 1825.
- [62] A.D.Cameron, *Go Listen to the Crofters*, (Stornoway, 1986), 111.
- [63] Richards, *Leviathan of Wealth*, 181.
- [64] Ibid.

- [65] Ibid, 203-4.
- [66] Adam, 'Sutherland Estate Management', I, 179-83.
- [67] This figure is for the whole Parish of Golspie in 1801.
- [68] Ibid, 179-83.
- [69] H.R.A., L/S/M1/2.
- [70] E.Richards, *A History of the Highland Clearances*, (London, 1982), I, 299.
- [71] 'Report of the Select Committee to whom the Several Petitions have been made complaining of the additional duty on Malt in Scotland'[sic], *PP*, 1821, VIII, 251.
- [72] Personal communication from United Distillers, Cardhu Distillery.
- [73] D.Barnett, 'The London Business Woman, 1775-1825', unpublished paper, University of Nottingham, 1995.
- [74] 'Fifth Report of the Commissioners of Inquiry into the Revenue arising in Ireland, etc.', *PP*, 1823, VII, appendix 33, 110.
- [75] Balblair Distillery, private papers, *An Account of the total number of gallons proof spirits made from malt only by each distiller in Scotland from 6th January 1826 to 5th July 1826*.
- [76] K.Jenns, 'Birmingham Business women', unpublished paper, University of Birmingham, 1995.
- [77] Balblair Distillery, private archive, *An Account of the total number of gallons of proof spirit made from malt only by each distiller in Scotland from 6th January 1826 to 5th July 1826*.
- [78] E.Grant, *Memoirs of a Highland Lady*, (Edinburgh, 1988), I, 241,272.
- [79] J.Sinclair, *Statistical Account of Scotland*, (Edinburgh, 1791-99), VII, Urray Parish.
- [80] Ibid, IX, Grange Parish.
- [81] 'Fifth Report of the Commissioners of Inquiry into Revenue arising in Ireland, etc.', *PP*, 1823, VII, 325.a
- [82] M.A., ZJmM, E1B31/855/1-3, E1B31/858/1-5.
- [83] 'Report from Select Committee appointed to inquire into the effects produced by allowing a malt drawback on spirits', *PP*, 1831, VIII, 303, 433.
- [84] 'Seventh Report of Commissioners into Excise Establishment', *PP*, 1834, XXV, appendix 76.
- [85] 'Account of the number of Detections and Persons Prosecuted for Offences in Ireland, England and Scotland against laws for suppression of illicit distillation, 1850-51', *PP*, 1852, LI, 571-73.
- [86] *Scottish Highlander*, 5 May, 1887.
- [87] T.M.Devine, 'The rise and fall of illicit whisky-making in northern Scotland, c. 1780-1840', *Scottish Historical Review*, 1975, 54, 176.
- [88] *Inverness Advertiser*, 26 June, 1866.
- [89] *Northern Ensign*, 3 January, 1878.
- [90] *Scottish Highlander*, 20 March, 1890.
- [91] Personal communication from Mrs Helen Murchison, Kishorn. Legal documents and estate records pertaining to this case have not been identified so far.
- [92] *Inverness Advertiser*, 5 August, 1870.

- [93] *Inverness Advertiser*, 22 July, 1851,
[94] Pennant, *A Tour in Scotland and a Voyage to the Hebrides*, 195.
[95] R.A.McGeachy, *Aspects of Commerce, Community and Culture: Argyll 1730-1850*, 117; J.D.Young, *Women and Popular Struggles*, (Edinburgh, 1985), 47-8.
[96] McGeachy, *Aspects of Commerce, Community and Culture: Argyll 1730-1850*, 131; S.R.O. Records of the Justiciary Court, Western Circuit, JC 13/57; Small Papers, JC26/470.
[97] Martin, *Kintyre Country Life*, 104.
[98] Glen, 'A Maker of Illicit Stills', *passim*; Devine, *Clanship to Crofters' War*, *passim*.

VThe Power of The WordIntroduction

In the late eighteenth and early nineteenth century the Established Church represented the core of community structure and local government, as provider of education and administrator of poor relief. The changes brought about by industrialisation and urban development in the Lowlands, and agricultural improvement produced a wave of turmoil in popular religion and ecclesiastical matters. During this period of upheaval religion provided the medium through which many articulated their objectives, values and resentments. The commercialisation of land in the Highlands brought its own particular problems with the displacement of thousands from their homes and the development of crofting townships. The influence of religion was a crucial factor in many of the changes that took place in the Highlands throughout the nineteenth century and the peculiarity of experience here was reflected in the varying patterns of worship and the influence of itinerant lay preachers and catechists. Within this context the relationship between women and religion will be discussed, focusing on two of the major elements of change in the nineteenth century; clearance, and the Disruption.

Women were largely invisible in the Church given that they were excluded from any positions of public power. The greatest recognition of women tended to come through their work in Christian philanthropic organisations, Bible societies and missions. Important as this contribution was, both in Scotland

and abroad, it is not the intention to catalogue these innumerable pious works. Carried out through relatively large establishments, works of female piety were usually overseen by male administrators, giving women little scope for autonomy. The focus of this study therefore, is the pro-active role taken by Protestant women, primarily as individuals, in the religious and socio-political developments of the day. Although available evidence has been difficult to find, through the writings of a limited number of individual women, it has been possible to determine a degree of insight into their relationship with religion. In some cases this required a side-stepping of the accepted norm of the period and led to conflict with either ecclesiastical or secular authority. It is important to stress that this approach to the history of women and Protestant religion in the Highlands does not intend to isolate certain outstanding, uncharacteristic women. In contrast the aim is to examine these women as individuals, as part of their society, and as representatives from across the social strata, and as adherents to different sects of the Protestant faith. A variety of women's writing will be considered and including Gaelic spiritual songs, personal letters and journals, a novel, and Gaelic poetry.

The history of religion in the Highlands is somewhat complex and involved. A detailed evaluation would therefore, be inappropriate in this restricted discussion. However, to fully appreciate the importance of the two aspects of women and religion in the Highlands under discussion, a certain understanding of the traditional position of women within the Church is necessary although it will be somewhat simplistic. Following the Reformation, the

essential role of woman was as custodian of the hearth and home. Barred from membership of religious orders or societies, the prescribed role for women was now predominantly domestic and subservient, manifest in the obedient wife and mother. The great reformer John Knox considered women to be feeble, foolish, variable. To Knox it was therefore obvious that all women were denied the administration of God's grace.[1] Despite the influence of Knox, women had managed to affirm their religious principles through the combination of devotion and practical application in hymns and prayers. Moreover, the Covenanting movement of the seventeenth century gave women a particular opportunity for action. So persistent were women in their opposition to Episcopacy that the government decreed that men must be held responsible for their wives' religious sentiments and activities.[2] During the popular tumult that occurred in 1637 at St. Giles Cathedral, Edinburgh, regarding the introduction of a prayer book, women were reported to have been the most vociferous. Amidst the hail of verbal abuse aimed at the presiding bishop one woman, Jenny Geddes, rose up and hurled her stool at him, giving rise to the riot.[3]

Throughout the eighteenth century Gaelic hymnology gained in strength in both the Roman Catholic and the Presbyterian faiths. Sìlis na Ceapaich is perhaps the best known Roman Catholic female composer of Gaelic verse and hymns. Writing around 1700 Sìlis was not afraid to enter into the political song-mongering of her time and was uninhibited in her criticism of ministers of the Reformed Church.[4] In her poem '*Do Rìgh Seumas*', (To King James), she speaks of the oppression of the Whigs and the clergy.[5] As one of few vehicles available to a woman railing against the

Union and Hanover, it is not surprising that her verses were more politically motivated than concerned with theological debate. In contrast, her hymns were full of simple piety and directness, echoing contemporary popular Gaelic hymns.[6] With the rise of the evangelical movement a strong current of Gaelic hymnology composed by women began to emerge in the Highlands after 1750. Mary Macpherson, more commonly known as *Bean Torra Dhamh*, was one of the earliest exponents in the central Highlands and a number of her hymns were published as broadsheets in the 1780s. She too was not afraid to speak out on social issues. (See below.) Women's contribution to Gaelic hymnology carried on through the nineteenth century with composers such as Mary Macdonald from Mull.

There was also a strong tradition within the Highland evangelical movement of female spirituality which was greatly respected as a source of wise counsel. Unlike 'the Men' who were recognised as an order, 'the Women' enjoyed no such acceptance, their sex preventing any 'public exercise of their gifts and graces', which they possessed to a remarkable degree. However, the 'Women' were 'witnesses for Christ and useful to his church'.[7] Almost every Highland county has a record of women who were particularly spiritual and close to God. A Sutherland woman, Peggy Mackay is perhaps the best known of these. Living in the early part of the nineteenth century she was known as *Bean a' Chreidimh Mhòr*, (the woman of great faith).

Although women had no part in the decision making processes of the Church they were an important part of the congregation and the spiritual life of the community. Such was the standing of some women of the northern Highlands, the Reverend Auld included a

chapter on women in his work entitled, Ministers and Men in the Far North, published in 1891.[8] Although, as the title suggests, men are the focus of the book, the author states:

we must not overlook noticing a few of the mothers in Israel- women who, although their sex prevented public exercise of their gifts and graces, possessed these in remarkable degree, and were witnesses for Christ and useful to his church.[9]

Reverend Auld includes 14 such women, all of whom had particular influence in their communities. Catherine Ross, Reisgill, for example is described as having the secret of the Lord and an intimacy of communion into which she was admitted. This was:

manifested by her attainments in the Divine life, and also by the remarkable answers to prayer which she obtained on behalf of herself and others.[10]

All of the women mentioned are eminently pious and were devoted to helping others. Marshall Douglas, Forsie, had an exceptional love of her brethren. Marshall was insistent that she should carry a Christian visitor across the river that ran close to her house. When this offer was refused her next thought was, 'Then I will stand in the water till you are over,' which she then proceeded to do.[11]

Janet Macleod, Sandside was known for her great warmth of heart and large public spirit. She spent many days in private fasting and prayer on behalf of troubled Christian friends, and for the church generally. Her home was a resting place for many. She gave John Grant a room in her home when he was evicted from his own, where he lived for two years. She was also a spiritual guide to young people. Such was her desire

to attend communion at Thurso, she rode there on horseback from her home in Melvich, a distance of 15 miles, with a three month old infant strapped to her.[12]

Christina Mackay, Achanaa, a Christian who was widely esteemed refused to remove from her home during the Sutherland clearances. She told the factor that she had life rent of the place, and when he asked her, 'who could give you that?' she replied, 'I have a promise from my heavenly Father, which neither you nor another will be able to break.' The factor thought nothing of such nonsense until a bystander told him that she would not talk in such a manner without good cause and that he should take note. The factor did not trouble her further. [13]

It was not only women in the far north who were noted for their piety. Glen Urquhart had its fair share of 'noted women' such as Margaret MacDonald. She was well known locally and on her death in 1892, a lengthy obituary appeared in the Inverness Courier. As with many of the women described above, Margaret MacDonald was regarded by the local community as an adviser, and as one who could teach others by her own example. Like many other pious women Margaret MacDonald was renowned for her wise counsel and many consulted her in times of trouble.[14] The role of counsellor and someone to turn to when in difficulty is very much an extension of the traditional concept of woman as a mother in the community, nurturing and teaching, a spiritual guide. As is the selflessness and concern for others so highly revered by Rev. Auld.

The west coast fishing communities provided an opportunity for female spiritual leadership. Women

sometimes conducted informal worship while the menfolk were away fishing. Those women who followed the fishing, and female seasonal migrants to the Lowlands, were also in need of the spiritual help of Biblewomen. However, for long-term female ministry the greatest opportunity lay in the Faith Mission which enabled women to serve as evangelists and preachers.[15] Much of this work was carried out overseas.

The Victorian ideology relating to women and religion emphasised the notion of separate spheres of activity. Arguments from nature and the Scriptures were used to formulate the veneration of true womanhood. Women were encouraged to believe that their 'feminine' characteristics were precisely what was required to transform the sordid world into a Godly place. A chaste, pure, and noble woman provided a blessed central power within the household. Within the Presbyterian church the belief that women were naturally inclined towards moral righteousness was utilised in the mission to Christianize society both at home and abroad. The 'blessed' power of women was interpreted in practical terms as an extension of domestic virtues within the Church and the world. Not surprisingly, women's Christianizing work developed in the public sphere through philanthropic work at home and in the overseas missions.

Women acted on their religious faith in other directions, most typically through religious organizations and societies such as temperance societies, Bible, and missionary societies. Many of these were concerned with social issues of the time including temperance, promotion of religious values and education, and training, especially of young women. Throughout the Highlands these societies

flourished. In the first half of the nineteenth century a typical selection of such organizations included the Easter Ross and Sutherland Ladies Bible and Missionary Society; Nairnshire Ladies Home Bible and Benevolent Society; and the Ladies Female Society for Training up Female Children to Industrious Habits. Women were also active members of societies such as the Inverness Auxillary Bible Society, Inverness Juvenile Bible Society, Northern Mission Society, Tain Total Abstinence Society, and the Wick Temperance Society. Many of these organizations had ladies' sections through which women took an active role, particularly in fundraising. Attendance levels were high at meetings and many prominent women were involved. For example, Maria Hay-Mackenzie, of the Cromarty Estate was the patron of the Easter Ross and Sutherland Ladies Bible and Missionary Society and contributed generously to its funds. At the tenth anniversary meeting of the society in 1828, Mrs Hay-Mackenzie sent a letter outlining her concerns for the many Highlanders who had emigrated to North America and were in a destitute state, without means of religious instruction. She proposed that a few pounds be allocated to them for the purchase of books and this was accepted by those present. More than £38 had been raised the previous year and was spent on donations to the Edinburgh Gaelic School Society; the Inverness Education Society; the Hibernian School Society; and school fees for a few poor children in Tain. Income generated by many of the Bible societies was used to provide Bibles for those in need, both spiritually and financially. [16] Although women did not hold office in many of these societies they were active at a grass roots level. The Inverness Auxiliary of the National Bible Society was not unique in that the office bearers were exclusively male,

while all the subscriptions collectors were women. Each collector had a district covering a number of streets in the Burgh with an average of approximately 40 subscribers to visit. In 1882 there was a total of 384 subscribers and of these, 147, (38.3%) were women and 237, (61.7%) were men.[17] Despite the importance of such works and the dynamism of many of the women, ultimately, autonomy lay entirely in male hands.

Within the Church itself women were barred from ordination to the ministry and eldership, excluding them from the governing and decision making bodies of the Presbyterian church. It was not until the 1960s that the Church of Scotland dispensed with this form of prohibition.

Although women did not have a high public profile within the Church, there was one exception in the figure of a female preacher. Irish by birth, Eliza Thistlethwaite accompanied her wealthy husband on annual sporting visits to the Highlands, renting Novar House and shootings in the 1850s. It was not until 1862 that she was known to have converted from her frivolous ways and commenced preaching at Garve. Attendance was at first small, with the Free Church incredulous at the concept of a female preacher. However, when she preached at a revival meeting in the Free Church at Garve in August 1862, additional space had to be made available to accommodate all those who had come to hear her. Even then, there was not room for everyone, but those who did hear her speak were impressed. She met with opposition from some of the Free Church leaders, including Dr Begg of Edinburgh and John Kennedy, the popular evangelist from Dingwall. Both men spoke against her from the pulpit, using quotes from the Bible such as, 'It is a shame for women to speak in Church', and, 'Let the women

keep silence in the Churches.' Mrs Thistlethwaite was unperturbed by the disapproval of Dr Begg and Mr Kennedy. A lively polemic ensued through the pages of the Inverness Courier. Although she fought her case well she returned to Hampshire in the autumn where she continued to preach.[18]

The majority of church ministers shared the views of Paul so clearly stated in Corinthians that women should remain silent in the Church and if they want to learn anything they should ask their husbands at home. Thus, the expected role of women in the Church was that they should be silent listeners. On the whole, women were denied equal participation throughout the nineteenth century, even at the local congregational level. The Disruption did little to further women's position, the question of women having a vote in the selection of ministers was entirely dismissed by Free Church leaders, including Chalmers.[19]

Evangelicalism and 'Dain Spiordail'

Protestantism was the prevailing faith in the Highlands and prior to 1750, the variety preferred in many parts was that of Episcopalianism, especially those areas which observed Jacobitism. In the aftermath of Culloden, through persecution by both Church and State, Episcopalianism waned. However, in the eastern Highlands, Lochaber and northern Argyll, Episcopalianism managed to maintain an important presence in the early decades of the nineteenth century while at the same time a more evangelical order of Presbyterianism became popular in the north and north west districts.

The Established Church was faced with many difficulties in the Highlands, not least, the

increasing population of dispersed Gaelic-speaking communities in geographically large parishes. The response had been to 'civilise' the Highlands through the inculcation of Presbyterianism. The Royal Bounty scheme approved in 1724 by George I, provided funding for the establishment of missionary districts served by itinerant preachers and catechists within large parishes.[20] The Scottish Society for the Propagation of Christian Knowledge (S.S.P.C.K.), set up in 1701, was of particular importance in the drive to 'civilise' the Highlands. Financed by public subscription, the S.S.P.C.K. provided teachers, catechists and missionaries for the Highlands. However, the initial missionary and educational policies of the Society were aimed at the eradication of Gaelic in an attempt at social containment. Once the threat of Jacobitism was seen to have been suppressed and the Highlanders had been subdued through service in the armed forces, the S.S.P.C.K. relented, and in 1766 Gaelic as a medium for instruction was permitted.

Although the first Scottish Gaelic version of the New Testament was published in 1777 by the S.S.P.C.K. it did not reach general circulation until the 1780s. Highlanders were also without a Gaelic version of the Old Testament until the early nineteenth century. With the availability of only English Bibles that many could not read, poets writing in the vernacular commanded a certain influence as the evangelical movement gained ground in the latter eighteenth century. The pulpit and the Shorter Catechism were the only formal means of religious instruction. However, music and poetry were essential aspects of Highland society and it was through spiritual verse and song that religious teaching was disseminated

throughout the community. Highlanders may have been lacking in formal education but they were blessed with tenacious and accurate memories and were 'passionately fond of verse'.[21] In Kildonan, Sutherland, the people were said to have 'sung themselves into the knowledge of the great doctrines of Church'.[22] Gaelic hymns were very popular indeed in Caithness and Sutherland, and it has been suggested that they were repeated around the peat fires, not for their great poetic quality, but more for their rich spiritual experience.[23] There were two major social institutions through which the *dain spiordail* or spiritual songs spread among the populace; the evening ceilidh, and the summer migration to the sheilings.[24] In addition, although the *dain spiordail* were not part of Presbyterian public worship, they came to be the primary devotional commentary on the Gospel for Gaelic speakers through fellowship and prayer meetings. The popularity and influence of the spiritual bards was therefore of considerable importance.

A native of Badenoch, Mary Macpherson was one of the more notable of the female spiritual bards of the early nineteenth century. Her father, Ewen Macpherson, was a schoolmaster, employed at one time by the S.S.P.C.K. Mary and her siblings were therefore privileged to enjoy the best education available. The contemporary Church in Badenoch and Strathspey was in the grip of Moderatism. With the exception of a few S.S.P.C.K. agents here and there the ministry was quite dead. In her *Memoirs*, Elizabeth Grant of Rothiemurchus provides an insight into the state of the Church in that district through her description of the minister of Duthil:

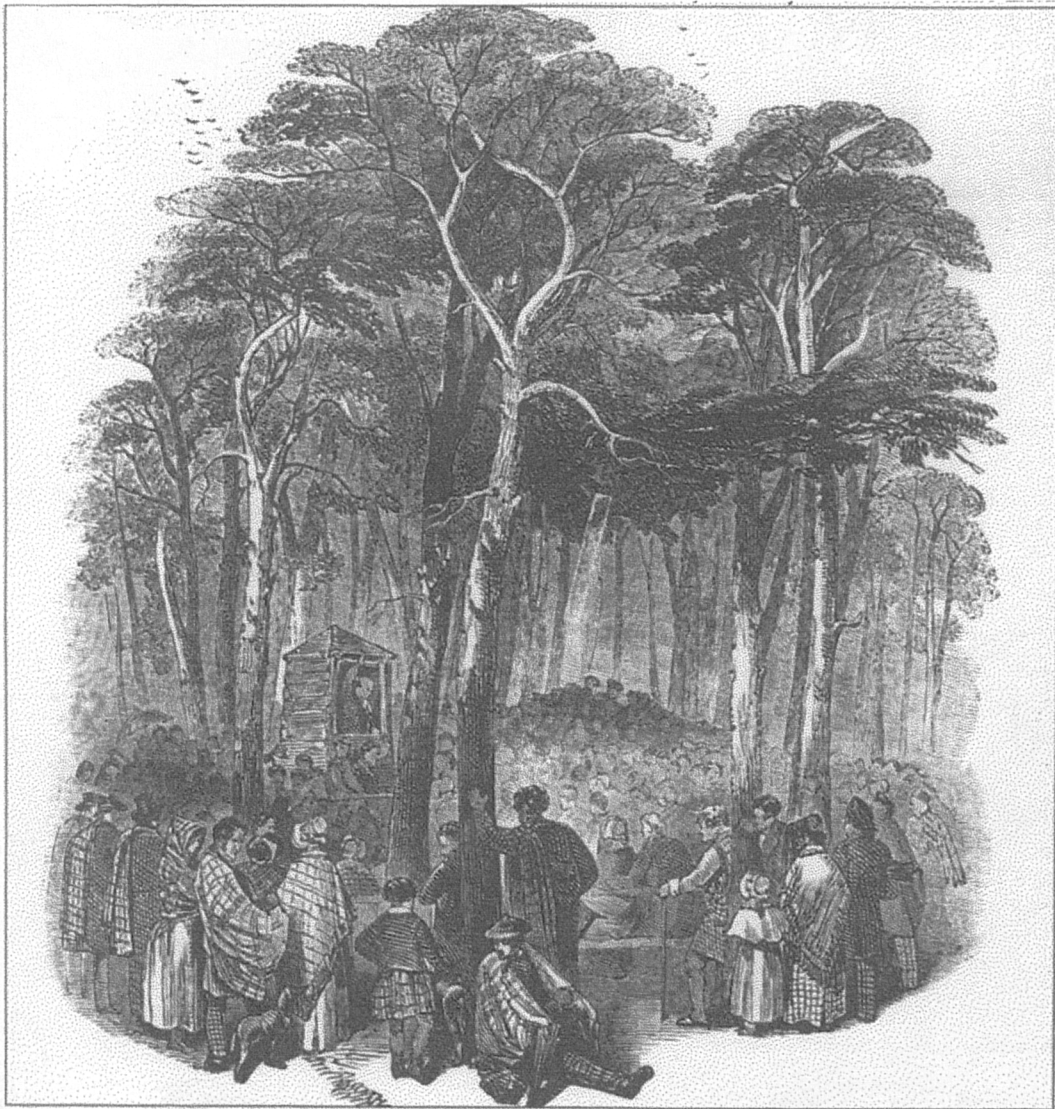
...he was fat, thick-set, florid, with a large cauliflower wig on his large head...he had been both a poet and an essayist. What he was now it would be hard to say. He seemed to have no particular employment. His wife managed the glebe; the parishes managed themselves; and he certainly gives little trouble about his sermons.[25]

Elizabeth Grant criticised his sermons. She was far from impressed that he had only two in English, and assumed that his Gaelic sermons lacked a similar diversity. Although he altered the text to give some air of variety, the theme chosen was not always appropriate to the discourse. His sermons were not necessarily bad, simply tedious by repetition. Fortunately, the people of Rothiemurchus had six weeks in which to forget them as services were held there only once in every three weeks. Sermon, prayer and psalm appeared to be to him a task that he barely got through. The minister squinted at the psalm book through one eye and dogs and babies joined him in the singing of the psalm which was a 'serious severe screaming quite beyond the natural pitch of the voice.' This was followed by such blessings as the minister thought best. This description suggests that the spiritual benefit of the occasion was extremely meagre.[26] Other ministers of the district may not have been quite so odd, but the majority of them were bereft of any evangelical zeal.

Mary Macpherson was caught up in this religiously moribund society where feudal oppression was still known. Her greatest pleasure in life was dancing and it was not until she broke her leg that she turned to evangelicalism. Marrying when young she moved to

Glentruim close to the banks of the river Spey where her husband, Mr Clark, had a small holding of very poor land. The district in which Mrs Clark lived was beginning to experience the stirrings of a spiritual revival under the influence of the powerful and popular preacher, Reverend Hugh Mackay of Moy and Dalarossie. There was a tradition in Strathspey towards the end of the eighteenth century of a notable communion season at which time people travelled to both neighbouring and distant parishes to attend services led by evangelical preachers. Mrs Patrick Grant, the 'godly lady of Rothiemurchus', had a great gathering of guests at these times of 'refreshing', and Mrs Clark is thought to have been among them.[27] The parish of Duthil was part of the communion circuit. (fig. 14) It was for these communions that Mary Clark provided accommodation for the many visitors. When questioned by her local catechist as to how she managed this she replied: '*Tha sabhal agam a chumadh fichead, agus cridhe chumadh ceud.*' ("I have a barn that could hold twenty, and a heart that would hold a hundred.")

Mrs Clark's early poetic compositions were made in English and it was her husband who encouraged her to compose her poetry in Gaelic. She has thought to have composed a total of some 30 hymns, and around 1803-4, Mrs Clark travelled with these to Inverness in an attempt to get them published. Unfortunately, patrons of Gaelic verse appear to have been few and Mrs Clark's poems remained unpublished. However, seven poems are known to still exist, one of which was published in broadsheet form in 1785. The remaining six poems appear to have been published after her death. Reverend John Rose included two of her poems in his *Metrical Reliques* published in 1851. These had



Open air congregation at Duthil, Inverness, "Illustrated London News", 20th May 1848. I.L.N. Picture Library

Fig. 14 Open Air Congregation at Duthil, Strathspey,
20 May 1848,
Illustrated London News Picture Library.

been recited to him by a pious woman who had learned them from Mrs Clark herself. Others were printed by the Reverend John Kennedy of Caticol, Arran, and by Thomas Sinton in 1906, who discovered several of her poems in the Cluny Charter Chest.[28]

Mrs Clark was contemporary with the period immediately after the battle of Culloden, and before the abolition of the Jurisdiction Act of 1748, when the Bailies of Regality were very powerful in local matters. Her poetry draws on both her experience of life as she knew it, and on tradition. In '*Beachd Grais Air an T-Saoghal*', (*People's Judgement of the World*), there are references to the custom of the seizing of the heriot horse by the bailie on the death of a tenant. Mrs Clark had witnessed the cruelties perpetrated after Culloden,[29] and refers to them in the same poem:

*Chuir iad cas air reachd na firinn,
'S ghulais iad dìchiollach 's an droch-bheart,
Claidh nam bochd 's ga 'n lot le mìorun-
Banntraich 's dilleachdain gun choiseachd-
B' uamhasach an cleachdadh tìre,
Croich a's binn air àird gach cnocàin,
Cuir nan spleadh gun lagh, gun fhirinn,
'S tric a dhìt' an tì 'bha neo-chiont.*

*("They placed their foot on the law of truth,
and they proceeded diligently in mischief,
harassing the poor and wounding them with
malice,-widows and orphans without the power
of walking: Fearful was the custom of the
country, - a gallows and sentence on the
summit of every hillock: The court of
falsity, without law, without truth,-often did
it condemn the one who was innocent.")*

The reference to a sentence and gallows on every hill may equally relate to the practices of one particular Bailie of Regality, Robert Grant, known as *Am Bàillidh Mòr*, (*the Big Bailie*). He is reported to have hanged

people without the benefit of a trial for failing to comply with him. Two brothers were hung in this fashion by him and then buried together in a single roadside grave. This practice of hanging was not unique to *Am Bàillidh Mòr*. James Grant of Abernethy, known as *Am Bàillidh Ruadh*, (*the Red-Haired Bailie*), also hanged a man who had a wealth of cattle, horses, sheep and goats. These were seized by the bailie leaving the widow and her children beggars. This particular incident happened in Mrs Clark's lifetime, and she combined her contempt for the oppression of the bailies and the violent repercussions following Culloden in her poetry.[30]

Poetry and song for many Highlanders formed the primary medium through which to express, among many things, their attitudes to life and to contemporary events. Although Mrs Clark may have had to give up the best horse or cow to the bailie on the death of her husband, as was the custom, through her poetry she was able to condemn the rich who lived on the backs of the poor. Through her religious faith she was able to reinforce this stricture with the wrath of God. Her poetry may have been popular among the tenantry of Badenoch and Strathspey because of the fate she portrays for these oppressors:

*An sin gach duine 'chuir 'san éucoir,
Buainidh iad le déuraibh goirte,
'S bi'dh an duais gu truagh mar thoill
iad,
'S ârd a chluinnear caoidh an ochan;
Bi'dh an lochd 'n a chrois 's gach éudann,
'S an cgais réubach fhéin ga 'n lotadh,
Sgiursar iad gu slochd na péine,
'S corruich Dhé mar leus ga 'n losgadh.*

*(Then each man who sowed in wickedness will
reap with bitter tears, and their reward will
be wretched according to their desert. Loud
will be heard the bewailing of their woe.
Their crime will be a cross in each face, -and
their own rending conscience wounding them.
They will be scourged to the pit of torment,
and the wrath of God like a torch burning
them.)*

The influence of religion in the imagery of this poem is obvious. The contrasting blessed fate of the meek described by Mrs Clark is a reflection of the evangelical belief that by enduring the troubles of this world, spiritual reward would come in the next, non-material world. This concept of redemption and endurance should not be underestimated in its influence on people's ability to suffer. With almost no other avenue open to them it is likely that these songs and poems enabled people to speak out against landowners and condemn them to hell. At the same time these songs provided the vision of a better life in the next world, and one of torment for their oppressors.

The emphasis on the value of personal religious experience and the fostering of a communal pursuit of Godliness within the evangelical doctrine provided a certain stability for the cultural and social alienation that occurred as the clan system broke down in the face of clearance, and was grounded in orthodox Calvinism. Salvation rested on election tempered by grace and those who did not participate in divine services were not necessarily lost forever. Through encouragement by their community reprobates might be made receptive to grace through the recognition of

their sins. Election of the truly repentant could be made by God alone, but assurance of salvation could be determined through the sacrament of communion, which was in itself an affirmation of God's covenant with the elect. The communion seasons were therefore very important in the Highlands. Through prayer and contemplation the godly were able to confirm their faith at these meetings.[31] The spread of Gaelic spiritual poetry and the leadership of an evangelical lay elite were crucial elements in the growth of the movement. Spiritual poetry and verse in Gaelic was endemic throughout the Highlands. The spiritual tradition was strong in everyday life and was most obviously manifest in the incantations, prayers and songs recited whilst performing daily tasks, such as smoooring the fire, and also on important occasions such as birth, marriage and death.[32]

The phenomenal effectiveness of Gaelic preaching in the nineteenth century has been partly attributed to the ability the oral tradition gave to those who could not read, to appreciate even the highest literary style. Many Evangelists and educationalists appreciated the strength of this tradition and therefore adopted Gaelic as a language for spiritual and secular teaching. A number of poems recorded in the sixteenth century by the Dean of Lismore were taken down in a similar form three hundred years later.[33] The survival of these poems in their basic form through centuries of circulation is indicative of the correlation between Gaelic speech rhythms and Gaelic poetry, and the dynamism of the oral tradition.[34] However, the lay preachers known as *na Daoine*, or 'the Men', were peculiar to certain areas of the Highlands. In the early eighteenth century evangelicalism had an initial stronghold in Easter Ross, Sutherland, and Inverness-shire.[35] *Na Daoine*

were phenomena that stretched from Cromarty and Easter Ross in the east, to Sutherland and Caithness in the north, and westwards to Skye and the Outer Hebrides.[36] Whether led by *na Daoine* or by other lay preachers, evangelicals barely recognised the ministry of the Established Church if it was of Moderate persuasion. Followers of the evangelical movement were encouraged to worship outside of the Established church at alternative gatherings. This rejection was described by some as 'occult dissent'[37] The Rev. Mackay attributed this form of dissent to the realisation by the people that they did not receive satisfactory religious instruction within Established churches, and he cites Duthil as one of many parishes where dissent was rife.[38] Considering that Mrs Clark was part of this dissent and the nature of some of her spiritual songs, there is some suggestion that it was not the thirst for religious instruction alone that led so many people to evangelical gatherings. There must have been something more that attracted so many. It is possible that the evangelical meeting represented a form of rare mass collective action by the people. The sermons given at these meetings are largely unrecorded. There is no doubt that the overall tone of the meetings was spiritual, but one cannot overlook the opportunity such gatherings gave for a form of social cohesion at a time when society was undergoing massive change, including the continuing breakdown of the clan system. Such gatherings had the potential to provide an arena for dissent of a very different nature. However, the predominant evangelical message was to suffer and be still, and consequently any opportunities for social or political revolt were never realised through this medium.

Disruption

The theology of the evangelical gospel was a faith which aimed to develop personal spiritual growth and commitment, offering solace to the individual and divine retribution to the oppressor. As stated above, such teaching provided many Highlanders with the strength to endure the many social injustices society inflicted. The concept of the necessity of suffering as a preparation for salvation was a major factor in the general lack of insurrection in the Highlands at times of clearance. What the evangelical movement did facilitate was the mass exodus of much of the Highland population from the Established Church to the Free Church in the north and north-west Highlands. The Disruption of 1843 has been interpreted in a Highland context by some as a case of class conflict, and not simply as an ecclesiastical dispute. Hunter has interpreted the Disruption as the small tenantry pitted against sheep farmers, factors and proprietors. The creation of the Free Church through the support of the majority of the crofting population who adhered to it represented a victory of their interests over those of the landowners.[39] A leading figure of the Free Church declared that it was a threat to the political isolation of the crofters and was a vehicle for the translation of their wrongs into English, and to give them currency in the general arena.[40] In contrast, Devine has stated that the Disruption was not a class struggle or an overt expression of anti-landlordism, whilst accepting that the scale of the migration to the Free Church was significant in that it came about in the 'teeth of the opposition of established authority in the Highlands'.[41] Whatever the interpretation considered, this collective action of a distinctive character and outlook, focused against the landowners, albeit through a religious lens, cannot be

overlooked. The episode demonstrated that the people were able to organise together in widespread defiance of authority.

The Disruption was projected as a time of ministers and men, and women appear to have been relatively absent from the proceedings. Obviously women played an important role within the general, anonymous body of parishioners who followed the evangelical ministers out of the Established Church. However, at least two notable women stand out who were closely involved with the events surrounding the Disruption. Written evidence exists which reveals their participation in events surrounding the Disruption. Elizabeth Brodie, Duchess of Gordon, recorded her reaction to the events leading up to the Disruption and the ministers involved, through her personal correspondence. An account of the important role the Duchess played in these events was also preserved in Duff's, *Disruption Worthies of the Highlands*, in which Elizabeth, Duchess of Gordon stands unique as the only woman to be included.[42] Lydia Miller was closely involved in the Disruption, as wife of Hugh Miller, one of the leading figures of the Free Church movement. Through the pages of a novel, Lydia Miller recalled the debates and events that surrounded the break away from the Established Church. From these written legacies it may be possible to access a female perspective on the events and issues surrounding the Disruption.

In 1813, Elizabeth Brodie married the Marquis of Huntly, later to become the fifth Duke of Gordon. Having turned to the Bible for solace, and as an escape from the atmosphere of vice and frivolity that permeated her social milieu, Elizabeth Gordon experienced a spiritual awakening in 1827. One of the

major influences on the Duchess were the writings of Robert Leighton, Archbishop of Glasgow, 1670. Leighton was a great advocate of church unity through acceptance and amalgamation of the better qualities of Episcopacy and Presbytery. Thomas Erskine, the influential theological writer who helped liberalise British theology in the nineteenth century, was also a great influence on the Duchess. Following the death of her husband in 1836, the Duchess became ever more intense in her devotions.[43] The Duchess retained Huntly Lodge as her home, regarding her great wealth and high position as a form of stewardship. Sometime later the Duchess wrote in a letter: 'Where God gives wealth he gives responsibilities'.[44] The Duchess, an Episcopalian by her social position, took a great interest in, and was involved in various church matters. The Duchess had little time for the Moderates and wrote in 1837:

Nobody need tell me about the Moderates, I know them well; I should never think of consulting them on any religious subject, or ask them to my house for spiritual profit. All I can do is to invite them to dinner, when the Duke of Richmond is here with the farmers at the cattle show.[45]

The Duchess also saw the need 'for more labourers in the Lord's vine yard', and she prayed that they would be after His own heart, but could not see where they would come from.[46]

A firm believer in the union of Church and State, it is possible that the Duchess of Gordon may not have become quite so involved in The Free Church had her home been in some other district. Her home at Huntly Lodge was sited in the parish of Strathbogie. This

parish was the scene of one of the great conflicts between the Church and the civil courts concerning the issue of patronage, and the controversy surrounding the Veto Act of 1834, passed by the General Assembly. In 1839 the Earl of Fife, as patron, had presented John Edwards to the incumbency of Marnoch despite his dismissal at the request of parishioners when he was assistant minister there. Edwards was unpopular and his presentation as minister was vetoed by a vote of 261 to 1. The Earl of Fife made an alternative presentation which was accepted. However, Edwards appealed to the Court of Session, which then issued an interdict against the ordination of the new presentee, and instructed the Strathbogie presbytery to take Edwards on trial immediately. The Moderate presbytery obeyed the Court of Session despite instructions from the General Assembly to suspend all proceedings.[47] As a result, the General Assembly suspended the seven moderate ministers involved for their defiance. These ministers appealed to the Court of Session which issued an interdict forbidding any minister to enter the churches of the seven without their permission. This was later extended to forbid any minister even entering the parish to preach or administer the sacraments.

The Duchess of Gordon was in England at the time of the suspension of the seven ministers and heard of the difficulties encountered by those who went to Strathbogie to preach in defiance of the interdict through letters from home. Her response was immediate and, in spite of her conservative views and respect for the law, she could not condone the loss of freedom of pious men to preach the Gospel. In danger of losing the friendship of fellow landowners, the Duchess provided a wing of Huntly Lodge for the

visiting clergy, and wrote to Helen Home, her friend there in December 1839:

I shall send you something to assist in paying the expenses of the faithful ministers...I must put aside all political feeling on the subject, for I do believe, and have felt from the first, that this may be the Lord's way of answering our prayers. Certainly the removal of the seven would be a benefit.[48]

The involvement of the Court of Session in Church matters was regarded by many as the evolution of the general Assembly from a separate, autonomous body, into a department of the State.[49] Although the Duchess could not differ from the suspended ministers while they acted in the spirit of God, and helped the preaching of the Gospel in wild places, ultimately she could not agree with their actions. In early January, 1840, she wrote of her conviction that the majority of the Presbytery of Strathbogie were wrong and therefore she had no hesitation in helping the Assembly. She considered the refusal of the suspended ministers to see Drs. Bruce and Gordon at Aberdeen except through an agent, as disgraceful. She gave directions in a letter that: 'every accommodation should be given to Dr. Chalmers, Gordon and Mr Moody and any friend who may accompany him....' Despite her support for these ministers, the Duchess was anxious not to be seen as taking a political stance and added the proviso:

I must however have it distinctly understood that I desire to receive these excellent servants of Christ as such...and not as taking part politically in the question.[50]

The Duchess was keen to understand both sides of the issue and in the same letter ordered newspapers from both sides of the debate to help her to see clearly and to understand more fully.[51] Huntly Lodge was open to the scores of preachers determined to preach the Gospel in spite of the interdict, and became something of a haven for them.[52] In fact, the Duchess entertained almost all the celebrated preachers who came north to minister to the people of Strathbogie for the duration of the interdict.[53] On her return to Huntly Lodge, the Duchess never once entered the parish church of the suspended minister Mr Walker, but instead divided her time for spiritual fulfilment between the Episcopal church and the visiting Assembly ministers.

Mr Edwards was eventually settled at Marnoch in January 1841, against the wishes of almost the entire congregation. A large crowd filled the church for his ordination, but as soon as the presbytery were seated a register of opposition was handed to them after which the dissenters left the church, leaving only the perpetrators to witness the induction. The Duchess had been encouraged through her upbringing, and by relatives and friends, to hold a firm belief in constitutional law, together with a corresponding reluctance to alter the long established system. However, such beliefs were in opposition to her religious beliefs.

In response to Edward's ordination she wrote:

I am grieved to the heart that my friends and neighbours are now in connection with actual sacrilege, but must thank God that the poor Marnoch people have behaved so well.[54]

In the following autumn the Duchess removed to the south of France and did not return to Huntly until 1843. It has been suggested that this was a flight from her own indecision and an unwillingness to face her conscience, but it may of course have been in disgust at the actions of her friends and neighbours in supporting intrusion.[55]

The conflict of religious morals and respect for the establishment faced by the Duchess of Gordon presented itself to many ministers at this time. The patronage debate was a national one and many were not prepared to witness the absorption of the Church into the state machine. Chalmers, the leading figure of the Disruption, summed up the prevailing climate when he wrote:

rather than be placed at the feet of an absolute and uncontrolled patronage, very many of our clergy...are resolved to quit the establishment and...leave it a prey for the Radicals and Voluntaries, and demi-infidels...who are bent upon destroying it. [56]

When the Government refused to restrict the system of Patronage in March 1843 the non-intrusionists were left with no alternative but to break with the Established Church. Having declared their opposition, almost 500 clergymen walked out of the General Assembly at Edinburgh on 19 May, 1843, and the Free Church of Scotland came into being. At this point, the Duchess of Gordon was on her way home and commented:

I cannot begin on the subject of the Scotch[sic] Church, but I do feel very much, and would give

all but my conscience...I do love and honour these dear men.[57]

It was some time before the Duchess was able to regard the severance of Church from State as an appropriate course of action, despite the conversion of one of her close friends, Helen Home. Miss Home urged her friend to take a step towards the Free Church by attending a Communion in Edinburgh. The Duchess refused to comply at the risk of damaging their lifelong friendship. Although the Duchess wrote to Miss Home that all her prejudices and prepossessions had been in favour with the non-intrusionists, she could not see her way was with them. However, the Duchess hinted that her current attitude was not entirely firm, in the acknowledgement that by following her heart in the matter she may yet be deceived. [58]

The Duchess was troubled by many deeply philosophical questions concerning the Disruption that only a theologian could answer. Thus in 1844, the Duchess invited the Free Church minister, Rev. Moody Stuart, to Huntly Lodge as a friend, and as a spiritual guide, and encouraged him to invite any person he knew in the neighbourhood. The majority of Stuart's acquaintances adhered to the Free Church. The implication that Huntly Lodge was open to the Free Church was quite clear. During his stay the Duchess had long theological discussions with the Rev. Stuart. The Duchess remained undecided and continued her discussions with him by letter throughout 1845. The influence of Rev. Moody Stuart may not have been entirely responsible for any change of heart on the part of the Duchess. (Fig.15) The Earl of Aberdeen was distressed by her anti-Moderate stance and open encouragement of the Free Church party, and visited

Huntly Lodge in an attempt to make her change her mind. Reasoned argument having failed, the Earl lost his patience and his manners. The tone and force of his argument greatly offended the Duchess and it is thought that this unhappy meeting may have acted as the catalyst required for her conversion. However, the inadequacy of the terms of union between the State and the Church of England were of major concern to the Duchess.[59] Although union between Church and State was a concept valued by the Duchess of Gordon throughout her life, she came to the conclusion that the Established Church, by its terms of union, had conceded its power of discipline. On this point of principle the Duchess finally became a member of the Free Church towards the end of 1845. [60]

As a landowner and a member of the Scottish aristocracy, the Duchess of Gordon had taken a significant step in shunning the Episcopalian church in favour of the Free Church and becoming a Presbyterian. A number of landowners throughout Scotland had refused sites for the new Free Churches, but the Duchess was quick to purchase a site for the Holyrood Church, Edinburgh. The Duchess had a house in Edinburgh, and following her defection to the Free Church spent much of her time in the city. It is possible that life was somewhat easier for the Presbyterian Duchess in the capital, away from the confines and traditions of rural society. The overwhelming majority in the society in which she moved were dismayed by her move to the Free Church.[61] Certainly, the Duchess spent little time at Huntly immediately after her conversion, and in the autumn of 1846 she left Scotland for mainland Europe.

The Duchess of Gordon had not only played a vital role



Yours most truly
Gordon

Fig. 15 Elizabeth Gordon, Last Duchess of Gordon, A.M.Stuart, *The Life and Letters of Elizabeth, Last Duchess of Gordon*, (London, 1865).

in her support of the non-intrusionists prior to the Disruption, but following her break with the Established Church she became a key figure in the development of the Free Church in both Edinburgh and Huntly. As a member of the aristocracy and as a landowner, the actions of the Duchess in leaving the Episcopalian Church in favour of the Free Church, were exceptional. Traditionally, landowners adhered to the Episcopal Church and to make such a public statement through her support of the Free Church would have threatened her standing among her peers. Religious principle and faith were obviously more important to the Duchess of Gordon than social acceptance, although she would undoubtedly have given some consideration to the difficulties she was likely to encounter from friends and relatives.

The Duchess of Gordon was also atypical, but not exceptional, as a member of the landowning class in her provision for Free Church sites. In the years immediately following the Disruption many landowners refused sites for the new churches on their property. A great number of Highland estates were extensive and the refusal of a site was a serious problem and could leave whole parishes devoid of a Free Kirk in which to worship. The large-scale move from the Established Church was evidence of the animosity the great majority felt towards landowners. In response, proprietors often refused permission for the Free Church to build churches on their land. Lord Henry Cockburn commented in his *Journal* on the difficulties many congregations and ministers faced:

The favourite malice is for deluded lords of the soil to refuse sites for churches or schools...The ministers of the county of Sutherland...suffered

most. [62]

Women in particular suffered in the aftermath of the Disruption, as wives, daughters and sisters of ministers and schoolteachers, and as teachers themselves, who were required to quit their homes and employment through their adherence to the Free Church. The majority of teachers in the Highlands were employed by the Society for the Propagation of Christian Knowledge, and had all belonged to the Established Church before 1843. Annual examinations were made of the Society's schools by the local Presbytery and the parish minister had to issue a certificate before the teacher's salary could be paid. The Patents and Constitution of the Society were so bound up with the Established Church that the employment of teachers, catechists and missionaries was the subject of great debate in the years following the Disruption.[63] Whilst the fate of teachers who now adhered to the Free Church was debated and reported by the Society and its Directors, a number of teachers were forced to leave by the local presbytery. In one particular case, Mrs Wallace, a widow who taught the female school in Tarbert, Argyllshire, had all her furniture put out onto the public road by the factor as a result of joining the Free Church. [64] The widow of a Society teacher, Mrs McMaster, lost her pension from the S.S.P.C.K. because of her association with the Free Church. Her home in Banavie, Fort William, was part of the Lochiel estate where a decree had been issued stating that anyone who gave shelter to the Free Church minister would be evicted. Although Mrs McMaster had several dependent children, she defied the decree and gave the ben of house to the outed minister. Her pension of 1s 6d per week, paid to her as widow of the teacher who died six years

before the Disruption, was then cancelled.[65] Mrs McMaster was one of many threatened with eviction for giving quarters to a Free Church minister. In Sutherland, for example, the widowed daughter of Rev. Duncan McGillivray of Lairg, was threatened by the estate factor with eviction should she take her father into her home. The Rev. McGillivray was an octogenarian at the time of the Disruption and his daughter's cottage was the only house to which he could retire in that parish. Shortly after the minister arrived as his daughter's guest, the Duke of Sutherland's land agent, Mr Taylor, called to reinforce the message stated earlier by the factor. As a result both father and daughter were forced to leave the county.[66] Writing in the *Witness*, Hugh Miller regarded the loss of homes and employment on some large estates as tantamount to mass eviction.[67] The refusal of sites for churches in Scotland caused concern to the extent that a Parliamentary inquiry was set up in 1847. By this time, however, many landowners had relented and agreed to sites on their estates, and the number of refusals had dropped to 29 at the time of the inquiry.[68]

The Duchess of Gordon was not alone among women as the provider of sites and/or funding for Free Church buildings. Women from all ranks came forward with contributions for sites and finance for both schools and churches. A blacksmith's daughter provided her garden as a site for a church and manse in Oyne, Aberdeenshire, the wife of a naval captain contributed to a church at Tarbert, Harris, and in Methven, Perthshire, a site for the church was donated by a woman whose father had received the land from the laird as compensation for having shot the girl in the eye some years earlier. The Countess of Effingham,

together with the Duchess of Gordon, was one of very few aristocratic women who contributed funds to the Free Church. Countess Effingham is said to have supported forming Free Church congregations in Virginhall, Dumfriesshire and Unst, Shetland.[69] Not only did the Duchess of Gordon purchase the site for the Holyrood church, she also donated £1000 towards the cost of the new Free Church College in Edinburgh, and became the main source of finance for the Holyrood Home Mission and School. With the Duchess of Gordon as a landowner in Huntly there was no difficulty in establishing a Free Church in the parish. In 1847 the first Communion services were held by the Free Church congregation at Huntly. Many hundreds gathered from across the countryside and with the resultant lack of accommodation the Duchess opened Castle Park for the open air Communion.

Huntly Lodge came to be an important centre for the Free Church, and the Duchess herself proved to be an influential figure in the movement. The spiritual influence of the Duchess on her social peers was not inconsiderable and she was said to have disarmed hostility to evangelical religion.[70] Brownlow North's conversion in 1854 was attributed to the Duchess of Gordon. North became known as a sincere and talented evangelist preacher having once been devoted only to pleasure, hunting and fishing. Two of the most outstanding leaders of the Free Church in the latter decades of the nineteenth century, Principal Robert Rainy and Dr Alexander Whyte, were at one time supported by the Duchess. Rainy was invited by the Duchess to Huntly Lodge to act as her chaplain and later became the minister of Huntly Free Church. Some years later Alexander Whyte was invited to take charge of the Free Church Mission station which the Duchess

had opened at Kinnoir, which took him to the heart of the revival movement of the late 1850s.[71] In her support of non-intrusionists in the Strathbogie case, in leaving the Episcopal Church, financing sites and buildings for the Free Church, and opening her home and estate for Free Church activities, Elizabeth, Duchess of Gordon proved to be an important female figure of the Disruption and after.

Fact or Fiction?

Lydia Miller did not have the same social standing or resources as the Duchess of Gordon, but she nevertheless, also played an important role in the events following 1843. Having witnessed the major events of the Disruption at first hand, Lydia Miller then wrote a novel entitled *Passages in the Life of an English Heiress or Recollection of Disruption Times in Scotland*. Published in London in 1847, the novel has been seen as an attempt to explain the theory of the Disruption outwith Scotland, in particular to the English.[72] This is probably an accurate interpretation. There is very little fiction in the novel, even less action, and the characters are involved in profound debates concerning the theological issues connected with the events that led to the Disruption. Some of the characters are actual figures from the Disruption, including Chalmers. There are also definite similarities between the heroine, Jane Hamilton-Legh and Elizabeth Brodie, Duchess of Gordon.

At the time Miller wrote this novel there was a profound prejudice against fiction within evangelical circles. Fiction was regarded essentially as a lie and was therefore intrinsically immoral to the extreme evangelical. The belief among most religious activists

was that fiction corrupted the reader, inflaming the passions.[73] More liberal evangelicals came to recognise that through the newspaper serialisation of novels lay the opportunity to inculcate good evangelical principles among the general public. In non-evangelical circles, the novel was slightly more acceptable. For example, Mrs Grant of Laggan, widow of a Moderate minister, approved of religious novels and considered that heavy religious tomes were read only by those already converted. Mrs Grant believed that the book that was of greatest benefit was that which was most read.[74] This was also the age of Chartism and therefore Miller aimed to avoid arousing either class discord or any romantic passion. Furthermore, Scott and Galt were the models of historic fiction available to Miller and she intended to commemorate the Disruption as they had memorialised the transition to industrialism. With these social and literary influences Miller aspired to high 'history'.[75] Her heroine was therefore forbidden any girlish passion or domestic interests and was given a quasi male viewpoint.

In the preface to her novel Miller wrote that if her words had any value it was as a faithful record of personal experience. Certainly her background provided a degree of familiarity with some of the characters and the geographic areas through which the novel moves. Although born in Inverness, Miller spent her early days in Surrey and passed time in Edinburgh, staying with George Thomson, Burns' publisher. Here she mingled with writers such as Mrs Grant of Laggan and the Ballantynes. Following the death of her father Miller removed to Cromarty where she met and married Hugh Miller. When, in 1840, Hugh Miller became editor of the *Witness*, an evangelical newspaper, his wife

went with him to Edinburgh, and was beside him throughout the events of 1843. Lydia Miller was therefore close to leaders of the Free Church and was seemingly able to relate to others in this demanding forum of polemics.[76] Continuing in her preface Miller goes on to explain that she has not introduced a character which she had not familiarly known and 'scarce an incident that did not occur in real life.' However, despite the association of these people with certain parties it does not necessarily follow that they were connected with events in the last chapters:

it is only names in connection with them, conspicuous enough to have become the property of the historian, with which a writer of the present day has any right to meddle. [77]

Miller's interpretation of the Scottish religious environment is clearly stated in the preface to her novel. The Moderate and Evangelical parties in the former Established Church are described as two extremes and Miller questions whether or not it was appropriate to draw examples from these. According to Miller, Moderate opinions could not produce the piety, zeal and unbending principle of the higher section of Evangelicals. Similarly, the Evangelicals could not possibly suffer the existence of vapid Moderates. However, these extremes are the results of principles fully acted upon, according to Miller. The author also anxious to introduce the reader to a 'class of humble individuals with whom he has probably... had little acquaintance.' These, 'relics of a primitive age', as she describes them, are none other than 'the Men', who were influential in certain parts of the Highlands, including Cromarty, where the Millers lived. Although Miller regards 'the Men' as no longer

necessary, she clearly considers them as having been responsible for the evangelisation of the northern Highlands. She describes them as the 'noblest specimen of a Christian peasant.'

Through the heroine, Miller moves away from the extreme and portrays a principal character who is not at all the perfect Christian but nevertheless aspires toward perfection. The light of divine truth gradually makes its way into her mind as the novel progresses. Thus, Jane Hamilton Legh represents the common Christian; 'a living, though defective model'.[78]

The novel should not be seen in terms of its literary merits and it is not the intention here to critique the work in these terms. What is important about the novel is what it reveals of the author and her interpretation of the major questions pertaining to the religious developments and changes in land use in the middle decades of the nineteenth century. As stated above, there are a number of similarities between the heroine and Elizabeth, Duchess of Gordon. Both women come from landed families and have strong non-intrusionist leanings, an unusual position for landowners. Both women were in a position to present ministers on their estates. Although Jane Hamilton Legh inherits her father's English estate the Scottish dimension is introduced and discussed through the legacy of her uncle's estate in Ross-shire. Jane Legh later marries a Scottish landowner. Jane's father managed his own extensive estate and intended that this would be her inheritance. With this in mind, Sir Arthur lectures his daughter on the responsibilities of the landowner. His speech could easily be directed to all landowners, particularly in the Highlands, with his emphasis on the importance of feudal service to

which he owes the tenure of his land. Failure of the landowner to discharge this service to the utmost is to be involved in the deepest guilt.[79] The Duchess of Gordon as discussed above, also had a sense of responsibility as a landowner, and her main concern was for the religious life of her estate.

It is difficult to determine if the similarities between Jane Legh and the Duchess of Gordon are purely coincidental as it is not known how familiar Miller would have been with the philosophical and theological difficulties faced by the Duchess. It is unlikely that Miller would have known of the deep feelings revealed in the letters written by the Duchess, which have become public only after her death. The Strathbogie interdict however, would have been of contemporary public interest, and Miller is likely to have been party to discussions on the situation there. Chapter 14 of the novel sees the induction of George Donaldson as minister, against the wishes of the people by the proprietor, Davidson. Missiles in the form of stones and snowballs are hurled at the induction party as they eventually gain access to the church. Events follow a very similar pattern to those of the forced ordination of Edwards at Methuen, Strathbogie, discussed earlier. As Donaldson is about to take his ordination vows, a spokesman of the people rises and reads aloud a protest against the presbytery, stating that the ordination was contrary to the constitution of the church to which they adhere, and would be supported only by the civil courts. Taking up their Bibles the parishioners walk out, leaving the presentee alone except for his few supporters.[80] The narrator then reflects on this sorry scene at some length and makes the following statement:

High time it is that such solemn farces were done away from the earth, with men of whatever sect or creed. High time that a more universal faith were acted on our Saviour's words...High time that all apologies for wickedness, or all that might serve as an apology for the wordly and the selfish, in such an office, be it what it may, were abolished by rational men.[81]

These comments represent an undisguised, personal polemic, rather than a narrative connected with the action of the novel. Donaldson's initial presentation in the novel is also based on actual events, combining a variety of elements from patronage and clearance riots. The fictional minister finds the door of his church barricaded with stones, as did ministers at Assynt in 1813, and Resolis in 1843. A party of soldiers is present to escort Donaldson to the church and the women climbed above him and showered stones from the heights. This use of stones as missiles thrown by women was a common form of resistance to both clearance and induction of unpopular ministers. The use of military forces was also a factor in a number of riots including the riot at Creich church in 1811. The patronage riot at Resolis is most likely to have been a model for Miller, occurring as it did near to her former home at Cromarty, and very close to the time of the Disruption. The disturbance at Donaldson's presentation is related in the novel to explain the death of a daughter of one of the characters. Ellen, daughter of crofter John Morrison, was shot through the heart by one of the soldiers during the demonstration against Donaldson.[82] This incident is reminiscent of the clearance riot at Culrain in 1820 when a young woman and a boy were shot by the militia. The clearances are referred to more explicitly later

in the novel when Jane Legh returns to her uncle's Ross-shire estate which she has inherited. She discovers a number of burnt out cottages and questions the meaning of this. Her newly-acquired husband explains:

The Landowner or his factor has got tired of his small tenantry, has had some scheme of improvement in his head and has razed their cottages to the ground.[83]

The people had been evicted, some of whom had emigrated.

Essentially, Miller uses snippets from actual events and long, philosophical and theological discussions to form the bulk of her novel. It is possible that the discussions in particular are of greatest importance in portraying the author's concerns. The various characters are merely tools which the author uses to develop and extend her argument. Action is entirely minimal and most of the novel is taken up with conversation and narrative. Having expounded the duties of the landowner in chapter one, Miller moves on to debate Erastianism in the second chapter through a conversation between the crofter John Morrison and his young daughter, Mary. Having defined Erastianism as the putting of another in Christ's place as King, Morrison tells Mary that Charles Stuart is a very wicked man who sought no less than to take the place of the divine Christ. Very astute for her twelve years, Mary asks her father if patronage is Erastian, to which he replies:

If the Papist, and the unbeliever, yea the blasphemmer, and the drunkard, are to put in

ministers according to their minds, is not that taking to themselves the very keys of the kingdom of heaven? Is not that the straight way to change the truth of God into a lie? [84]

The drunkard referred to is the patron, Davidson. Moving through the higher echelons of society, the heroine finds herself at a dinner party held by Lord Lentraethon in Edinburgh. The guests happen to include a judge, a landowner, a Moderate clergyman, a Tory aristocrat and General Maitland, an avowed advocate of the Non-intrusionist Party. The issue of non-intrusionism is the topic of after dinner conversation and Jane is chastised for speaking on a subject she must surely be ignorant of. In keeping with the Duchess of Gordon, Jane Legh then asks to be recommended books on both sides of the question so that she might be more informed, especially in her duty as a landowner and therefore potential patron.[85] Chapter 12 is taken up with Jane Legh's discussion with General Maitland on this question of non-intrusion. There is no description of the General, her future husband, nor his or her feelings, but simply discussion on a high intellectual and moral level. The action is provided by Maitland giving Jane some theological pamphlets to read. The discussion continues across chapter thirteen. By the seventeenth chapter our heroine meets with Dr Chalmers and several pages are devoted to a description of the great man. The following chapter finds Jane Legh a spectator at the 1841 General Assembly where the case of the Strathbogie ministers is heard. All 23 pages of this chapter are devoted to these proceedings and include the speech made by Alexander Dunlop, one of the most able lawyers in Scotland at that time.

The greater part of the novel is taken up with the debate on patronage and non-intrusionism rather than the Disruption itself. Jane Legh hears of the Disruption whilst visiting her Highland estate and the news is received with much joy. Miller's primary concern appears to be that the reader understands why the Disruption happened and the importance of the changes it heralded to society. Chapter 27 opens by stating that four years have passed since the Disruption and goes on to catalogue the benefits brought by spiritual freedom and through the building of churches, schools and missions across the country. Mysteriously, the protagonist and her fellow characters are nowhere mentioned. They have served their purpose and the author feels free to write this chapter devoid of any characters or story. It is rather more an epilogue. However, the epilogue is a eulogy to Chalmers entitled, 'A Few Thoughts in Chalmers' Burial Place.' Not surprisingly, the whole piece is dedicated to the greatness of Thomas Chalmers and Miller's opinion of him: 'Chalmers is no more! Scotland mourns! A shadow of darkness has fallen on the earth!'

It is likely that Miller chose for her heroine a woman who owned land in England and the Scottish Highlands as a model for all landowners; the similarities between the protagonist Jane Legh and the Duchess of Gordon are probably coincidental. However, the fact that parallels can be drawn between the fictional and the non-fictional female landowner is evidence that Miller was relatively accurate in her portrayal of a landowner and is suggestive of a certain ambiguity between reality and fiction. Given the novel's emphasis on dry discussion and the overt reasoning of the narrative it is obvious that this is not a work

aspiring to great literature but is more a vehicle for Miller's views on contemporary ecclesiastical events. The fiction is but a thin veil drawn over the author's dialectic on non-intrusionism. The use of fiction as a vehicle for commentary on society is not uncommon and Miller has therefore become part of this particular literary tradition. However, as far as is known, this was Miller's only novel which further indicates that she did not intend a literary career. As a woman Miller had little voice in the analysis of events of the day and there was no public forum through which she could express her views. She may have seen the novel as a way in which she could play an active role in bringing about a greater understanding of the Disruption and the evangelical movement and encourage the belief that the Free Church represented a true friend to social stability.[86]

Chalmers was not disposed to women having a public role of any kind within the Free Church. Although the evangelical ministers had left the Established Church on the principle of spiritual freedom in the choice of ministers, this did not include women. On the subject of the 'choice of the people', female communicants were excluded because Chalmers believed that women had a certain influence on voters anyway and they would have no desire to play a prominent part in the appointment of a minister. More importantly, Chalmers found the possible inclusion of female communicants distasteful and considered it revolting to the collective mind of the Free Church. He also made it clear that any proposition by the General Assembly to include women would be entirely distasteful to him.[87] It is clear that within her circle it would have been unacceptable for Lydia Miller to put her name to a religious pamphlet or article, circulated

throughout Britain; the children's books she later wrote would presumably have been more acceptable. Lydia Miller has been described as a woman who knew what she wanted and was capable of contrivance in achieving her goal.[88] It is therefore unlikely that Miller would have let mere prejudice prevent her from speaking out. The novel, published in London, was one way of making her voice heard across the nation. Furthermore, the anonymity of the novel may have given it more credence at the time in that the author *could* have been a man. Lydia Miller's novel should not be judged for its literary merit, not least because this is far outweighed by its historical importance.

Prophetic Protest

There have been two other novels which take the Disruption as a focal point, *Johnny Gibb of Gushetneuk*, by William Alexander, (Edinburgh, 1869-70), and *The Awakening of George Darroch*, by Robin Jenkins, (Edinburgh, 1985). All three novels show the Disruption to have been a genteel revolution, or more accurately a gentleman's disagreement. Evangelicals are revealed not as great, revolutionary heroes changing the world for the better, but as disastrously timid and respectable.[89] The poet Mrs Mary Macpherson echoes this sentiment in some of her poetry written in the 1880s. Calder suggests that the Disruption has not entered into Scottish mythology in line with other historical events such as the '45, due to the lack of any resultant dramatic societal change. [90] The evangelicals simply chose personal sacrifice; new churches were built and some ministers lost their homes but overall, the Disruption made little difference in the great scheme of things, especially after the first world war when the Scottish intelligentsia became very rapidly secularised.

Religious dissent was no longer such an important issue. Furthermore, a large proportion of Free Church adherents had rejoined the Established Church once the rule of Patronage was changed. Although the Disruption has been heralded as a catalyst for social protest,[91] ultimately, the existing socio-economic order remained relatively unchanged. Despite the potential evangelicalism held for great change in the Highlands, this was never realised. This was especially true with regard to the land question. The clergy could have acted as the leaders and co-ordinators needed to consolidate resistance to clearance, but very rarely did so, preferring to play a more conciliatory role.

The Moderate ministers of the Established Church had failed to speak out against the mass removals of their parishioners. The minister owed his incumbency to the patron, who was often the landowner responsible for the removals. In a much broader context the subservience of the Moderates to the ruling class, and to the State, had its roots in the rationalism of the Enlightenment where the concept of freedom from Church control within secular society was uppermost. Moderates aimed to bring the spirit of reason, moderation and tolerance to the Church. The patronage system maintained the special rights and privileges of both the Moderates and the aristocracy and therefore, each of these catered to the interests of the other. Under these influences, the Moderate-controlled Established Church yielded to the spirit of the age and prophetic freedom became docile servility.[92] Furthermore, with the collapse of the old order, there was no framework of moral reference and a lack of social cohesion from the mid-eighteenth century onwards. This spiritual destitution paved the way for

the evangelical movement in the Highlands. Evangelical teaching was popularly orientated and offered a new purpose in life and provided a certain sense of security in an insecure world. The emphasis with the evangelical doctrine on salvation through suffering, together with the millennial vision of social justice, held great appeal to the dispossessed Highlander. However, the concept of spiritual consolation as opposed to worldly comforts was not conducive to radical protest and inevitably led to a fatalistic passivity. Although evangelicalism may have been rich with philanthropy, it had no social message.[93]

Those ministers who did speak out against clearance however, were most likely to be evangelicals. For example, Lachlan Mackenzie, minister of Locharron 1782-1813 was one of the first to denounce removals.[94] Essentially, however, ministers were reluctant to criticise landowners. Major events that brought socio-economic change to the Highlands were viewed by Church of Scotland ministers from a position of relative economic security and elevated social standing. The minister at Duthil, for example, in the 1790s had a stipend of £67 which included two glebes, in comparison to the £12 earned by the schoolteacher at the parochial school, and £9 paid to the S.S.P.C.K teacher.[95] On average, the minister earned at least five times more than the schoolteacher. Based on this equation, a minister's salary today would be £75,000 compared to the £15,000 earned by a teacher. Clearly, a minister would not wish to jeopardise this kind of salary and social position. Although a number of ministers and their families were reduced to homelessness and experienced financial difficulties, having left the Established Church in 1843, the

majority of Free Church ministers retained their high social status and income, especially in the urban centres.[96] It is perhaps significant that many evangelical ministers from the Lowland cities offered more support to Highlanders against changes in land use, than their counterparts in situ, in that they were not posing a threat to urban proprietors. (See below.) Chalmers himself held the view that a comfortable income and a solid upper middle class social standing was all that was required to prevent any 'dangerous' sympathies with the common people. During the radical disturbance of the 1820s in the west of Scotland, Chalmers praised the middle classes for remaining loyal in not being involved in the agitation, and drew comfort from the fact that very few people with an income of more than £200 embraced radicalism.[97] The clergy of both the Established Church and the Free Church therefore had great difficulty in questioning the basis or the presuppositions of the established order that kept them in such a comfortable position.

Henry Moncrieff Wellwood, a leading Evangelist minister of the early eighteenth century, was an exponent of a social doctrine that was taken up in the teachings of the nineteenth century. Wellwood believed that the distinctions created by wealth and poverty, power and dependence, were inherent in human nature and in civilised society. Thus, the superior and middle ranks, and the lower orders each had their own duty; the former to govern and the latter to obey. Those in a position of power were obliged to defend the security of the State, protect the innocent and provide education and employment for the poor. Those of inferior status should be committed to the labours of industry, culture of the soil and the duties of

subordination and obedience.[98] With this ideology there was little hope for radical protest against the landowning establishment led by the clergy. Although much was written on the poverty of the Highlanders, there was very little scope for any intrinsic and long-lasting improvement to their economic condition. The Disruption provided a focal point for people to show their discontent with the patronage system and was the first collective action against landowners in the Highlands. One of the reasons people were willing to follow the evangelical ministers out of the Established Church was that the Free Church enabled them to pitch themselves against secular authority. Whether there was an expectation of economic improvement within this support is difficult to ascertain precisely. However, the Free Church had no such remit. Poverty was seen as a condition that provided the rich with the opportunity to exercise Christian charity. The *Free Church Magazine* stated in March, 1849, that:

The end for which Providence ordains unavoidable poverty in a community, is to stimulate the benevolent feelings of the rich, and the grateful feelings of the poor, and so make even poverty a source of moral wealth, and of salutary genial feeling. [99]

Devine has suggested that the ethos of evangelical Protestantism was in conflict with radicalism because of its commitment to the spiritual values of Christian awakening, conversion and salvation, and not because of any overt conspiracy with the socio-political establishment.[100] However, the collusion may very well have been *covert*, possibly even unconscious. The attitudes of leading Evangelists such as Chalmers and

Wellwood certainly imply a sympathy with the *status quo*. Hugh Miller was an exception in that he published a diatribe against the Sutherland Estate and the changes in land use introduced.[101] As discussed above, the Disruption has been heralded by some historians as a facilitator of solidarity and confidence which eventually led to the land agitations of the 1880s.[102] This argument has several weaknesses not least of which was that the level of popular protest tended to diminish throughout the following decades. After the famine, clearance entered a second phase, and although there was resistance to eviction and forced emigration, the role of the Protestant clergy is very much in the background, and involved with promoting non-violent acceptance, as for example, in the Glencalvie clearance of 1845.

Generally, there was a reluctance to speak out against the Church and its ministers, possibly through superstition, respect, or fear of divine retribution. One woman, Mrs Mary Macpherson, was not afraid to speak out. *Màiri Mhór nan Oran*, (*Big Mary of the Songs*) as she came to be known, was one of the best known poets of the land agitation of the 1880s. (Fig. 16) Verse and song was a particularly important medium of popular journalism in the *Gaidhealtachd*, as in other rural areas of Wales and Ireland. Literacy in English was not widespread in the Highlands for most of the nineteenth century, and Gaelic verse was therefore more important than newspapers written in English. As commentator on contemporary events and ideas, the Gaelic poet was endowed with considerable prestige. Having found her poetical voice after imprisonment for theft in 1872, Màiri Mhór brought a feeling of personal outrage to her poems. Also

evident in much of her poetry is a noticeable resentment of the establishment. The humiliation of what is thought to be wrongful incarceration, led to a certain empathy with the land reform movement and the poetry of Màiri Mhór embodies an unrivalled emotional drive.[103] It is evident from the poetry of the land agitation that Gaelic poets expected ministers to support the people, given their status within the community as figures of respect and leadership, and Màiri Mhór was no exception in this. However, the intimate relationship between Church of Scotland ministers and landowners continued beyond the abolition of patronage in 1874. The Free Church was reluctant to associate itself with any radical activity despite the stand taken against the patronage issue which had resulted in the break from the Established Church. Even in the late 1880s poems were written against this relationship between the Free Church and the landowners:

*'S na ministearan Saora,
Cha ghabh iad ar taobh-ne,
Ma gheibh iad cuid dhaoine
Tha iad sona gu leòr.*

*'S e communn nan uachdaran
Ni sònraicht' tha uapa,
Chan iarradh iad truaghan
Bhith air uachdar an fheòir.*

*(And as for Free Church Ministers, they will not
take our side;
if they get people's possessions, they are happy
enough.
What they especially seek is the company of the
landlords;
they would not wish there to be a poor person on
the face of the earth.)*

This poem by Murdo Macleod which appeared in the *Oban Times*, 5 November, 1887, is in praise of the Rev. Donald MacCallum, minister of the Established Church.



From Photo by D. Whyte, Inverness.

Fig. 16 Mary Macpherson, Mairi Mhór nan Oran,
Whyte Collection

Together with Rev. Evan Gordon, Donald MacCallum was one of the exceptions among the Presbyterian clergy in speaking up for the crofter, and Màiri Mhór also sang his praises in her poem '*Coinneamh nan Croitearan*', (Meeting of the Crofters).[104] However, the clergy are more often criticised in Màiri Mhór's poetry. Evangelical preachers are denounced in '*Fios Gu Clach Ard Uige*', (Message to the High Stone of Uig), for their lack of concern at the plight of their fellow countrymen and for their reticence in the pulpit as though they were preaching to dumb creatures. The poem denounces particular landlords and factors and is expressive of the empathy and support for the people of Bernera and Skye amongst Highlanders in Glasgow and Greenock.[105]

Màiri Mhór is particularly scathing towards evangelical ministers and it is possible that her feelings stemmed from a higher expectation of support from those who had moved against the iniquity of patronage. Màiri Mhór may have been attacking the lethargy of individual ministers but it is also possible that she had the insight to see the effects of evangelical Protestantism in crippling any radical tendencies among the crofters. The emphasis on individual conversion and the prospect of spiritual renewal in a non-materialistic world fostered a certain passivity among its adherents. It is the unquestioning acceptance of suffering that she attacks in '*Cogadh Siobhalta Eadar Bean Ois Agus Mairi*', (Civil War). Having found her poetic voice through her own suffering, Màiri Mhór obviously did not accept her misery in silence, and this is referred to at the end of the last two verses. The poem takes the form of a dialogue between Màiri and Mrs Macrae in which a plea is made for poetry and song as stalwart of the

failing language and ethos of the Gael. There is also an air of hope that men like Winans, of the Pet Lamb case, will retreat to London. However, Mrs Macrae reminds Màiri that the Gaels have become so psychologically affected by evangelical preaching that like wheat, sorrow had become a form of sustenance, on which they thrived.[106] However, Màiri Mhór cannot have been entirely immune to the certain ideological aspects of evangelicalism in that she appeared to have adhered to the concept of divine retribution for landowners, although this form of teaching was not entirely unique to the evangelicals. The Rev. MacCallum, exalted by Murdo Macleod, discovered that the amalgamation of Biblical allusion and anti-landlord propaganda was a means of eliciting a powerful response from a pious congregation with a variety of grievances.[107] The flood of 1877 carried away Fraser of Kilmuir's mansion and remains from the ancient Uig graveyard were washed there in its place. This was seen by many, including Màiri Mhór, as a sign of judgement from God. This is reflected in her poem, '*Duilleag Bho Bhealach Nan Cabar*', (Leaf from Bhealach nan Cabar):

*'S a' chuid a bha e pianadh,
'S nach fàgadh e leth-bhliadhna,
Gun tug an cuirp an fhianaís
Gun do dhioladh an cuid fala air.*

*(And those whom he pained and whom he would not
leave in peace for half a year,
their bodies bore witness that their blood had
been avenged against him).*

Through the poems of Màiri Mhór the expectation that Presbyterian ministers had a role to play in the socio-political life of the Highlands is clearly apparent. Through the stanzas of '*Fios Gu Clach Ard Uige*' and '*Cogadh Siobhalta Eadar Bean Ois Agus*

Mairi', and others, the poet condemns the teaching and inertia of the clergy that prevented them from speaking out in support of the people. Although the hostility to evangelical ministers is evident in these poems, Màiri Mhór's attitude is ambivalent, variable and perplexed in some of her other poems where Roderick Macleod appears. *Maighstir Ruari* (*Master Ruari*) was uncompromisingly opposed to the 'vanities' of the world, which included poetry, but he was also held in great esteem by the common people for his vigorous efforts on their behalf.[108] Màiri Mhór exalts those ministers involved in contemporary issues in support of the people. For example, in the poem entitled '*Gaisgich Loch Carrun*', (*Loch Carron Hero*), which recalls the Strome Ferry riot of 1883, the latter verses are dedicated to a number of ministers. The people of Loch Carron took a stand, as a matter of religious principle, against the unloading of fish during the Sabbath onto the train for the Monday markets. The extent of support against the fishermen and the railway was such that the police, and later the militia, were involved. Ten men were incarcerated for four months, and Màiri Mhór composed this poem following their release. The Free Church minister of Creich from 1843-98, Gustavus Aird, is described here by the poet as a handsome hero.[109] John MacQueen, minister of Daviot Free Church, 1867-91, is said to have contained the rage of Strath Nairn himself. Amongst those who came to the aid of the people, and supported them in their need was the 'mighty hero', Evan Gordon, Free Church minister from Glasgow. Dr James Begg, Free Church minister, Edinburgh, is eulogised for having fought faithfully at the head of his flock and for leaving a great legacy of hope. The minister of the Free Church at Dingwall, 1844-1884, Dr John Kennedy is also praised for raising the spirits

of his flock. Màiri Mhór does not confine her praises to those directly involved in the Strome Ferry confrontation and, in looking to the past, she exalts Lachlan Mackenzie, minister in Loch Carron, until 1819, as one who spoke for the people.[110]

Other female poets writing in the 1880s also commented on society through their verse. Annie Mackay, for example, was a prolific contributor to the journal *Celtic Monthly*, writing articles as well as poetry. Although Annie Mackay touches on the same subject matter as Màiri Mhór in her poetry, Mackay's verses lack a certain weight and tradition. Written in English, Annie Mackay's poetry has a particular metre that renders her lines almost reminiscent of a limerick. Although she may be dealing with a mournful subject the full weight of the content is difficult to perceive. A case in point is a poem of hers that appeared in the *Celtic Magazine*, in 1884, concerned with the clearance from Arichonan:-

The preacher stood upon a bank,
His face was pale and thin,
And as he looked upon his flock,
His eyes with tears were dim
And they awhile forgot their grief,
And fondly looked at him...

Then said - 'Ah! friend, an evil day
Has come upon our glen,
Now sheep and deer are held of more
Account than living men;
It is a lawless law that yet
All nations will condemn.

From these two extracted stanzas it is evident that Annie Mackay's poetry is not in the same category as Màiri Mhór, and she is clearly outwith the Gaelic tradition although, the poem does contain a few lines of Gaelic. In contrast, where ministers were seen to

have supported their parishioners against landowners or any other form of authority, Màiri Mhór had little hesitation in creating them champions in the tradition of the heroic eulogy.

The ancient Celtic tradition of the heroic eulogy had, by the nineteenth century, changed its focus. The traditional praise of the clan chief had lost currency with the demise of the basis of the old Highland society. With the new spiritual awakening from the latter part of the eighteenth century onward, emerged a new kind of spiritual eulogy where the heroes became the preachers and catechists in place of the clan chiefs. These eulogies also bear witness to the animosity between the evangelicals and the Moderates. Reference to Moderates as *Mic Eli*, or the sons of Eli, likens them to the hereditary priests of the first book of Samuel, with their quest for herds of cattle and their lack of morality or virtue.[111] Toward the close of the nineteenth century the poetry of Màiri Mhór continued this tradition, in both her praise of pro-active ministers, and in her condemnation of apathetic and inert clerics. The strength and influence of Gaelic poetry and song in Highland society has been examined above, but for the bards themselves verse and song represented an instrument with which they could comment publicly on the social and political questions affecting them. The Gaelic tradition of verse and song was particularly valuable to women in that it provided a unique forum that enabled them to give voice to their position regarding the political, economic and social questions of their times, from Sìlis in the eighteenth century to Màiri Mhór in the late nineteenth century.

Opportunities for the active involvement of women in

public life were severely restricted during the nineteenth century, especially for working women. Within both the Established and the Free Church there was no place for women in the decision-making process. Exclusion did not however, render women devoid of any theological or political opinions and beliefs. The Duchess of Gordon was one of the few women who had a position of influence on an important religious controversy with strong political overtones. The interdependence between Church and State was perhaps more closely interwoven in the Highlands than in developing urban centres of the Lowlands, and the boundaries of the political and the religious were not easily defined. As seen through the position of the Duchess of Gordon, a firm theological belief could lead to inadvertent involvement in political matters. As a landowner and a patron, the Duchess of Gordon was part of a social elite. As such she was in the unusual position for a woman of being able to take a decisive role in the employment of ministers. The majority of women in the Highlands did not own large estates with the power to present the ministers of their choice. For these women the only action they could take against ministers of whom they did not approve was to take part in patronage riots. (See chapter III). Alternatively those who refused to be incapacitated by the bonds of religious and social dogma against women could find their voice through poetry, hymns, and fiction.

Exempt as they were from any public positions of power, women had no occasion to speak out on ecclesiastical matters. Such exclusion could lead to the assumption that women therefore had no role within the Church and its affairs. However, it has been shown, from a very small sample, that women were

profoundly involved. Furthermore, these women made themselves heard, where in a social position to do so, by direct action in support of certain church parties, or through the more subtle form of poetry, songs and prose. Devoid of any recognised forum, women had to employ these means as a way to voice their opinions and act on their faith. It is therefore important to consider the verse and prose of the nineteenth century Highlands not for literary merit alone but from a critical perspective that considers the possible hidden agenda of social and political comment.

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- [93] A.J.Campbell, *Two centuries of the Church of Scotland*, (Paisley, 1930), 122.
- [94] D.Beaton, *Some Noted Ministers of the Northern Highlands*, (Inverness, 1929), 81; J.Campbell, *Missionary and Ministerial Life in the Highlands*, (Edinburgh, 1853), 19-20.
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- [97] W.Hanna, *Memoirs of the Life and Writings of Thomas Chalmers*, (Edinburgh, 1849-52), II, 262.
- [98] *The Scottish Christian Herald* April 30, 1836, 129, (reprint of Wellwood's article first written in 1807).
- [99] *Free Church Magazine*, March, 1849, 78.
- [100] Devine, *Clanship to Crofters' War*, 107.
- [101] Miller, *Sutherland As It Was and Is*.
- [102] Richards, *A History of the Highland Clearances*, II, 337.
- [103] D.E.Meek, 'Gaelic Poets of the Land Agitation' in *Transactions of the Gaelic Society of Inverness*, XLIX, 1976, 313.
- [104] D.E.Meek, *Màiri Mhór nan òran*, (Glasgow, 1977), 87.
- [105] Ibid, 'Fios Gu Clach Ard Uige', 73-4.
- [106] Ibid, 'Cogadh Siobhalta Eadar Bean Ois Agus Mairi', 97-100, line 101-4.
- [107] Meek, 'Gaelic Poets of the Land Agitation', 326.
- [108] S.Maclean, 'Màiri Mhór nan Oran', in *Calgacus*, I, 1, 1975.
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- [110] Ibid.
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Conclusion

The aim of this exploratory research has been to consider the role of women in the Highlands during the clearances of the nineteenth century. Undertaken within a theoretical framework of social history the objective was to examine women's role across the social strata. The underlying intention was not to redress the balance by adding women to Scottish history, but to acknowledge women's role within Highland society as a whole. Therefore women in particular sections of society have been considered in relation to men, and women in different positions, and not as a monogamous group, oppressed by patriarchy. The need for this research stems from the lack of in-depth discussion on women's position within society in mainstream Highland history. For example, advocates of 'improvement' and clearing landowners are generally described as *landlords*, even though some of the most extensive clearances were carried out on the instructions of female landowners, some of whom were well versed in the principals of 'improvement'. Where women have been acknowledged in Highland history, consideration of questions relating to their role has tended to rely on the blanket theory that women can only have been pro-active in riots, distilling, and management of estates in the absence of men, or as an extension of their domestic role.

The standard response that women were left to defend their homes or carry on men's work while the men folk were away for extensive periods at war or fishing is indicative of the reluctance of many historians to examine the role of women more closely, or to consider that they may have had their own part in history other than defence of the hearth and care of the family. To an extent, the relatively narrow interpretation of historical significance has contributed to the lack of attention paid to women within Highland history.

Traditionally, historical importance has focused on political and judicial institutions where women are not usually found in large numbers. Where Highland historians may concentrate on clan chiefs as the main political figures, women are sometimes mentioned, such as the Countess of Sutherland, but are rarely discussed as political figures. Much of the social history of the Highlands has centred on the effects of economic developments on the mass population and the human experience has inclined towards the male experience. There has been very little evaluation of Highland history based on gender. Having employed a reinterpretation of historical significance and the political it has been possible to illustrate that women played a significant role throughout society in the nineteenth century Highlands. Using court documents, parliamentary papers, contemporary newspapers, estate papers, and other archives as primary sources the research has been guided by a series of essential questions establishing a framework for investigation in each chapter.

Considering the role of women as landowners in the Highlands, chapter one examined how far control of estates was a male prerogative and whether all clearers were men. The question of whether or not women directed changes in land use was also discussed. How far this management was influenced by the notion of improvement was an important consideration, especially in relation to the desire for profit. The management of estates under investigation were those of the Countess of Sutherland, the Duke of Gordon in Badenoch and Strathspey, and the Cromarty estate. Clearance policies were introduced in each of these estates but the overall pattern has emerged that the underlying motivation was subtly different. Jane Maxwell, Duchess of Gordon was heavily influenced by the great improvers, such as Sir John Sinclair, with whom she was acquainted. Her London home was a

meeting place for many politicians and she therefore had every opportunity to engage in political debate and discuss current ideologies. Jane Maxwell was interested in improving the local economy for the tenants on her husband's Badenoch estate and took an active part in the introduction of flax as a crop and the development of a linen mill. This involved delicate negotiation with government agencies for seed and financial aid, often in opposition to the estate factor. The Duchess of Gordon was instrumental in the establishment of a new town at Kingussie the aim of which was to provide a fulcrum for local trade and industry. Although there were plans for several sheep farms on the Duke of Gordon's estates they were not on the same scale as those in Sutherland. At a time when many other landowners advocated the introduction of extensive sheep farms, Jane Maxwell preferred to concentrate on developing local crops and manufactures. Consequently, evictions to make way for sheep were minimal, although tenants were removed for a variety of other reasons, including the building of a Highland residence at Kinrara for the Duchess. Financial profit does not appear to have been her primary motivation for change. Her concern was to improve the local economy which in turn would ameliorate living conditions among the people. If tenants were better off they would, of course, be more able to pay their rents to the estate. However, financial gain was less important to Jane Maxwell than lasting public recognition as a dynamic improver.

In contrast the Countess of Sutherland, was motivated to a large degree by the need to increase the income from her Sutherland estate. The overall plan was to introduce large sheep runs at very high rental in the interior, removing tenants to the coast where local industry could be developed. Tenants had a much reduced plot of land from which they were unable to subsist, which then required them to take up

additional employment in one of the new industries. Increased land rent, new manufactures, and fishing were to combine in making the estate more profitable. Although the scheme required heavy investment it was implemented with the ultimate aim of achieving high returns. Concern for improvements in the living and working conditions of the indigenous population was not of prime importance to the landowner, and for many tenants, living conditions deteriorated significantly as homes were lost.

As the nineteenth century progressed, desire for improvement was increasingly inspired by the profit motive. With the sale of many Highland estates a new wave of enterprising landowners acquired property purely to rent out for profit as sheep walks. The Morvern estate in Argyll saw many such purchases and women were among the buyers. Tenants on these estates were seen to stand in the way of sheep farms and were removed by the new owners. Christina Stewart and Lady Elizabeth Gordon were among those who evicted large numbers of tenants on purchasing land in Argyll. With changes in poor relief in the 1840s, a greater burden was placed on the landowners in the form of contributions. Coupled with inherited debts, a number of traditional estate owners sought the removal of tenants and the introduction of sheep farms or sporting estates as a means to improve failing family wealth. Josephine MacDonell arranged for the majority of tenants to emigrate from the Knoydart estate, which she held in trust for her son, to facilitate the sale of the land. With the refusal of the people to leave, she had them hounded from her land. Her actions were in no way motivated by any form of improvement. Sale of the estate was her only objective and Josephine MacDonnell became renowned for the cruelty of her actions. Similarly, many of the changes in land use on the Cromarty estate, which were carried out by a series of women, were done so in an attempt to solve

financial difficulties. Tenants were removed into crofting townships, and leases for large-scale sheep farming and blood sports were introduced in order to generate as much income for the estate as possible. The Cromarty estate of the Hay-Mackenzies differed from the Sutherland estate in that there was no overall scheme for improvement, only a series of separate plans which were introduced on an ad hoc basis, inspired by the need to escape financial ruin. When the enthusiasm for sheep farming declined and prices fell, women were among the landowners who developed deer forests on their estates, with high rental value. Although sporting estates were not uncommon prior to the fall in sheep prices, the number of deer forests increased more rapidly in the second half of the nineteenth century. By this time the concept of improvement rarely influenced the changes in land use. Lady Matheson, had little interest in the living conditions of the crofters on her Lewis estate. Despite the expectations raised by the introduction of the Crofters's Act of 1886, crofters still found themselves working poor land in crowded conditions. Lady Matheson did little to improve the local economy for the inhabitants by renting out huge tracts of land for sporting purposes. The profit motive was a strong influence to Lady Matheson and outweighed any consideration for the demands of the Lewis crofters.

A common factor of all the estates discussed is that women were largely responsible for the implementation of changes in land use, and evictions, where necessary. Whether motivated by the influence of the improving ethos, increasing the family finances, or as entrepreneurial landowners, the clearing proprietor was not always male. Similarly, women were equally capable of instituting eviction policies whatever the consequences for the tenant.

The initiation of economic development that did not require clearance by women of the landed class was considered in the second chapter. The focus of discussion concentrated on how economic change was brought about through the development and expansion of home industries, particularly textiles as this was a major element in the involvement of aristocratic women in the Highland economy. Also examined was the influence of the philanthropic zeal of the latter part of the century on methods employed by women in land management and manipulation of the local economy. In contrast to the removal of tenants and the introduction of alien industries, the expansion of home industries allowed for the development of existing skills among tenants in familiar surroundings. Many women landowners were responsible for clearance, encouraged sheep farming and developed deer forests, whilst at the same helping to promote the home industries. The 4th Duchess of Sutherland, in contrast, attempted to improve the local economy as a form of reparation for previous mass clearances undertaken by the Sutherland family, and to divest herself of the reputation associated with the title Duchess of Sutherland. For some, the philanthropic trend provided a convenient counterpoint to guilt, in that landowners were able to shift the emphasis from eviction to their charitable efforts. The 2nd Duchess of Sutherland, certainly had no qualms in supporting the anti-slavery movement whilst remaining unmoved by the treatment of tenants on her husband's estates as little more than pawns.

Clearly, the underlying impetus for economic change and development during the nineteenth century moved from the ideology of the Enlightenment and the concept of 'improvement' to a more equal balancing of the desire for profit and improvement. Later this changed to an increasing desire for profit, and finally developed into a new kind of improvement fired by

philanthropic enthusiasm. This fervour was itself largely fuelled by the crisis of conscience among the middle and upper classes that spawned the Arts and Crafts movement of the late nineteenth century. Whatever the motivation, development of the home industries was nevertheless an important element of the Highland economy. The production of Harris tweed, for example, has proved an enduring industry well in to the twentieth century. As prominent figures in society, women of the aristocracy and upper middle class were instrumental in the promotion and expansion of home industries, as patrons, directors, committee members of associations and societies throughout Britain. Women played a crucial role in raising funds for projects, manipulating support from politicians and wealthy businessmen, and day-to-day management of organisations. Women of the landed and upper classes were involved in the economic development of the Highlands, not only as improvers and clearers, but as philanthropical instruments of socio-economic change.

The third chapter examined women on the land and their role in resistance to clearance. Where tenants refused to leave their homes without protest, women were frequently to be found in the forefront of any confrontation. One of the issues here was whether women were involved in violent protest only where eviction was concerned, or if they were equally active in other issues. The nature of women's involvement was also considered. Women participated in violent protest against military recruitment, issues of patronage, food riots and deforcement of excise officers, and similarities in the nature of protest were found. Notably these were in the ritual humiliation of men in authority and officers of the law. The gathering and hurling of stones, usually from some height was also a common feature. Although men were frequently present they tended to be less violent. Whilst women were found to participate in

resistance to clearance in the absence of men, they were more commonly found to protest together with men. The phenomenon of women's participation was not therefore, simply the adoption of a perceived male role, when men were away, but was undertaken by women, alongside men motivated by similar expectations of the right to land and certain freedom.

The high level of women's participation in resistance was analysed from a basis other than the general assumption that their involvement stemmed from a desire to defend the 'moral economy', and as an extension of the domestic role. The motivation for women's participation is seldom recognised as stemming from the same legitimising notions of male protest based on the ideology of rights to land. As Robertson has suggested, it is no longer sustainable to have separate explanations of why men and women were active in Highland protest.[1] Examination of women's role within Highland society among the tenant population suggests that women were involved in many aspects of economic activity on a similar level to that of men. Although women may have had different tasks to perform than their male counterparts, they were required to undertake hard physical labour in the fields and in the kelp industry. Women's specific tasks in the fishing industry also demanded physical strength and stamina, not least the onerous duty of carrying the fishermen out to their boats to avoid wetting their boots with sea water. The concept of separate spheres, public and private, often applied to women's history, is hardly tenable in relation to Highland women in crofting communities. Given the level of women's participation in the labours of everyday life, involvement in the defence of that way of life would have been a natural progression. Both men and women felt the pressures of economic, agricultural and social changes that took place in the Highlands

throughout the nineteenth century and it is therefore, not unlikely that they reacted in similar ways, united in notions of customary occupation of land.

The fourth chapter considered the extent and nature of women's participation in the illicit distillation of whisky, and in particular, whether it was carried out by women only in the absence of men. Women were found to be active at every level of the production and distribution of illicit whisky. The purchase and use of malt and distilling equipment, production of whisky, and the smuggling of liquor for distribution, were all activities carried out by women as well as men. Women also sold illicitly produced whisky, with or without the necessary licence. Whether widows, single women or wives, were more likely to be engaged in the illicit whisky industry, in whatever capacity, has so far been difficult to determine. Available evidence does not allow for a breakdown on the marital status of women, as this was not always documented. Married women are however, known to have been involved in smuggling, but so too were widows, and some single women.

The distilling of whisky was part of women's domestic duties when it was legal to do so for household consumption. Women continued to distil whisky when the changes in law made small operations illegal, quite often carrying out the process together with men. Similarly, women participated in many of the violent clashes with the authorities alongside men and were often in the forefront of confrontation. During the 1820s illicit distilling reached a peak, with men involved to a greater degree than previously, and women's participation continued at a high level. Women were not necessarily allocated specific tasks and were involved at every level of the process, dispelling the common assumption that smuggling was a

male preserve. The role of women in illicit distilling was not simply confined to an activity undertaken in the absence of men. Quite often men and women worked in conjunction with each other. The activities of women featured in smuggling tales were not purely mythical fancies but have been confirmed by similar accounts in contemporary newspapers and court records. As peasant entrepreneurs, women figured alongside their male counterparts in the illicit distilling industry. The lower level of participation by women in legal production of whisky highlights the suitability of illegal distilling as a peasant enterprise. With relatively small manufacturing costs women were more able to set up an illegal still. The low level of capital investment required for an illegal still did not provide an effective barrier to involvement for women. However, the increased capital investment demanded by the establishment of a legal operation, restricted women's participation as they were less likely to have the necessary financial resources to compete with men, particularly in terms of raising loans and provision of collateral.

Furthermore, the methods employed by women and men in the deforcement of excise officers were very similar to those used in patronage riots and resistance to clearance. Certain links have emerged between evictions and smuggling activities, in particular, where removals were carried out in areas noted for illicit distilling. Although many tenants were able to pay their rent from the profits of illicit distilling their success as entrepreneurs conflicted with plans for improvement by landowners in the early nineteenth century. The changing attitude of landowners to smuggling and their attempts to obliterate the industry may be regarded as a metaphor for some of the changes that took place in the Highlands.

The similarities between women's involvement in protest against removal, in the deforcement of revenue officers, and patronage riots have been noted. The final chapter considered the role of women in Protestant religion and events surrounding the question of patronage. The importance of the Protestant religion to women in the Highlands was discussed, especially in relation to the Disruption. Concentrating on four individuals representing women from a cross-section of society, the possibility that religion may have provided a platform for expression within a public arena was also considered. Women were among the poets and hymn writers who followed the tradition of the heroic elegy. By the early nineteenth century the heroes were no longer the clan chiefs, but the preachers and catechists. Through hymns, the bard was able to comment on political events, economic and societal change, as well as the state of religion. The female bard was no exception, and Mrs Clark of Laggan, for example, felt free to call upon the wrath of God to provide suitable punishment for the greedy landowners of Badenoch and others who upheld social injustices in her hymns and spirtitual songs. Towards the close of the century, Mairi Macpherson continued the tradition, using the poetry to comment and pass judgement on those ministers who considered their own position rather than oppose evictions, and praise those ministers who did not. The protagonists of the Land League were also eulogised by Mairi Macpherson.

Lydia Miller discussed the Christian morality of the interdependence of the Established Church and the State with regard to the issue of patronage through the pages of her novel. As the wife of Hugh Miller, one of the leading figures at the time of the Disruption, Lydia Miller attended the General Assembly meetings in Edinburgh and met Thomas Chalmers and other leading campaigners against intrusion. With

little opportunity as a woman to air publicly her opinions and beliefs, either within the Established church or the Free Church, Lydia Miller gave voice to her opinions through the central characters of her anonymously written novel.

In contrast, the last Duchess of Gordon, with wealth and status provided support for ministers in a more practical way, during the turbulent years that culminated in the Disruption. Her home at Huntly became a meeting place for dissenting ministers. Although she was an Episcopalian, the interdependence between politics and religion led her to the Free Church. The shelter she afforded ministers and her move from the Episcopalian church was undertaken in the shadow of disapproval from fellow landowners and peers. Although she did not regard herself as a political being, and guided by her Christianity, her actions were highly public and of a political nature. Elizabeth Brodie played an active role in events surrounding the disruption and was among a number of other women who helped provide new buildings for the Free Church.

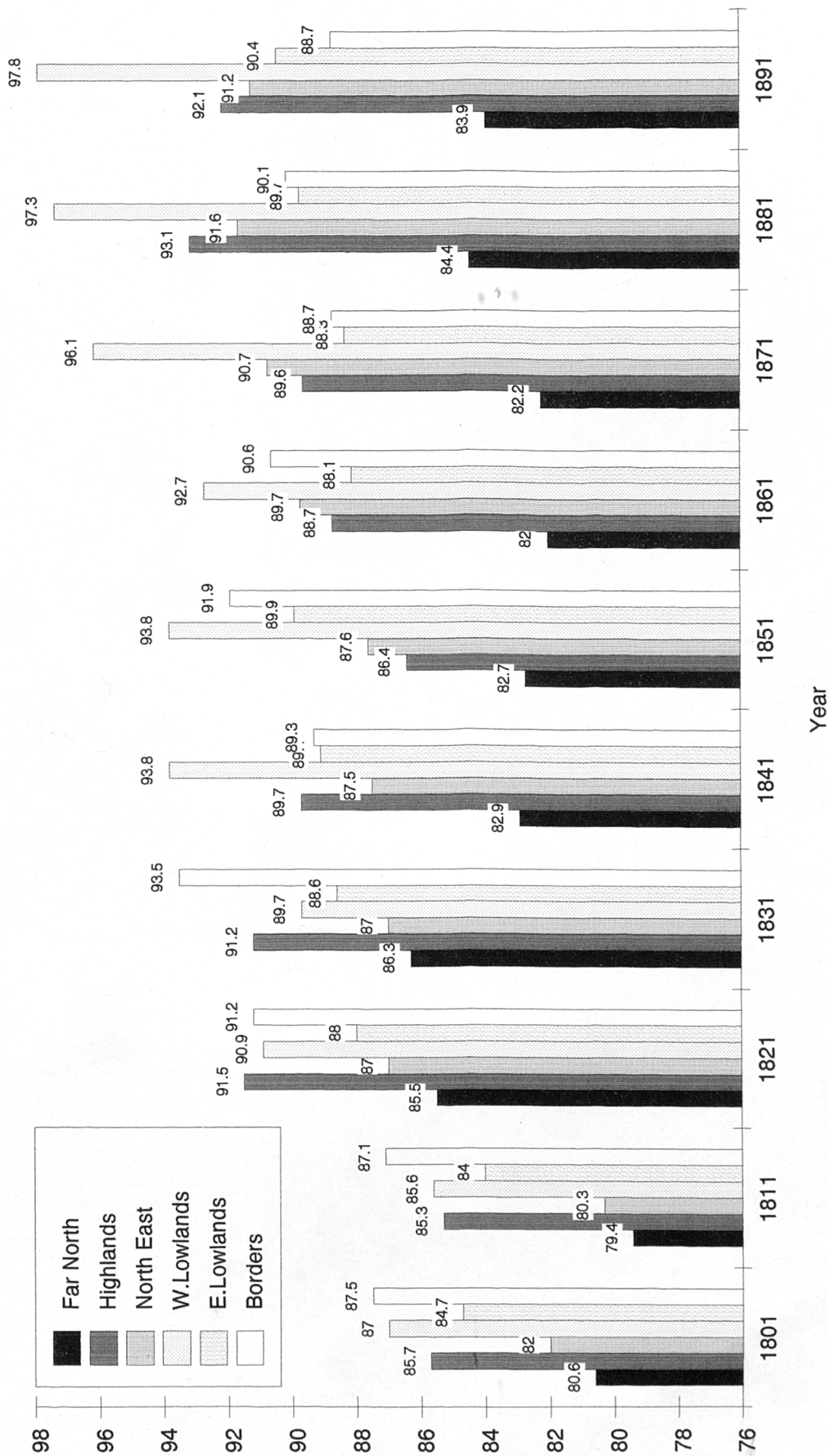
Although women had no official, public voice in matters of religion, the lack of opportunity should not be equated with an absence of interest or active participation in theological issues. The small sample of women studied here indicates their firm religious commitment and conviction, and how they were able to act in conjunction with their beliefs, through poetry, prose, and through their social position as landowners. Women's role in religion was not therefore restricted entirely to passive submission, but was manifest in a variety of ways, although this may not necessarily be immediately apparent.

The objective of this research was to take a seminal step in the history of women in the nineteenth century Highlands, and to identify and suggest key issues for further research, rather than the construction of a definitive account of women's role in the *gaidhealtachd*. Much has therefore been overlooked through shortage of space and time, particularly as some single aspects of Highland women's history would constitute a thesis alone. For this reason, women's work, particularly fishing and agricultural, ladies' societies and organisations, education, temperance, health, and emigration have not been discussed. Despite these many omissions, and with the aid of a different interpretation of historical significance, it has been possible to determine that 'Scottish women of any historical interest' are not so 'curiously rare'. MacDiarmid's consideration that 'our leading Scotswomen have been...almost entirely destitute of exceptional endowments of any sort', to some degree, explains the essential cause of women's invisibility throughout much of history.[2] The assumption that to be worthy of historical note, women had to be in some way exceptional, has been misleading. For decades the notion that history should be concerned only with monarchs, political leaders, and exceptional individuals has broadened to envelope social and ethnic history, with due consideration to the common people. Why then should the study of women in history look only to those who have in some way excelled? In order to recover women from the shadows it is necessary to consider the seemingly unexceptional. This may then facilitate a recognition of the achievements of ordinary life, whether it is the fight to remain in the home of generations, distilling illegally to survive, promotion of textiles, or the management of an estate. The discovery of women of interest in Highland history simply requires the all important step of looking for them.

[1] Iain J.M.Robertson, 'The role of women in social protest in the Highlands of Scotland, c.1880-1939', in *Journal of Historical Geography*, 1996.

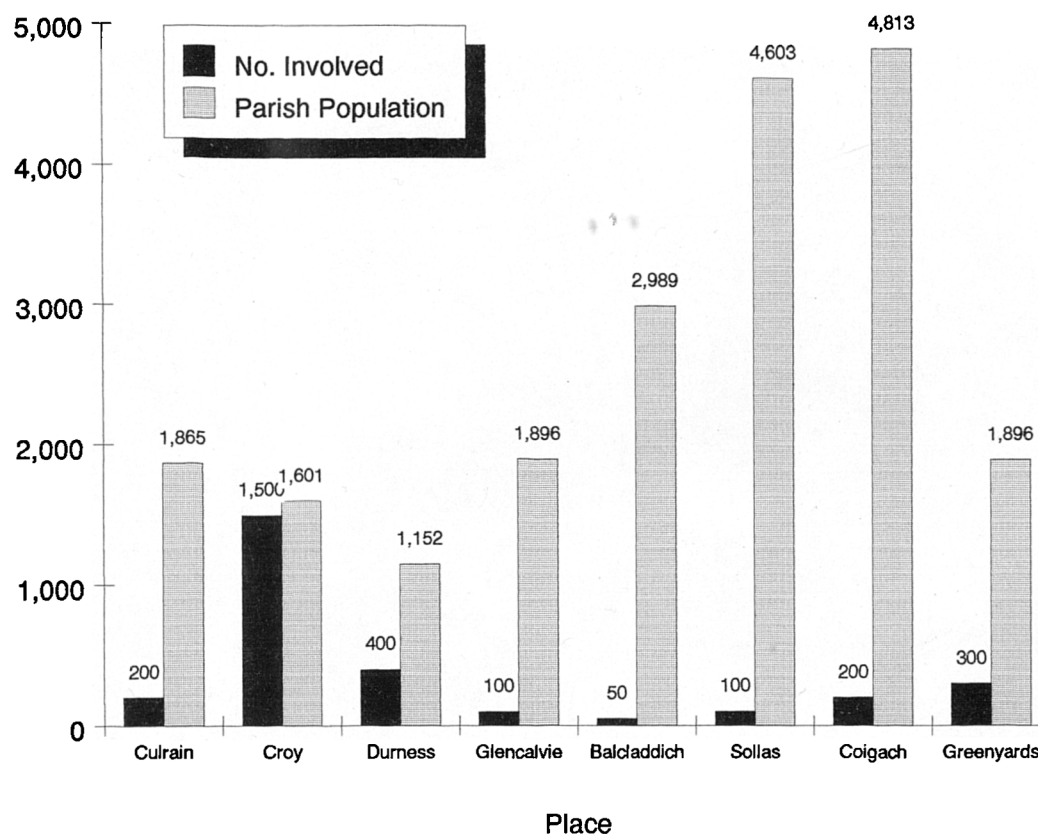
[2] H.MacDiarmid, *Scottish Eccentrics*, (New York, 1972), 160; also quoted in E.King, *The Scottish Women's Movement*, (Glasgow, 1978), 3.

Appendix 1

Sex ratios by region, males per 100 females, 1801-1891Source: M. Flynn, *Scottish Population History from the Seventeenth Century to the 1930s*.

Appendix 2

Comparison of people involved in riots compared to population



Comparison of parish population with protestors against clearance and patronage for which figures are known

<u>Place and date of disturbance</u>	<u>Number involved</u>	<u>Parish</u>	<u>Population N°</u>	<u>Date</u>
Culrain, 1820	200	Kincardine	1865	1801
Croy, 1823	1500	Croy	1601	1801
Durness, 1840	400	Durness	1152	1851
Glencalvie, 1842	100	Kincardine	1896	1851
Balcladdich, 1843	50	Assynt	2989	1851
Sollas, 1849	100	North Uist	4603	1831
Coigach, 1852	200	Lochbroom	4813	1851
Greenyards, 1854	300	Kincardine	1896	1851

Appendix 3

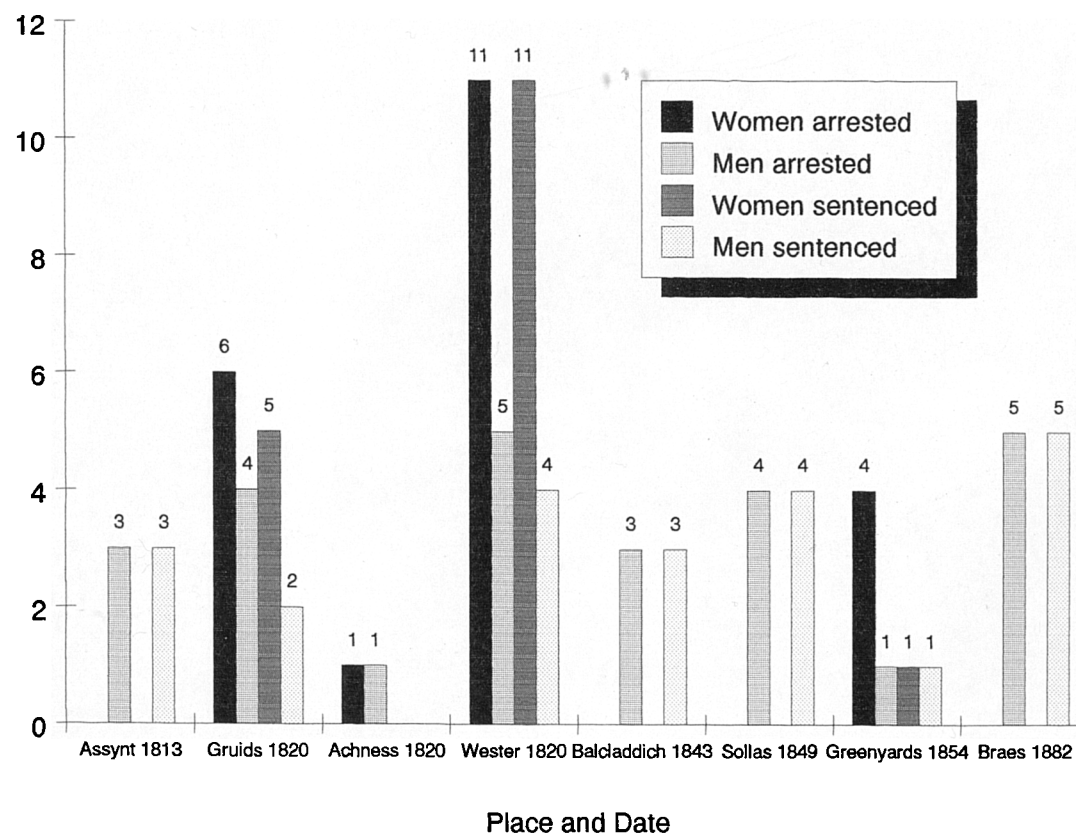
Incidents of popular protest relating to clearance and patronage

<u>Place</u>	<u>Date</u>	<u>Type</u>	<u>Women Prominent</u>	<u>Officers Deforced</u>	<u>Stoning</u>
Clyne	1777	I	✓		✓
Ross-shire	1782	C			
Creich	1811	I			
Kildonan	1813	C		✓	✓
Assynt	1813	I		✓	
Culrain	1820-1	C	✓	✓	✓
Gruids	1820-1	C	✓	✓	✓
Achness	1820-1	C	✓	✓	✓
Unapool	1820	C	✓	✓	
Wester	1820	C	✓	✓	✓
Croy	1823	I	✓		
Kinloch- bervie	1834	I		✓	
Harris	1839	C		✓	✓
Durness	1840-1	C	✓	✓	✓
Culrain	1840	C		✓	
Lochshell	1842	C	✓	✓	
Logie	1843	I	✓		✓
+Resolis					
Glencalvie	1842-5	C	✓	✓	
Balclad- dich	1843	C	✓	✓	
Sollas	1849	C	✓	✓	✓
Strath- conan	1850	C			
Strathaird	1850	C		✓	
Elphin/ Knockan	1851	C	✓	✓	
Coigach	1852	C	✓	✓	
Strath- carron	1853	C	✓	✓	✓
Knoydart	1853	C			
Greenyards	1854	C	✓		✓
Boreraig	1854	C			
Braes	1882	C	✓		✓
Uig	1885	C	✓	✓	

Sources: E.Richards, 'Patterns of Highland Discontent, 1790-1860'; E.Richards, A History of the Highland Clearances; H.Cockburn, Circuit Journeys; Inverness Courier; Inverness Journal; SRO AD/4/21/97

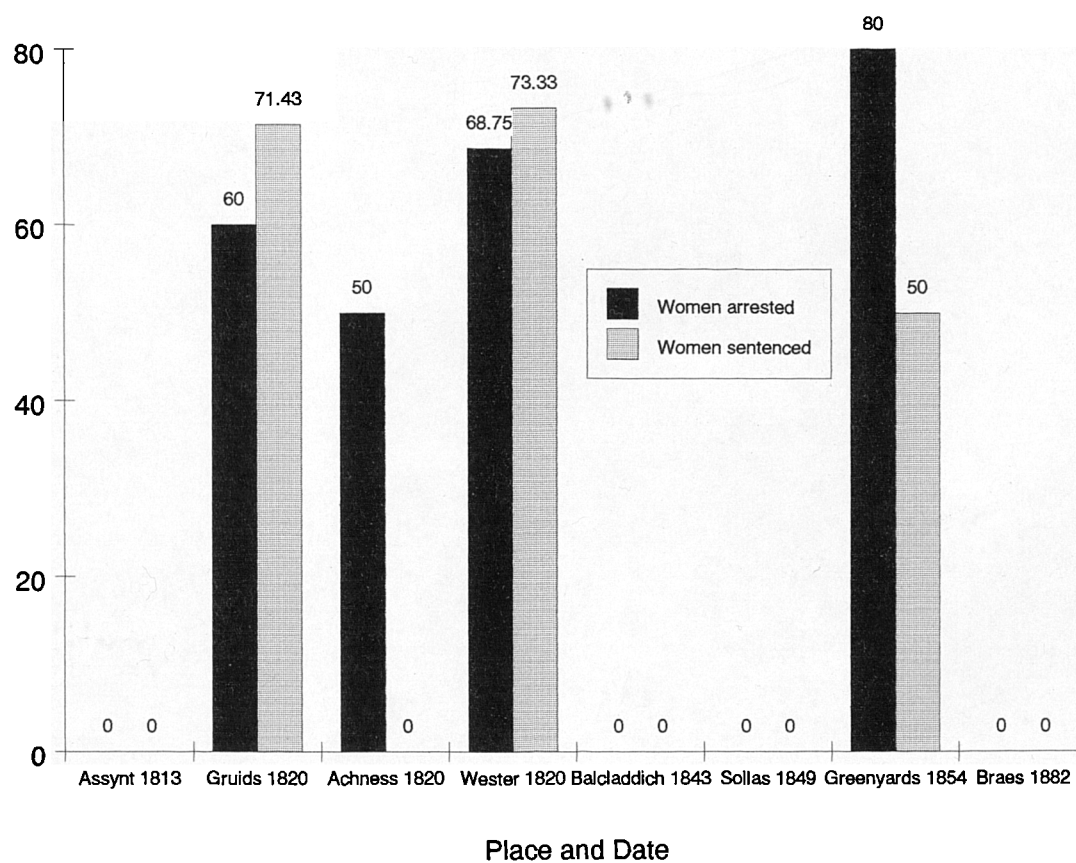
Appendix 4

Men and women arrested and sentenced relating to clearance and patronage riots, where figures are known



Appendix 5

**Women arrested and sentenced as a percentage of total
arrested and sentenced relating to clearance and
patronage riots**



Appendix 6

Difference in rate of duty, per proof gallon, on
spirit made from corn

*There was no uniform duty on spirit across the United
Kingdom until 1859.*

	<u>Scotland</u>			<u>Ireland</u>			<u>England</u>		
	£	s	d	£	s	d	£	s	d
1802		3	10 ¹ / ₂		2	10 ¹ / ₄		5	4 ¹ / ₂
1810		5	8 ³ / ₄		4	1-			8 ¹ / ₂
					2	6 ¹ / ₂			
1820		6	2		5	7 ¹ / ₄		11	8 ¹ / ₄
1830		2	10-		2	10-			7 -
		3	4		3	4			7 6
1840 & 1850		3	8		2	8			7 10
1860		8	1		8	0			8 1

*source: 'Seventh Report of the Commissioners of
Excise' PP, 1834, XXV, 20,42,66-7; 'Report of the
Commissioners for the Inland Revenue, PP, 1870, XX, 9.*

Appendix 7

Purchase of Distilling Equipment from Robert Armour,
Campbletown by Archibald McKendrick, Mrs Thomson,
Widow Johnston, Florence Armour & Co. 1811

Cost of Equipment

Body, 13lb	at 2s 6d per lb	£1 13s 9d
Head, 5lb 6oz		13s 4 ¹ / ₂ d
Worm, 9lb		£1 2s 6d
<u>Total</u>		<u>£3 9s 7¹/₂ d</u>

Payments

By cash from Widow Johnston	£0 10s 0d
By Cash from Arch. McKendrick	£1 10s 0d
By cash from Mrs Thomson	£1 0s 0d
By cash	£1 9s 7 ¹ / ₂ d
<u>Total</u>	<u>£3 9s 7¹/₂ d</u>

*Source: I.A.Glen, 'A Maker of Illicit Stills',
Scottish Studies, 1971, IV, 74.*

Appendix 8

Dornoch Jail prisoners charged with illicit distilling
and related offences, 1819-1830

<u>Date</u>	<u>Name</u>	<u>Residence</u> (where known)
26/11/1819	Alexander Ross	Rhian Breck, Lairg
25/11/1819	James Sutherland William Murray, James Leslie	Lairg
19/2/1820	Donald Mackay	
9/3/1820	Donald Sutherland	Kildonan
3/5/1820	Alexander Mackay, Norman Leslie	Rossal
22/12/1824	John Ross Creich	
25/10/1825	Barbara Leslie	Incheap, Rogart
25/10/1825	George Mackay, Christian Mackay	Langwell
27/9/1826	Widow Jean Ross	Actonlings
14/6/1827	Janet Mackenzie*	Balchraggan
14/6/1827	Jane Mackenzie*	Invershin
13/6/1827	Donald Macleod*	Whitehill
2/11/1827	John Mackay, Alexander Sutherland	Torroble, Lairg
24/12/1827	Betsy Mackay,** Euphemia Forbes,** Janet Forbes,** Janet Murray**	
18/2/1828	William Ross	Culrain
24/3/1828	William Ross, Mary Ross	Creich
7/4/1828	John Mackay Rogart	
28/10/1828	Ann Sutherland Rogart	
27/11/1828	Isabella Ross Altay	
21/11/1828	Jane Gordon	Backies, Golspie
2/3/1829	Widow Ann MacDonald	Morness
	Widow Lilly Munro	Blanich
	Elizabeth Gunn	Moy
	Ann Sutherland	Incheap
	Donald Gordon	Claranich
20/3/1829	Widow Margaret Murray	Achinluchrach
24/3/1829	Christy Mackay, John Murray	Torbreck
18/4/1829	Janet Ross	
20/8/1830	Margaret Sutherland	Knockarthur

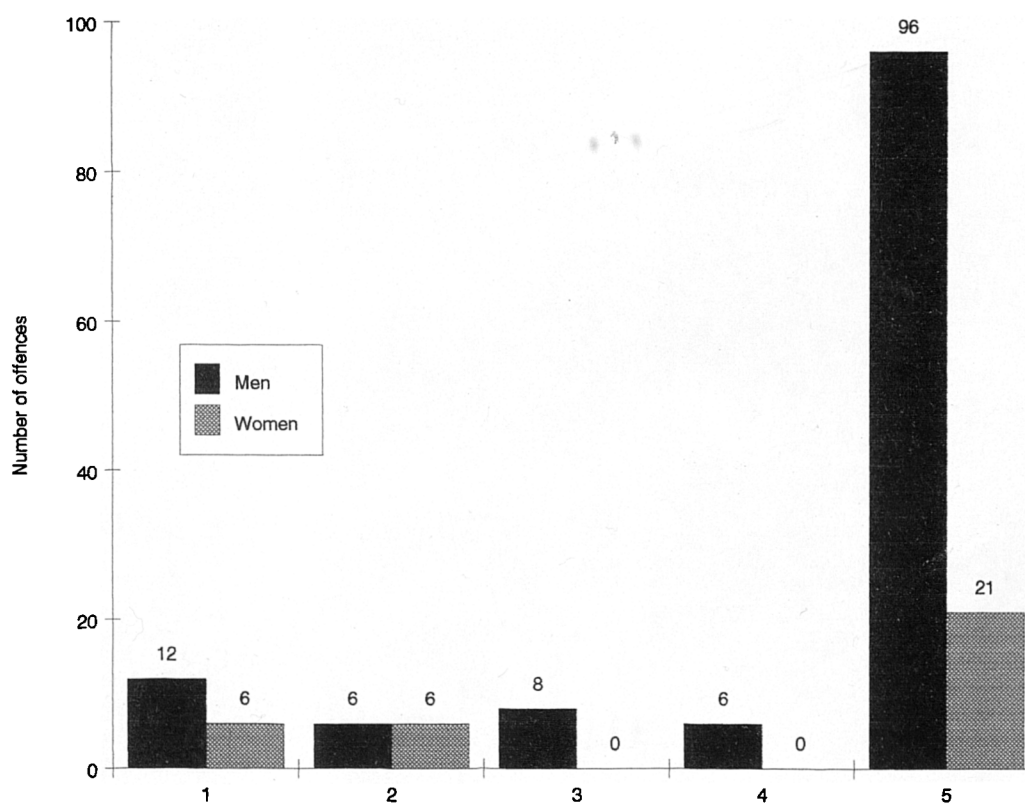
* selling whisky without a licence

** deforcement of Excise officer

Source: Highland Regional Archive, Dornoch Jail Book.

Appendix 9

Offences related to whisky as recorded in the
Inverness Court documents, 1816-1838

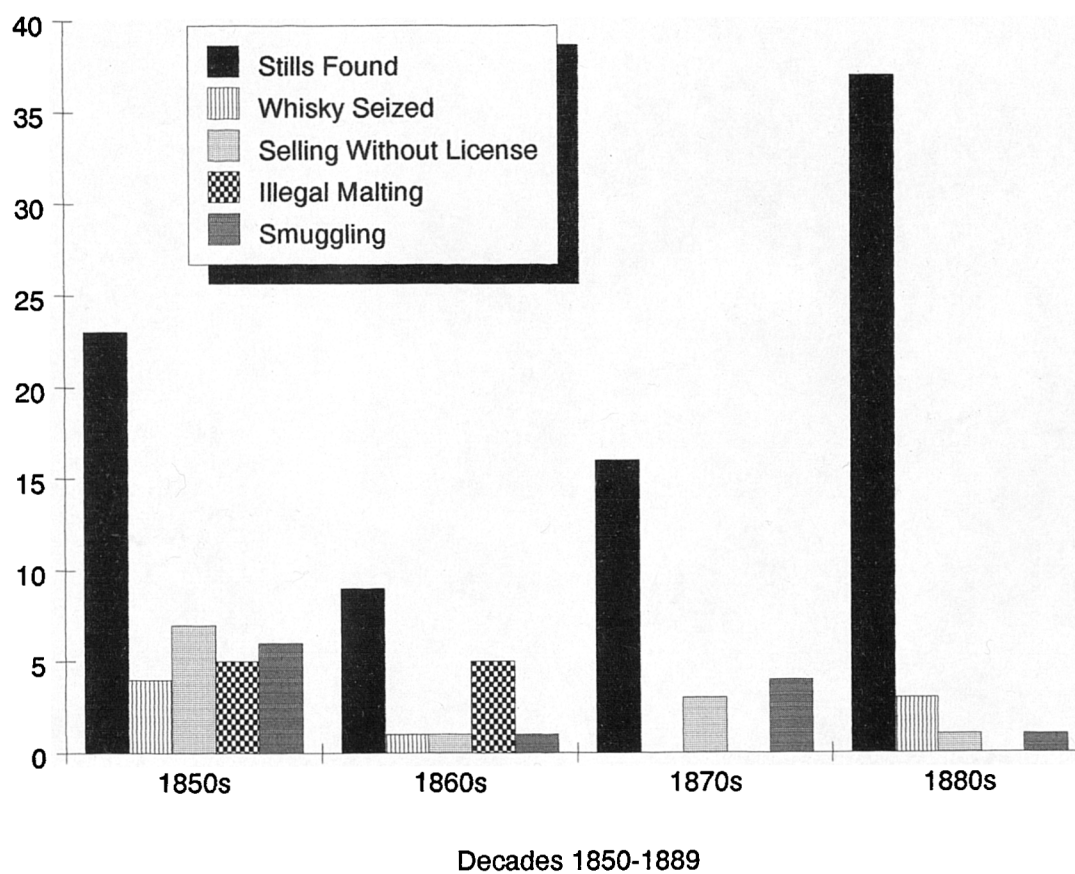


- | |
|--|
| 1 - Assault/deforcement of excise officer
2 - Possession of illegal whisky
3 - Illegal distilling
4 - Possession and deforcement
5 - Non payment of excise on whisky |
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Source: *HRA, High , Sheriff and Justice of the Peace Court papers.*

Appendix 10

Summary of Reports in the Inverness Newspapers
Concerning Excise Offences, 1850-1889



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