

R E A S O N S

F O R

Extending the MILITIA ACTS

T O T H E

D I S A R M E D C O U N T I E S

O F

S C O T L A N D.

— (—) — (—)

É D I N B U R G H:

Printed for GAVIN HAMILTON and JOHN BALFOUR.

M D C C L X.

[ Price Three Pence. ]

MS. A. 9. 2 v.  
July 1782

FRI 22<sup>nd</sup> 1782

POLL/SC

# R E A S O N S F O R

## Extending the MILITIA ACTS to the disarmed Counties of Scotland.

**I**T is with the utmost pleasure I find persons of all ranks agree in opinion, concerning the expedience, and even necessity of raising a militia in Scotland. That nation has not of a long time more justly discerned her true interest, nor taken more spirited and effectual measures to promote it. Though my way of life has, of late, led me a good deal into the world, and, by that means, afforded me frequent opportunities of hearing upon this subject the sentiments of some of the most enlightened, as well as most uncorrupted of my countrymen ; yet I scarce have heard one solid objection to the scheme. The few objections urged against it deserve not the name of arguments, but are rather strained and far-fetched pretences, invented merely to justify the opposition of those who are predetermined against it, but predetermined by se-

cret motives, too base and Fordid for them to avow.

One objection however I must except from this number, because it has been frequently urged by some gentlemen, of whose integrity and love of their country I am well assured. It is this.

Will it not be dangerous to train to the exercise of arms, the inhabitants of those counties disarmed by act of parliament, upon account of their known disaffection to the present royal family? What proofs are there of their principles being changed? or what security have we, that, when provided with arms, and taught the use of them, they will not again rebel, and once more attempt to subvert our liberties and government?

This argument has little weight with me, who am thoroughly acquainted with the sentiments of the disarmed part of Scotland; yet, as it seemed to stumble the gentlemen who used it, and may perhaps make some impression upon others, I shall suggest some few facts, which I flatter myself will weaken, if not totally destroy its force. This opens a field of very important inquiry, which demands to be discussed at some length; I hope, therefore, the reader will pardon me should I detain him longer than either he or I could wish. I address myself only to the serious and inquisitive. The subject is of great importance,

ance, both to the honour and safety of the united kingdom ; and, without aiming at wit or indulging satire, I shall deliver my sentiments concerning it with the utmost plainness.—I shall endeavour, in as few words as possible, to shew, *first*, That though the late rebellion broke out in the disarmed counties, yet even then the disaffection of these counties was not so general as is commonly believed. And, *next*, That the measures pursued by the government since that time, have almost totally eradicated any remains of that principle; and that arms may as safely be trusted in the hands of those living north of the Tay, as of the inhabitants on the south of the Tweed, or of the Trent.

In support of the first assertion, we have only to consider how many men the northern counties contain, and then to remember how few of these rose in arms in the cause of the pretender.

The disarmed counties, as they are equal in number to those indulged in the use of arms, so, without exaggeration, it may be said, they equal them in populousness. They comprehend the greatest, and, if we except Edinburgh and Glasgow, the best inhabited part of Scotland. The number of people in this kingdom, at a moderate calculation, exceeds 1,200,000 ; and as a fifth part of these are commonly considered as able to bear arms,

there are in Scotland, by that computation, above 240,000 fighting men, and consequently 120,000 in the disarmed part of it.

Now let us see how many of these followed the standard of rebellion. The pretender landed about the middle of July, and, notwithstanding the hopes of future rewards, the prospect of present plunder, and the assistance of several chiefs of clans, at the battle of Preston, fought Sept. 21. his whole train, for it deserved not the name of an army, did not exceed 2500 men ; and even this handful contained many, whose chiefs, by burning their houses, carrying off their cattle, and other acts of violence, compelled them to take arms. So that of 48 fighting men, one only engaged in rebellion. 'Tis true, the army of the pretender increased considerably after that victory. But this accession, excepting a few clans, consisted of men offering themselves promiscuously from all quarters; men, who engaged not so much from disaffection as a love of novelty ; many indeed from the desperate state of their private affairs, the very dregs and refuse of mankind, of which every country unloads itself annually into whatever armies levy recruits in it ; not to mention the crowds of giddy and thoughtless people, who, without inquiring into the justice of the cause, are ever ready to flock round a victorious standard.

Whoever is acquainted with the temper of  
the

the Scotch nation, knows, that, in times of faction or rebellion, the inhabitants of that country are seldom either neutral or cool. Every man takes a side with keenness, and does not remain an inactive spectator of those events by which the fate of his party is decided. Thus for every man so much attached to the cause of the pretender as to take up arms for him, the disarmed counties contained at least forty-eight zealous adherents to the present government. The success which for a long time attended the rebellion, was not a proof of the strength or valour of the rebels, but of the impotent condition of their opponents. For had the friends to the government been as well provided with arms as its enemies, the rebellion had been stifled in its infancy, and had never grown that gigantic monster which afterwards appalled all England, and shook the foundations of the British throne.

I have often heard Englishmen talk, as if all the disarmed counties were disaffected, and their whole inhabitants attached by interest or principle to the pretender; nor was I surprised to hear this from them who have little access to be acquainted with this part of the kingdom. But it fills me not only with astonishment, but indignation, when Scotchmen utter the same sentiments. They, at least, ought to know their own country. The disarmed counties are Perth, Kincardine, Aberdeen, Inverness,  
Nairn,

Nairn, Cromarty, Argyle, Forfar, Banff, Sutherland, Caithness, Elgin, Ross, and part of Stirling and Dumbarton shires.

Let us take a view of these, *first*, as separate counties, in order that we may discover, whether they ought, without distinction, to be branded with the infamy of disaffection or not; and with regard to them I shall affirm nothing that is not notorious to every Scotchman. The lower part of Stirlingshire, which is the most fertile and populous part of that county, is inhabited wholly by Presbyterians of the most zealous kind. And the same may be said of the low country of Perthshire. And among the northern counties, Elgin, and the most considerable part of Ross, are distinguished for the bigotted attachment of the people to the Presbyterian form of worship. It is well known, that in Scotland a Whig and a Presbyterian almost convey the same idea, so steady and unshaken have the professors of that religion always been in their loyalty to his Majesty and the present government. The large county of Argyle has often given proofs of the same loyal principles. Few private men from the low country of Aberdeenshire joined in the late rebellion; and it was owing to the influence and example of a single man, rather than the general disaffection of the county, that the same observation cannot be applied to the gentlemen of it. The shire of Sutherland has  
been,

been long distinguished for its loyalty. Not to tire the reader with a long enumeration of particulars, we may affirm, (nor can any person who has had proper means of information contradict the assertion), that there is not one of the disarmed counties, in which there will not be found many gentlemen of undoubted attachment to the present government, who are both qualified and willing to act as militia-officers. And I ask the most scrupulous and timid of those who oppose the measures for which I contend, if he can devise any expedient more effectual for adding authority and weight to the cause of Whiggism, than the placing such gentlemen at the head of the armed force of those counties ?

There is another method of discovering the temper and disposition of the disarmed counties, particularly of the Highlands ; and that is, by taking a view of the different clans. Nothing will be more surprising to an Englishman than to be told, that the most considerable of these are now well affected to the present government, and that scarce one of them is in such a situation as to become formidable to it. Nothing however is more undoubtedly certain. The Campbells, the most numerous, the most wealthy, and the most powerful of all the Highland clans, have always been eminent for loyalty ; they derive their lineage from a family more uniform in its attachment

to the interests of liberty, and which has suffered more in that glorious cause, than any other in Great Britain. A younger branch of that name holds of a Nobleman, whose loyalty to the present government is undoubted, and who enjoys considerable employments under it. The Grants, a numerous clan, have been uniformly loyal. The Macleods, during the late rebellion, took arms in defence of the government, and were usefully employed in its service. Every thing that becomes a virtuous man and a loyal subject, may be expected from the education and good qualities of the young chieftain of the Macdonalds. The Mackays, the Monroes, and the Sutherlands, have always been distinguished as much for their loyalty as their bravery.

Disaffection seems therefore only to be lurking among those few clans who engaged in the late rebellion. Even among them, I will venture to affirm, though it may seem a paradox, there were many neither tainted with disaffection, nor disposed to revolt. Ignorant, slavish, and uninformed, they drew not their swords in the cause of the Pretender, but of their own chieftains ; nor from any disgust conceived at the old form of government, or hopes of bettering their condition under a new, did they aim at subverting it, and erecting another in its stead ; but they blindly followed their leaders, the chiefs of their name,

to

to whose will they had, from their earliest years, imbibed a blind submission. Accordingly we may observe their conduct varied and shifted, now for and now against the government, according to the whim or principles of their chieftains. The Frasers afford a striking instance of the justness of this remark. That clan, in the rebellion 1715, were in arms on the side of the crown ; in the late rebellion they remained long quiet and undetermined, till their crafty master, seduced by the allurements of a promised dukedom, called them forth to join the pretender ; and the same clan, nay, the same individuals, are now fighting his Majesty's battles in America.

I beg leave to add one circumstance more. The Popish religion, the most natural and the most powerful motive of disaffection and rebellion, is by no means of extensive influence in Scotland. The whole number of Papists in that kingdom does not amount to 20,000. A good number of these are to be found in Nithsdale and Galloway, and other parts not within the limits of the disarming-acts. Few gentlemen of the Popish persuasion have considerable property, or are at the head of many vassals. Other causes of disaffection may be overcome ; and where the people are generally Protestants, and even a great majority of them Presbyterians, the charge of disaffection cannot possibly be universal.

One observation more, and I have done with what I have to say on this head. Certain principles of government grow at some times fashionable, as well as certain customs and modes of dress; and it very often happens, that a lucky turn in the sentiments of a people shall effectually introduce or explode principles, which government has laboured in vain to establish or root out. Since political knowledge began to extend itself, and since the publication of some ingenious works in that science, it is plain that the tide has run very high in favour of Whiggism, and attachment to the present government, the only principles that a man of sense would not now-a-days be ashamed to avow.

I shall now proceed to shew the efficacy of the measures pursued by the government, to extinguish every spark of disaffection in the northern counties.

The political steps taken in consequence of the last rebellion, were wise and prudent, and will reflect eternal honour on the administration which advised them.

To make men free, they clearly saw was the way to make them loyal; and therefore the parliament abolished the hereditary jurisdiction of the nobility and gentry of Scotland. By this single act, the lower people are freed from slavery and oppression. These courts where the judges were always ignorant, often partial,  
and

and most commonly indeed both judge and party, are now, thank God, at an end. A regular, equal, and easy administration of justice by sheriff-deputes and their substitutes, is introduced in their stead. Besides, by means of roads made through the Highlands, the sentence of the civil magistrate receives prompt execution in the remotest corners of that wild country.

The abolition of these jurisdictions has also given a fatal blow to clanships ; and as the people daily taste the sweets of freedom and independence, they, from a principle of gratitude, become daily more and more attached to the government to which they owe these blessings.

The next step taken by the government was no less wise and politic, and still, if possible, more humane. Not contented with making the Highlanders free, it wished also to make them rich and industrious. The Highland estates forfeited to the crown by the rebellion of their proprietors, were not sold for payment of debts, and purchased, as in other cases, at an easy rate by the friends of the rebels : But the government discharged the debts from other funds; annexed the estates to the crown; and has appointed trustees to apply their annual produce to the purposes of establishing manufactures, of introducing a more rational system of husbandry, and training up the young people to ha-

bits of industry and mechanics. The estates themselves are also divided into considerable farms, and conferred at an easy rent on such of the inhabitants as are most distinguished for loyalty, industry, and sobriety. Who can doubt, if this gracious and humane conduct is steadily pursued, that, in a very short time, even the name and memory of disaffection will be forgotten?

It seems not to have been the intention of the disarming-laws, to suppose any incompatibility between what they enact, and the employing of the militia in those counties. For it is expressly provided in statute, *Geo. 1. cap. 54.* § 6. That nothing in that law shall extend to hinder the lieutenants of counties, their deputies, the militia, and fensible men under their command, to keep or receive arms out of his Majesty's magazines, and to use them during the time that the militia and fensible men shall be called out. Clauses to the same effect are inserted in the laws of the present King concerning this matter. From which it is obvious, that the parliament did not consider the arming a regular militia in that part of the kingdom, as in any degree inconsistent with those ends which it had in view.

Besides, the disarming-acts are not perpetual; they were only temporary expedients, and cease to be in force at the expiration of seven years, to be computed from the 1st August

1753. It was foreseen, that such a change might be brought about in the situation of the country, such events might happen as would render that precaution no longer necessary. Have not the wise measures taken by the administration produced that very change upon the disposition of the Highlanders which was expected? Is it not the establishment of a regular and well-disciplined militia in Scotland, which will at once make our former precautions superfluous? What rendered the Highlanders so formidable to the rest of their countrymen? was it not because they were accustomed in some degree to the use of arms, and retained the martial spirit in its full vigour, while the inhabitants of the low country were enervated by the arts of peace. In all ancient contests, the latter, as brave, and better armed and disciplined than the Highlanders, maintained an evident superiority. Will not the establishment of a militia restore matters, in some measure, to their former situation? If they shall again be so desperate and ungrateful as to take arms against the constitution, they will not pour down from their mountains, upon a country unguarded and defenceless; but will be encountered by men trained to arms, and animated with such zeal for their King and country, as will prompt them to act with vigour.

But though the chance of a new rebellion in Scotland be so inconsiderable, that it can scarce

scarce alarm any person acquainted with that country; the gentlemen who have taken the trouble to prepare the plan of an act for extending the militia-laws to Scotland, have framed it with so much caution as to exclude almost the appearance of danger. By their scheme, the number of private men to be raised in Scotland, amounts to 6000; and the disarmed counties may contain, as I have already observed, nearly one half of the whole inhabitants of that kingdom; they propose, that only 2199 men should be raised in these counties. For my own part, I should have had no apprehension of danger to the Protestant succession, although one half of the whole number had been raised in the disarmed counties. For there, I am convinced, private men as zealous, and officers as loyal may be found, as in any other corner of the kingdom. At the same time I cannot but commend the conduct of the committee, who, by their prudent distribution, have done much to quiet the fears of those who have had little access to be informed about the state of the northern counties.

I shall conclude the whole of this dissertation, already too long, by reminding you of the late conduct of the government towards the inhabitants of the disarmed counties. I am far from condemning the jealousy which has been entertained of them, or from censuring those laws

laws which were intended to deprive them of the means of disturbing the government. While the happy revolution brought about by King William, and the expulsion of the family of Stewart, were recent events, and the passions of men remained in full vigour; such suspicions and precautions were both prudent and necessary. The effect, however, of these regulations, was not equal to the expectations of those who devised them. The Highlanders were exasperated, and not reclaimed; and, upon the slightest occasions, resorted to the standard of rebellion. It is only by confidence that gallant men can be gained; and be it said, for the honour of the age in which we live, we can ascertain the truth of this maxim, not only from theory, but from experience. Our Sovereign generous, because he is brave, his ministers intrepid, because they are upright, have embraced a measure long rejected by the timidity and caution of our former rulers; but long wished for in Scotland by many persons of the greatest sagacity, and of the most loyal principles. Since the commencement of this war, eight battalions, consisting wholly of Highlanders, have been raised. They are allowed to wear their own dress. The private men have been levied in those parts of the country whose principles are most suspected. The officers are all native Highlanders, or connected with that country. The heads of  
the

the most disaffected clans have been trusted with the command of some of these battalions, and with commissions in them all. Not a few of these gentlemen bore arms under the pretender and his son in the last and former rebellions, and some of them were called directly out of the armies of France into the service of Britain. How repugnant is the whole tenor of this conduct to the ideas of those over-scrupulous persons who object to the extension of the militia-laws to the northern parts of Scotland? What then have been the effects of this measure? Has the King's generosity been abused? Shall his ministers be taxed with rashness, or do they merit the praise of prudence for arming this people, whom the gentlemen I oppose represent as unworthy that trust? Let the world judge. In every action the Highlanders have not only done their duty, but have distinguished themselves. The same men who, fifteen years ago, threatened to overturn the constitution of their country, are now fighting in defence of its rights and possessions. Instead of aiding the arms of France, they are now employed in opposing them. By the confidence which his Majesty has reposed in them, they are from being rebels converted at once into good citizens; and what was formerly the weakness of Great Britain is now rendered no inconsiderable addition to its strength. Nor is the salutary and reclaiming influence of  
the

the measures which I am applauding, confined solely to those Highlanders who are already in arms. It extends to the whole body of that people ; every man among them has now his chieftain, his brother, or at least (according to their own phrase) some one of his kindred, who has been honoured with the King's commission, or who has entered into his service. The effect of these connections is felt by all men ; but among the Highlanders, their charm and operation is almost incredible. Every man among them is of course interested in the success of the British arms : they must be solicitous about the glory and prosperity of their country, and cannot but wish well to a constitution, in defence of which their companions have drawn their swords, and to a King whom their friends have bound themselves by a solemn oath to support.

Shall then the laws concerning the militia be carried on in imitation of that extensive and generous plan, the good effects of which we have so happily experienced ; or shall they be circumscribed by the scruples of timid and narrow-minded men ? It is a maxim in domestic life, That to discover strong suspicions of a wife, or a servant, is the certain way to render the former unfaithful, and the latter dishonest. The same holds in political government. The suspicions and distrust which former administrations discovered of the High-

landers, certainly cherished their prejudices, and tempted them to rebel. Let them be treated as good citizens, and they will become such. As the legislature has, by the wise laws I have already mentioned, communicated to them the privileges of freemen, and endeavoured to diffuse among them a spirit of industry; let not the continuance of an invidious distinction fix upon their minds the impressions of being less trusted than the rest of their countrymen. What Scotchman would consent to a partial militia, by which those brave men who have been so successfully employed in defending us, are denied arms for their own defence? or could see, without indignation, half Scotland deprived of the benefit of this salutary law?

F I N I S.