

## CHAPTER 11

### THE '45 JACOBITE REBELLION

#### **Kenneth Mackenzie, 7th Lord Mackenzie of Kintail, Lord Fortrose, Chief 1740—1761**

Charles Edward Louis Philip Casimir Stewart was born on 31 December 1720. He was to become the last hope for the Jacobites to seize back the Crown of Great Britain. Bonnie Prince Charlie, as he became known affectionately by his Scottish admirers and supporters, worked with zeal to recover the throne for his less dynamic father.

The story of the '45 rebellion has been written and told on numerous occasions and it is not intended to repeat that history. Suffice it to say that Prince Charles, with few promises of support, landed in Scotland and set up his banner at Glenfinnan on 19 August 1745 and patiently awaited for the clans to arrive and support him. With some difficulty he managed to gather some twelve hundred men, mostly from clan Ranald, clan Cameron and some MacLeods. With these under his command, Charles set off and by September 17 he had seized the town of Edinburgh, even though he was unsuccessful in gaining the castle. Lowland Scotland and England was in a panic and Sir John Cope, commander-in-chief of the British government's forces in Scotland, was sent to put a stop to this advance.

The Prince's growing army met with Cope at Prestonpans on 21 September. The battle lasted ten minutes. Cope's forces were routed and the victorious Charles received an influx of recruits for his growing support. Cope was dismissed and replaced by Field Marshall Wade.

The English, for their part added a new verse to the National Anthem of "God Save the King" as follows:

God grant that Marshall Wade,  
May by thy mighty aid Victory bring,  
May he sedition hush,  
And like a torrent rush,  
Rebellious Scots to crush,  
God save the King.

A number of powerful Scottish nobles had started to move to the Jacobite cause. The most important of these was Lord George Murray, son of the 1st Duke of Atholl. He became the commander-in-chief of Charles' forces, under Charles himself. Had he been left to control the direction of the war he could have won the crown for the Jacobite cause. As it was, he was constantly questioned and malicious tongues wagged in Charles' ear so that even Charles failed to trust the one man who had sacrificed everything for him. His wretched treatment of Lord George Murray

leaves to this day a poor impression of Prince Charles Edward Stewart. Murray has been described as one of the most brilliant military commanders ever to come from the ranks of Scotland's great military leaders. He constantly won battles for the Prince. But all was brought to nothing on the battlefield at Culloden moor. An impossible terrain for Highland soldiers, Murray implored the Prince to reconsider a more appropriate battleground. Prince Charles, however was determined to have his way and the result was the disastrous defeat of his army and his cause in which there were more Scots in arms against him than for him.

Since his father had been attainted under the Act of Attainder in 1716, Kenneth Mackenzie did not inherit estate or titles which were forfeited. For some reason the ancient peerage of Lord of Kintail was overlooked and was not subject of the Act of Attainder. It appears Kenneth also overlooked this omission as he took the title of Lord Fortrose, which was originally granted to his grandfather in 1691 by the exiled King James VII. The title was therefore, a Jacobite one, and not recognisable or legitimate to the Hanoverian Court. Nevertheless, he was known generally as Lord Fortrose.

Fortrose took the role as Chief of the Clan Mackenzie during the bloody closing of the Jacobite era. It was an extremely dangerous time and government spies were on the lookout for any attempt by the Jacobites to once again revive their attempt to place the legitimate Stuart heir back upon the throne of Britain.

But the House of Seaforth had suffered greatly for their adherence to the Jacobite cause and they are not to be unduly blamed for holding back from what was to become the most serious, and nearly successful, attempt to overthrow the House of Hanover. The Seaforths were financially exhausted and it was time to try to recover their lands and their fortunes. The recovery came quickly. In 1741, just one year after Earl William's death, the crown sold the Seaforth lands, which included Kintail and the barony of Eilean Donan to Kenneth Lord Fortrose for the sum of 25,109 pounds, subject to an annuity to the Dowager Countess of Seaforth in the amount of 1,000 pounds a year. In the same year Kenneth was elected as Member of Parliament for the Burgh of Inverness. Thus he commenced the slow recovery of the Seaforth fortunes.

If Kenneth was a Jacobite sympathiser, he was a very cautious one. It is said that he went to school with the Prince in France, together with Sir Alexander Macdonald of Sleat. They are believed to have discussed plans for the repossession of the Kingdom of Scotland. Later when his father was in exile, young Kenneth was in contact with representatives of the Stuarts.

The loss of his father's title and lands must have made a deep impression on Kenneth and he was exceptionally cautious to ensure that he too was not dragged into an adventure which would further cause grief to his clan and his family. It was left to his kinsman, George Mackenzie, 3rd Earl of Cromartie to take the lead and raise a Mackenzie regiment against King George and his whig supporters.

In this respect, the wise advice and counsel of the Lord President, Duncan Forbes of Culloden, was to aid Kenneth in his circumspection. We shall have more to

say about Forbes later.

In 1744 Kenneth crossed swords with one of the biggest rascals involved in the subterfuge between the crown and the Stuarts. The man in question was Lord Lovat, chief of the clan Fraser. Lovat throughout played for both sides and was trusted in the end by nobody. This large, fat and unlovely character was a cheat, a liar and a rapist. He constantly sought respectable and influential friends with whom he would make promises in return for favours. Lovat became an extremely dangerous man to get involved with and even today it is difficult to determine where his loyalties, if he had any, lay.

It was during a meeting at the court of freeholders at which Lovat and Fortrose were in attendance, as well as some other noblemen and a large party of the Fraser clan, that Lovat made some remark to Kenneth that caused him to react by giving Lovat a blow to the head. Knowing Lovat as we do from the numerous reports of his character and reputation, we can make the not unreasonable assumption that Lovat deserved what he got! Fraser of Foyers sprung to the defence of Lovat, or, more likely, to the honour of the Fraser clan by placing a cocked pistol to Kenneth's head. This was thrust aside by someone using their plaid, and swords and dirks were drawn on both sides. The Lord President Forbes and Norman MacLeod of MacLeod, who were both present, intervened and grabbed Kenneth and hustled him out of the building. A member of the Fraser clan bludgeoned Kenneth to the ground with a heavy blow to his head. The event was ended by the friends of both parties intervening and preventing a major clan war between the Frasers and the Mackenzies.

In France, meanwhile, the Pretender's son, Bonnie Prince Charlie, was working hard to gain French troops and support for an invasion of Britain to place his father on the throne as King James the VIII and III. The French King recognised James as King of Britain, but deep politics were in play in France and any support was provided secretly. There were numerous Jacobite visitors to the court of King Louis, but unfortunately they were often in dispute with each other as to the correct course of action. Some of these visitors, such as Lord Lovat, were simply not trusted, and with good reason.

Meanwhile rumours of an invasion from France to instal the Stuart king upon the throne circulated widely. Spies were everywhere and one needed to be sure who to trust. The Lord President, who throughout appears as the one person capable of giving reasoned and sensible advice, cautioned the Jacobites against raising the clans against King George. As a result he is not always seen as a popular man in history, the voice against the youthful and heroic Bonnie Prince Charlie. But Duncan Forbes of Culloden was a wise man and was well aware that an insurrection was surely doomed to failure. In this respect he was right.

In 1737, Duncan Forbes of Culloden, the well respected Lord Advocate, was appointed Lord President of the Court of Session in place of Sir Hew Dalrymple, who had just died. As the senior man of the law of Scotland in these turbulent times he was in effect to be the only voice of authority and of law and order. He used his

power with great sympathy and respect for others. The leading politicians in London listened to his constantly wise advice, though, unfortunately, seldom acted when he urgently pointed out the need for action. He provided a flow of intelligence to London. He used his best efforts at all times to try and prevent the clan chiefs from taking up arms against King George.

Even the failure of the 1719 rising was partly attributed to Culloden's efforts. That rising brought together Spanish troops and the MacKenzie clan under the Earl of Seaforth and some others. Sir Walter Scott says:

They were defeated at Glenshiel...in a great measure by the Munros, Rosses, and other Whig clans, whom the influence of Duncan Forbes put into action.

It was Duncan Forbes who put forward the idea of using the Highlanders as soldiers in the King's service by raising Highland regiments. As the rumours of the impending arrival of French troops in Scotland became more widespread Forbes urgently requested money and arms to raise independent companies to try and keep the peace and prevent a general uprising in support of the Jacobites.

Forbes was given blank commissions to appoint officers to the new companies and he worked hard to form eventually eighteen companies of one hundred men each. On the 3rd August came the first news that the young Prince Charles had landed in Scotland, and the politicians in London at last began to take Culloden seriously. On the 26th August he reported that Lord Fortrose and Lord Lovat were in readiness with their men to support the Commander-in-chief, General Cope, who was making his way north. He received loyal support also from Macdonald of Sleat and Macleod of Macleod.

Culloden also asked the Earl of Cromartie to raise a similar company under the command of his eldest son, who used the title Lord Macleod, even though he was a Mackenzie. Although it is believed that the young Lord Macleod may have been eager to accept one of the commissions offered by Forbes, his father declined it on the 26th September 1745. On the same day General Cope's army was routed by the Highland army under Prince Charles at the Battle of Prestonpans. The Princes army grew to 8,000 men and they took more than 1300 prisoners.

The alarmed English immediately made arrangements to send 9,000 Dutch and English troops under General Wade to stop what was looking like a popular Jacobite uprising. Only the tireless work of Culloden, with the support of Lord Fortrose, Macdonald of Sleat, Macleod of Macleod, plus the Munros and the Rosses prevented Prince Charles raising a huge army of tens of thousands of men.

Such a nuisance to the Jacobites was Culloden that on October 15th, his home, Culloden House was attacked by a party of 200 Frasers under James Fraser of Foyers. The order was given in the name of the prince by his secretary, Murray of Broughton. Forbes escaped the attack and continued his efforts to prevent the escalation of the Jacobite rebellion.

Culloden was unsuccessful in keeping the Earl of Cromartie loyal to the

Hanoverians. As late as October 19th, Cromartie gave an assurance to Lord President Forbes of his loyalty and readiness to fall in with his projects. But on the 6th of November, Cromartie and his son Lord Macleod, visited Lord Lovat and proceeded from there to join with the Prince in the south. He took with him one hundred and fifty MacKenzies, whom he had “debauched” from the chief, Lord Fortrose.

Mackenzie of Fairburn was one of those offered a commission by the Lord President to lead one of the independent companies. Although he remained loyal he refused the commission much to Forbes' annoyance, as he “would bring no tash or imputation” on his family by opposing the Stuart line...

as this small mealling I possess was given my predecessor by King James V in free gift...the case is conscience with me.

Thus it can be seen that the loyalty of the Highlanders to their Scottish Stuart kings played a large part in the Jacobite uprising.

Nevertheless, of the eighteen independent companies raised by Forbes, three were led by Mackenzies. On December 10th 1745, one Alexander Mackenzie Esq. was made captain to his new company as was Colin Mackenzie of Hilltown. These were raised due to the efforts of Lord Fortrose. The third company, also raised through the influence of Fortrose, were MacKenzies from the Isle of Lewis under a Captain Colin MacKenzie. This company was completed on February 2nd 1746.

Culloden heard that Barrisdale had gone to Assynt to raise men and to be joined by further numbers in Coigach. These were to proceed with Macdonalds through Mackenzie territory to raise Kenneth's men “by fair means or foul” to join the standard of the Prince. Culloden was very disturbed by these developments and used his influence with Kenneth to try and prevent this uprising.

The raising of troops for the Prince and for the government caused more dissension within the Mackenzie ranks than with any other clan. While Fortrose was cautious and quietly providing limited support for the government, his kinsman, the Earl of Cromartie, after some hesitation, was busy raising a regiment in support of the Prince. Fortrose had a visit from the Earl of Cromartie and his eighteen year-old son, Lord Macleod, towards the end of October, 1745. He reported to Culloden that the Earl was pensive and dull and had he known what they were up to he would have arrested them, for Lord Macleod went to Lochbroom and Assynt to raise men from Mackenzie estates, whether under the control of the House of Seaforth or Cromartie.

Indeed, the Earl of Cromartie became very much an active Jacobite for the cause of the Prince, despite the fact that his wife had Hanover connections. He recruited eighty men from his own estates in the east and a further two hundred from the Coigach estates in the west. Cromartie toured through the estates with a piper and a fiddler. An unsympathetic contemporary account from one Daniel Munro, Minister of Tain (later described as an `uncouth man, a monster of unpiety, wickedness and ill nature') described these forces raised by the Earl of Cromartie. He stated that Cromartie `affected to be the chief of the Mackenzies' and `threatened military

execution against Mackenzie of Scatwell . . . if he did not give his men also'. Cromartie's men, some 400 Mackenzies, were described as a substantial body of 'Banditti Highlanders'.<sup>1</sup>

Fortrose got wind of attempts by some of the Mackenzies to raise men for the Prince. He at once gave orders to his tenants that under pain of death they were not to move without his express permission. He wrote to Culloden giving the names of officers appointed to two Mackenzie companies. Both Mackenzie of Coul and Mackenzie of Redcastle had been offered commissions but it seems they too had refused them as did Fairburn. Culloden acknowledged this letter and advised Fortrose to appoint the officers in the companies. He also advised him to raise more men from his estates at Brahan in order to make 'Caberfeidh respectable and to discourage folly among your neighbours.'

On the 8 November, Fortrose informed Culloden that the Earl of Cromartie had crossed the river at Contin with about one hundred men on their way to Beaulieu. Cromartie's son, Lord Macleod, followed, but after crossing the northern district was unable to recruit a single volunteer. Fortrose reported as follows:

Not a man started from Ross-shire, except William (Mackenzie), Kilcoy's brother, with seven men, and a tenant of (Mackenzie of) Redcastle with a few more; and if (Mackenzie of) Lentrane and (Mackenzie of) Torridon did go off last night, they did not carry between them a score of men. I took a ride yesterday to the westward with two hundred men, but find the bounds so rugged that it's impossible to keep a single man from going by if he has a mind. However, I threatened to burn their cornyards if anybody was from home this day, and I turned one house into the river for not finding its master at home. It's hard the Government gives nobody in the north power to keep people in order. I don't choose to send a company to Inverness until I hear what they are determined to do at Lord Lovat's.

On December 9th, the two Mackenzie companies raised by Fortrose were marched to Inverness. These were then accompanied by a detachment from Fort Augustus to Castle Dounie with the purpose of capturing Lord Lovat who had by now clearly decided to work on the side of the Jacobite cause. He had previously agreed to come to Inverness to surrender his arms on December 14th, but typically he did not turn up and made his escape.

Throughout history the Mackenzie Clan has had the good fortune to bring forth an exceptionally large number of highly talented leaders. One of these was John Mackenzie. Had he lived in happier times he would have become the 4th Earl of

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<sup>1</sup>'Cromartie: Highland Life 1650—1914', by Richards and Clough.(1989)

Cromartie. John was the eldest son of George Mackenzie, 3rd Earl of Cromartie and his wife Isabella Gordon. He was born in 1727 and was educated under the eye of his uncle, Mr Dundas of Arniston, who later became Lord President of the Court of Session.

For some reason, John took the title of Lord MacLeod, which related to his father's barony of *Coigach*. The more usual practice is and was to take, as the eldest son of a peer, the most senior of the father's subsidiary titles, which was in this case, Viscount Tarbat. It is not known why he elected to depart from this practice.

His education could hardly have been completed when the rebellion of the "forty-five" created havoc in England and Scotland. Not only were the clans themselves divided as to whether they should support the House of Hanover or the rightful House of Stuart, but as we have seen, the Mackenzies themselves were divided.

John's father, on the other hand, raised a regiment of Mackenzies, known as Cromartie's Regiment for Bonnie Prince Charlie. The Earl himself was Colonel of the regiment, while his enthusiastic son, a mere eighteen years old, was to become its Lieutenant-Colonel. The regiment comprised 284 officers and men, of which 116 were named Mackenzie.

John himself helped in the recruitment of the regiment from among his father's tenants in Coigach. He was subsequently accused of snatching poor people from their beds and dragging them from their ploughs, although these accusations were made after the rebellion ended at Culloden. There is no doubt that a little coercion was sometimes required. For example, the Earl of Cromartie threatened military action against his kinsman, Mackenzie of Scatwell, if he failed to provide his men for the cause.

We know something about John's feelings at this time since he wrote a clear narrative of his actions from the moment he joined the Prince's forces. His perception of the politics of the time shows a maturity of intellect which belie his tender years. For example he clearly had little faith in the support of the French, without which the rebellion would probably never have started. He states:

"...some people are of the opinion that the Court of France never intended an invasion in favour of the Stuart family, but that their only design, with all the noise they then made, was to alarm the Court at London, so as to make them withdraw the British troops from the Austrian Netherlands, by which means they hoped to meet with less opposition in the measures they were then pursuing on the continent for humbling the House of Austria."

The lack of support from the French, despite their vast promises of men and equipment, were the prime cause of the failure of the '45 rebellion and MacLeod, as we shall now call him, was properly scornful of that nation.

MacLeod also attributes some of the blame to the French for the Prince's retreat from Derby, so close to London and possible victory for the Stuart cause:

"He [the Prince] received intelligence that a body of French troops, with a great train of artillery, were landed in Scotland for his service, and these troops were represented to him to be much more numerous than they really were."

Shortly after this MacLeod was actively involved in the campaigns. He received first hand accounts of how the French would save the day.

"...we received a piece of news which gave us all the greatest joy, as we looked then on our affairs to be the most flourishing condition in the world. This news was, that Lord John Drummond was landed at Montrose with a large body of French troops, which we were told amounted to some thousands of men. The truth of the matter is, that Lord Drummond was sent from France with his own regiment, and with a piquet of 50 men from each of the six Irish foot regiments in that service; and as part of these troops were taken in their passage by the British cruisers, the whole of this formidable army amounted to about seven or eight hundred men. It is true they had a good number of battering cannon with them, but in the hurry of their embarkation they forgot to bring over any mortars, bombs or engineers along with them. There were indeed two officers who came over with the troops who passed for engineers, but the one of them was always drunk, and the other was a boy just come from the college; and this last circumstance appeared even then very singular to many people, as it is very well known to all the world that there is no nation on earth so well provided with able engineers as the French nation is."

MacLeod's unstinted support for the Stuarts caused him to receive a visit from his great aunt, Lady Stonebyres. She tried unsuccessfully to persuade her nephew to retire to Edinburgh and give up his rebellious ways as his friends were very concerned for his safety. He elected not to take her advice.

"I complained bitterly to her of the bad usage I had received from the Government, which had in a manner forced me into the Rebellion; but I told her at the same time that I was now engaged in a different interest, that no consideration in the world could ever engage me to abandon the same, nor to take any step that could bring the least stain upon my honour."

A clear indication of his single minded and strong willed purpose.

MacLeod's opinions on the matter of military discipline show that he was a very pragmatic man, especially when dealing with a case of mass desertion, which he had to do shortly after joining his regiment:

"And here I cannot avoid making a reflection, which is, that as a party which is in arms against an established Government lies under many and great disadvantages, this is none of the least of them, that their troops cannot be subjected

to military discipline nor to martial law, and that the only way that one has to keep them from abandoning their colours is by flattery and good words, and even by winking at many disorders which can never be allowed of in a regular army. This I reflected on at that time, and therefore resolved to pretend total ignorance of what had passed during my absence; nor had I reason to repent this conduct, for the men made no other attempt of that sort again so long as the war continued."

On the 12th January 1746 MacLeod met Prince Charles for the first time and had supper with him and Lord George Murray and other important guests:

"After supper, I followed the Prince to his apartment, to give him an account of the situation of his affairs in the north, and of what had passed in these parts during the time of his expedition to England. I found that nothing surprised the Prince so much as to hear that the Earl of Seaforth had declared against him, for he heard without emotion the names of the other people who had joined the Earl of Loudoun at Inverness; but when I told him that Seaforth had likewise sent two hundred men to Inverness for the service of the Government, and that he had likewise hindered many gentlemen of his clan from joining my father for the service of the Stuart family, he turned to the French minister, and said to him, with some warmth, *Hé, mon Dieu, et Seaforth est aussi contre moi!*" [Oh my God, even Seaforth is against me!]

MacLeod was present at the Battle of Falkirk and described in exuberant fashion the great victory over the government forces. Both he and his father, with sword in hand, chased after the fleeing enemy troops. His narrative continues right up to the stage before the battle of Culloden. He spent half an hour at Culloden to pay his respects to the Prince and then left for Inverness with Cromartie's Regiment. We know that he then went north and he sent Mackenzie of Ardoch with a party to the Orkney Islands to raise men for the Prince. His narrative comes to an abrupt end and the developments just prior to the Battle of Culloden are not related.

However we do know something of what transpired. A terrible calamity took place on the 25th of March when the ship, *Prince Charles*, returning from France with men and twelve thousand pounds in money, was chased by English cruisers into the Pentland Firth. Although the men and gold were successfully landed, they were captured the following day by Lord Reay. The loss of this money to Prince Charles was "inexpressible" as it was desperately needed to pay his men. In a vain attempt to try and recover this money Prince Charles sent the Earl of Cromartie and Lord MacLeod with 1500 of his men to Sutherland. They seized Dunrobin Castle and were on the point of returning to their base camp when they were surprised by a strong force of Militia. Out of the force of some 200 men of Cromartie's own Regiment, 178 were captured including Lord Cromartie himself. Lord MacLeod was also captured, though whether this was during the encounter with the Militia is not certain. This disaster for the Stuart cause occurred just one day prior to the ill-fated

Battle of Culloden, which finished for ever the prospect of a return to a Stuart dynasty. In the process it also destroyed the system of the Highland clan.

There is no record of the Seaforth Mackenzies being present at Culloden, presumably because their loyalty to King George was highly suspect. Only a handful of Mackenzies were present at Culloden as a result, and one of the Highland's most powerful clans played virtually no part in what was to become the destruction of their way of life.

Which reminds me of the MacDonalds at the Stone Mountain Highland Games in 1989 who wore T-shirts on which were printed "Placed 2nd at the Battle of Culloden." This caused some witty Mackenzies to consider a similar T-shirt on which the words might be: "Failed to Qualify at the Battle of Culloden."

The wanderings of Prince Charles and his attempts to get back to France have been related in many books and songs, including the haunting "Over the sea to Skye". The prominent role played by Flora MacDonald in helping her Prince to escape, dressed up as a servant girl has added much to the romance and legend of the bonnie prince. A Mackenzie, too, played a part in this romantic story. He was Roderick Mackenzie, a young man of a respectable family, who joined the prince as one of his life-guards. He was tall and slender and the same age as Prince Charles and his features were not dissimilar from those of Charles. After Culloden, young Roderick fled to the Highlands. The hunt by the government forces for Charles was in effect and thousands of soldiers were combing the Highlands. There was a high price on Charles' head. Roderick, too, was attempting his escape when he was overtaken by a party of government troops. He found himself trapped but decided to fight it out and drew his sword to defend himself. He was shot by one of the red-coats and was mortally wounded. As he lay dying he exclaimed to the men, "You have killed your Prince, you have killed your Prince." The troops were overjoyed at their good fortune and cutting off Roderick's head they took it to Fort Augustus where the Duke of Cumberland was convinced that it was Prince Charles' head he was looking at and had it sent to London. It was several days before the deception was realised and that was crucial to Charles in helping him to avoid his enemies and eventually help his escape to France. Thus a Mackenzie played a heroic part in the escape of Bonnie Prince Charlie.

The aftermath of the Battle of Culloden is also a sad story. Charles' cousin the Duke of Cumberland was the leader of the government forces. His orders to hunt down the Highlanders who took part in the battle led to acts of violence against men, women and children of particular brutality and savagery. So evil was the action against the Highlanders that Cumberland, the fat 25 year old son of King George, became known to history as "Butcher Cumberland". The English for their part hailed him as a hero and commissioned Handel to write "Hail the Conquering Hero Comes". They also named a flower after him - "Sweet William". The Scots named a weed - "Stinking Billy"!

The government passed the Proscription Act of 1745 which prohibited the wearing of Highland dress or tartan the penalty for which was transportation to "His

Majesty's plantations beyond the seas, there to remain for seven years." They also banned the bagpipe as "an instrument of war." This act was not repealed until 1781.

Most of the leaders of the '45 rebellion successfully escaped to France and other parts of the continent. Those that were captured were the Marquis of Tullibardine, who was in bad health and gave himself up; the Earl of Kilmarnock; the Fraser clan chief, Lord Lovat; and Murray of Broughton, Secretary to Prince Charles. The latter gentleman has been referred to as the Judas Iscariot of the '45. It was Murray who gave the evidence at his trial which sent Lord Lovat to the block. In his manuscript, "Murray of Broughton's Memorials 1740 - 1747", published by the Scottish History Society at the end of the 19th century, Murray is most vindictive about Lord Lovat, whom he regarded as a dangerous and ultimately worthless supporter of Prince Charles. Prince Charles himself was unforgiving to Murray for his "rascality" and treasonable betrayal of the Jacobite leaders. His ultimate death in a mad-house seemed to most people a just reward for Mr "Evidence" Murray.

In addition to those leaders captured were, of course, George Mackenzie, 3rd Earl of Cromartie and his son Lord Macleod. The English were lusting for blood and wanted examples made of those few leaders of the rebellion now in captivity. The Marquis of Tullibardine, elder brother of Lord George Murray, died of his illness in the Tower of London on July 9, 1746. On the 23rd of the same month, a grand jury of the county of Surrey found bills for high treason against the Earls of Cromartie and Kilmarnock and Lord Balmerino. These indictments were removed by the chancery so that the three noblemen could be tried, according to the law of the land, by their peers in the House of Lords. The 28th of July was fixed for the date of the trial and there was no doubt that given the mood of the predominately English and protestant House of Lords that the lives of the three noblemen were in extreme danger. If there were any sympathies for them then such lords were not likely to exhibit those sympathies to their peers, in case they too came under suspicion as Jacobites.

The trial of the Jacobite lords was an opportunity for King George's parliament to make a lasting impression on any would-be revolutionaries. The English were capable of doing this in style. At the time appointed the three peers were transported to Westminster Hall for their trial in three coaches. The first coach contained the Earl of Kilmarnock who was attended by Lieutenant-General Williamson, deputy-governor of the Tower of London and captain of the guard.

In the second coach was the Earl of Cromartie, attended by Captain Marshall and in the third coach was Lord Balmerino, attended by Mr. Fowler, gentleman-gaoler, who placed the axe on the seat in front of him to remind those who were in any doubt of the significance of these trials. All three coaches were guarded by a strong body of soldiers in their colourful uniforms creating an atmosphere of pageantry to the occasion.

This pageantry was taken up at the House of Lords where the lord-high-steward and the judges in their robes accompanied by the master of the rolls and other officials in their respective robes of office added an awesome dignity to the

proceedings. These officials accompanied by one hundred and thirty five peers of the realm in full regalia solemnly processed into Westminster Hall which was decorated to accord with the great pomp and ceremony.

Mr. Adam Gordon was appointed as solicitor to Lord Cromartie, at his request, and Mr. George Ross acted for the other two lords. The prisoners were then escorted before the assembly led by the gentleman-gaoler, who carried the axe with the edge pointed away from the accused, in accordance with tradition.

After the indictments had been read both the Earl of Cromartie and the Earl of Kilmarnock pleaded, "Guilty", and threw themselves upon the mercy of the king. Balmerino, on the other hand was not going to give in quite so easily and protested that he was not at Carlisle at the time specified in the indictment. Balmerino was told that it was necessary for him to plead first. Poor Balmerino did not understand what was meant by this and exclaimed loudly, "Plead! Why I'm pleading as fast as I can." After explanations, Lord Balmerino pleaded, "Not guilty."

Evidence was brought to prove that Balmerino was active in the rebellion and in great favour with Prince Charles. The lord-high-steward then called for silence and addressed each peer by name as follows:

"What says your Lordship? Is Arthur Lord Balmerino guilty of the high treason whereof he stands impeached, or not guilty?"

Each peer in turn was so addressed and each stood up and laying his right hand upon his breast, said:

"Guilty, upon my honour."

The dignity and ceremony of this awful occasion continued with the other two lords being brought to the bar. There they were told by the lord-high-steward that they must return on the following Wednesday at eleven o'clock to state their objections, if any, otherwise the sentence of death would be awarded against them.

The three prisoners were once again returned to the Tower of London in the three coaches, surrounded by the armed guard who processed through the streets of London to the gazes of the citizens. The axe, which was again in Lord Balmerino's coach had its sharp edge pointed this time towards its victim.

On Wednesday, July 30, 1746 the House of Lords met once again to receive the pleas of the indicted peers. The first to speak was The Earl of Kilmarnock, who made a servile speech in which he tried to evade taking responsibility for the role he had played. He concluded his unworthy speech by saying that if their lordships did not feel themselves called upon to employ their interest with his majesty for his royal clemency, that he would lay down his life with the utmost resignation, and that his last moments should "be employed in fervent prayer for the preservation of the illustrious house of Hanover, and the peace and prosperity of Great Britain."

The next to take the stand was George Mackenzie, 3rd Earl of Cromartie who

began by declaring that he had been guilty of an offence with merited the highest indignation of his majesty, their lordships and the public; and that it was from a conviction of guilt that he had not presumed to trouble the lordships with any defence. He went on:

“Nothing remains, my lords, but to throw myself, my life, and fortune, upon your lordships' compassion; but of these, my lords, as to myself is the least part of my sufferings. I have involved an affectionate wife, with an unborn infant, as parties to my guilt, to share its penalties; I have involved my eldest son, whose infancy and regard for his parents hurried him down the stream of rebellion. I have involved also eight innocent children, who must feel their parents' punishment before they know his guilt. Let them, my lords, be pledges to his majesty; let them be pledges to your lordships; let them be pledges to my country for mercy; let the silent eloquence of their grief and tears; let the powerful language of innocent nature supply my want of eloquence and persuasion; let me enjoy mercy, but no longer than I deserve it; and let me no longer enjoy life than I shall use it to deface the crime I have been guilty of. While I thus intercede to his majesty through the mediation of your lordships for mercy, let my remorse for my guilt as a subject; let the sorrow of my heart as a husband; let the anguish of my mind as a father, speak the rest of my misery. As your lordships are men, feel as men; but may none of you ever suffer the smallest part of my anguish. But if after all, my lords, my safety shall be found inconsistent with that of the public, and nothing but my blood can atone for my unhappy crime; if the sacrifice of my life, my fortune and family, is judged indispensably necessary for stopping the loud demands for public justice; and if the bitter cup is not to pass from me, not mine, but thy will, O God, be done.”

After this moving speech, the lords received Lord Balmerino's presentation which amounted to an appeal that as his alleged act of treason had been committed in Carlisle he ought to have been indicted in Carlisle and not in the county of Surrey. This nice legal point caused their lordships to adjourn the court until the 1st of August while this matter was debated. Thus both Cromartie and Kilmarnock were obliged to wait to learn their sentence.

Once again the pomp and ceremony of escorting the prisoners in their respective coaches to the Tower was enacted and once again they were brought back.

Lord Balmerino withdrew his objection to the legal point he had raised on the advice of his counsel and proceeded to beg their lordships' pardon for giving them so much trouble. Lord Hardwicke then made an address to the prisoners and concluded by pronouncing the sentence of the court in the following words:

“The judgment of the law is, and this high court doth award, that you, William Earl of Kilmarnock; George Earl of Cromartie; and Arthur Lord Balmerino, and every one of you, return to the prison of the Tower from whence you came: from

thence you must be drawn to the place of execution: when you come there, you must be hanged by the neck, but not till you are dead; for you must be cut down alive; then your bowels must be taken out and burnt before your faces; then your heads must be severed from your bodies; and your bodies must be divided each into four quarters; and these must be at the king's disposal. And God Almighty be merciful to your souls.”

The three unfortunate men were again returned with due ceremony to the Tower of London while the lord-high-steward announced to the Peers that the business of the court had been completed. At which, he took the white rod he carried and ceremoniously broke it, signifying that the commission was at an end.

Thus ended the unusual event of three peers of the realm being tried by a court of their peers. The public had been treated to a demonstration of the majesty and power of the British king and his lords and woe betide anyone who would dare to challenge that authority again.

The Earl of Kilmarnock made immediate efforts to obtain the mercy of the king in whose hands all three lives now depended. It was now an opportunity for King George to demonstrate his supreme power by granting mercy, while at the same time he needed to make an example of these rebels for the benefit of others in a similar frame of mind. Kilmarnock asserted his innocence of the grievous, if false charges, of having given an order to give no quarter to the King's troops in the battle of Culloden. His plea was ignored.

The Earl of Cromartie was, if anything, in a slightly better position to claim mercy for he, at least, was not at Culloden, having been captured the day before the battle. But there was no doubt that he was one of the leaders of the '45 rebellion and as such was still in great danger for his life. It was his remarkable wife, Isabella Gordon, the Countess of Cromartie, who worked the hardest to save her husband's life. Although she was in the latest stage of pregnancy, she rode a horse from Castle Leod, in Strathpeffer, to London to plead the life of her husband to the king himself. The Countess presented a petition to each of the lords of the cabinet-council. She then went to Kensington Palace accompanied by Lady Stair and positioned herself so that she could see King George on his way to chapel. When the king approached, Lady Cromartie fell to her knees and seized the king by his coat, presented her petition and then fainted. The king, much surprised by this event, took the petition and handed it to one of his attendants, the Duke of Grafton, and lifted up the countess. He asked Lady Stair to take the Countess to one of the apartments in the palace which was done. Further petitions for the Earl of Cromartie's life were presented personally to the king by the Dukes of Hamilton and Montrose and the Earl of Stair. On the 9th August, King George granted a pardon to the Earl of Cromartie.

When the writer visited Castle Leod in November, 1986, the Countess of Cromartie proudly showed an oil painting of the King's brother, which hangs in the dining room of the castle. This painting was given by him to the Countess, as

admiration for the efforts she had made to save her husband.

Lord Balmerino made no effort to petition the king for mercy. He showed no fear at all and even the king had to marvel his high bearing and cool demeanour. "Does nobody intercede for poor Balmerino? He, though a rebel, is at least an honest man." Thus said King George.

The Earl of Kilmarnock and Lord Balmerino received notice that their execution was to take place on August 18, 1746. Balmerino showed little concern and his manner greatly impressed those who saw him. When the Earl of Kilmarnock and Lord Balmerino were leaving the Tower on the way to their execution, the deputy-lieutenant at the Tower cried out "God bless King George!". Kilmarnock gave a bow while Balmerino responded with the reply, "God bless King James!"

At eleven o'clock on the morning of the execution, Lord Balmerino asked to see the Earl of Kilmarnock and their conversation was overheard and reported by a Mr Foster, a dissenting clergyman:

Balmerino: "Did you ever see or know of any order signed by the prince to give no quarter at Culloden?"

Kilmarnock: "No, my lord."

Balmerino: "Nor I neither, and therefore it seems to be an invention to justify their own murders."

Kilmarnock: "No, my lord, I do not think that inference can be drawn from it, because while I was at Inverness, I was informed by several officers that there was such an order, signed 'George Murray' and that it was in the duke's custody."

Balmerino: "Lord George Murray! Why then, they should not charge it upon the prince."

Kilmarnock was the first to be executed by the axe. The gruesome method of execution given out at their trial was waived in favour of the axe, at least a modest example of King George's mercy. Balmerino followed and continued to impress the crowd with his nonchalant air. He gave the executioner three guineas and his coat and waistcoat. He then put on a tartan cap to signify that he was to die as a Scotsman. To the Jacobites he also died a martyr.

The Earl of Cromartie's life was spared, but he was attainted and his properties were confiscated. He lived the rest of his life in exile in Devonshire.

His son, Lord MacLeod pleaded guilty and requested his life be spared on the grounds that he was only a youth. He addressed the Court at his trial as follows:

"My Lords, I stand indicted for one of the most heinous of all crimes, that of rebellion and treason against the best of Kings, and my only rightful lord and sovereign. Would to God, my Lords, I could not plead guilty to the charge. But as I cannot, I beg leave to assure your Lordships my heart never was consenting to the unnatural and wicked part I then acted. Remember, my Lords, my youth, and I am in that state of life when an unhappy father's example is almost a law. But my heart is

full from the deep sense I have of his miseries, and my own; and I shall only add, that as I must and do plead guilty to the charge, if, on your Lordships' kind representation of my case, his Majesty shall think fit, in his great goodness, to extend his compassion to me, what of future life and fortune I may ever have shall be entirely devoted to the service of his Majesty, on whose mercy I now absolutely throw myself."

One wonders who Lord MacLeod's scriptwriter was! These sentiments were clearly not his own, but such pleas were necessary to escape the axe, and the vengeance of the English, who had been truly scared by the Highlanders' march all the way to Derby.

As it happened the plea was effective. His life was spared and he received a full pardon, subject only to the small but vital condition that on attaining the age of 21, he was required to surrender all claims to any of the Cromartie estates to the Crown as if he had been attainted of high treason!

MacLeod, now with neither a fortune nor an inheritance, nor the prospect of either, decided to go overseas and seek a military career.

He quietly slipped away from his parents where they lived in Devon, and wrote a letter to them explaining the reasons for his departure, which included the disagreeable criticisms and carping by his relations in Scotland of his every action. He goes on:

"As idleness is certainly very detrimental to everybody, so it is likewise very shameful for a young man - especially one in my position - to loiter away his time when he ought to be pushing his way through the world. This has determined me to offer my service to some of the Northern Powers, where the approaching war offers a favourable opportunity to such as are determined to make a figure in the world, or fall in the attempt."

MacLeod made his way to Berlin. Armed with recommendations from the famous Field Marshall Keith, he was well received at the Court of Sweden, where he next journeyed. By January 1750, MacLeod was in Stockholm, where he was a captain in a regiment of foot, commanded by Baron Hamilton. On the recommendation of Lord George Murray, the Chevalier de St. George (the Old Pretender), sent MacLeod the means to purchase his military equipment as well as a pension, until he was better provided for.

When the MacLeod's relatives in Scotland heard about his progress, one of them exclaimed: "What! General Keith, Lord George Murray! Fine education for a young man that he hoped was cured of foolish principles he was led into." This, of course, referred to the fact that Keith and Murray were both prominent, if not notorious, Jacobites!

MacLeod remained in the service of the Swedish Crown, for no less than twenty-seven years with great distinction. His younger brother George Mackenzie

also joined him in military service for the Swedes. MacLeod served in the army in various places, including Malmo and Barsebeck in Sweden and Helsingfors (Helsinki) in Finland. His active service included a spell with the Prussian army at the outbreak of the Seven Years' War in Germany and he went through the bloody campaign of 1757. He wrote a narrative of those actions in French, where he gained considerable experience of a major European war. He writes:

“Such was the situation of the Prussian army on the 16th of August when I left it to return to Pomerania. These five corps might muster then about 70,000 men. I tried to get information, before leaving, as to the Prussian loss during the campaign in Bohemia, and several of their officers assured me that it amounted to 80,000 men, the half of that number having been killed, wounded, or made prisoners, and the other half lost by desertion.”

By 1762, honours for his distinguished military service to Sweden started to come to MacLeod. He was created a Knight of the Order of the Sword and North Star. At this time both MacLeod and his brother, George had obtained freehold qualifications in Ross and Cromarty preparing for their eventual return at some point. In the army, he rose from the rank of captain to colonel, and in other accounts he achieved the very senior rank of lieutenant-general. He became aide-de-camp to the King of Sweden and was honoured by being raised to the title of a Count in Sweden and known as Count Cromartie.

On the recommendation of the Queen of Sweden, King George II granted to Colonel John Mackenzie, as heir to the late Earl of Cromartie, the interest of the surplus price of the estate of Royston, which amounted to £4813.17.9, belonging to the Crown, through the decease of Sir Kenneth Mackenzie of Grandvale and Cromartie, and the attainder of George, Earl of Cromartie. The gift was passed on 9th August 1766 based upon the Queen of Sweden's kind words. One month later, George, 3rd Earl of Cromartie was dead.

Back to Lord Fortrose. He was married on 11 September 1741 to Lady Mary, eldest daughter of Alexander Stewart, sixth Earl of Galloway, with issue:

1. Kenneth, his heir and successor.
2. Margaret, who married William Webb.
3. Mary, who married Henry Howard of Effingham, with issue.
4. Agnes, who married J.Douglas.
5. Catherine, who married 1 March 1773 to Thomas Griffin Tarpley, a student of medicine.
6. Frances, who married General Joseph Wald.
7. Euphemia, who married 2 April 1771 to William Stewart of Castle Stewart, M.P. for the County of Wigtown.

Fortrose's wife died in London on 18 April 1751 and she has a monument erected to

her memory in Kensington. Fortrose also died in London on 19 October 1761 and his remains are buried in Westminster Abbey. He was succeeded by his only son.

### **Kenneth Mackenzie, 8th Lord Mackenzie of Kintail, 6th Earl of Seaforth, Chief 1761-1783**

Kenneth was born in Edinburgh on the 15th of January 1744. His father's loyalty to the House of Hanover caused young Kenneth to be raised to the peerage by the title of Baron Ardelve in 1764. Two years later he was created Viscount Fortrose, adding legitimacy to the Jacobite title used by his father. In 1771, at the age of twenty five, Kenneth was finally restored to the title of Earl of Seaforth. All of these titles were in the peerage of Ireland, thus prohibiting the Mackenzie chief from sitting in the House of Lords.

But the loyalty of the Seaforth family to the Georges had at last reaped their reward. Kenneth was a man very small in stature and as a result he became known as the "Little Lord" and entered the army at an early age by way of a career.

It was now time, twenty years after the Battle of Culloden, for the disinherited and attainted Scottish nobility to try and seek restitutions of their estates and titles. By 1774, Lord Lovat's son was successful in obtaining a grant of his late father's forfeited estates and this encouraged MacLeod to try his luck too. He petitioned the king, using his friends. This included Stewart Mackenzie, who happened to be the brother of the one time Prime Minister, the Earl of Bute, who had considerable influence with the king. A further consideration was that MacLeod would offer to raise a regiment of Highlanders from the restored Cromartie estates, a method which had proved profitable to the Frasers when the Fraser Highlanders were raised for the King's service.

With political and military problems for Britain all around the world, King George eventually saw the wisdom and desirability of having Highland regiments to support the British Empire and accordingly approved the proposal. MacLeod had other influential friends including Henry Dundas, afterwards, first Viscount Dundas and chief manager of the affairs of Scotland. Dundas was MacLeod's cousin-german. Anne Gordon, who was the mother of Dundas, was the sister of Isabella Gordon, Countess of Cromartie. It was largely due to Dundas' efforts that MacLeod received a Commission from King George III dated 19th December 1777 for the raising of a new Highland regiment, which became known as MacLeod's Highlanders, or 73rd Regiment, (later the 71st), MacLeod became its Colonel.

The name and respect for which MacLeod was held in his territory was clearly demonstrated when 840 Highlanders quickly enlisted and were joined by 260 Lowlanders, including a few English recruits. Under further Royal Commissions issued 18th July and 24th September, 1778, a second battalion was raised. His brother, George Mackenzie was appointed the Commander of this battalion, under Lord MacLeod, with the rank of Lieutenant-Colonel. The history of the Regiment is beyond the scope of this article. Suffice it to say that MacLeod's Highlanders were to

become the Highland Light Infantry and were for ever to wear the Mackenzie tartan in their uniform.

Lord MacLeod accompanied his Regiment to India where they saw active service in 1780 against Hyder Ali's huge army, and where they suffered the loss of many men. There were many criticisms of the generalship of Sir Hector Munro, and private letters of officers in MacLeod's Regiment claim that it was only MacLeod's conduct that saved the remains of his army.

A letter from 26 year old Dr Alexander MacDougall, a son of the 23rd Chief of the MacDougall clan, was serving as a surgeon with a different regiment when he wrote to a relative on 30th September, 1780.

“You see by the date of this letter that the Army is in the field. The campaign was open'd the beginning of Aug. under the command of Sir Hector Munro against Hyder Ally who entered the Congeveram with an immense army of 100,000 Horse, 40,000 infantry and 100 pieces of Cannon...

Daylight was not well come in when immense columns of the Enemy's horses appeared everywhere, in front, near and on both our Flanks. Our rear Guard would beyond a doubt have been cut off had not Lord MacLeod, who commanded the right wing, sent them a timely reinforcement...Our Flanking parties were frequently beat back upon the line.”

After giving further details of this terrible battle, MacDougall went on to discuss his finances:

“Surgeons in this country make money in proportion to the number of Europeans they have charge of...this reduces my revenue to one half, my King's pay and profits always remain the same but it is so inconsiderable I hardly ever count upon it, it does not by any means half pay my servants. But from Lord MacLeod's being always my steady friend, indeed more in the style of a father than anything else, I am still able in some measure to evade the loss I should otherwise sustain by the Regt. being so much reduced. In short, if I live and enjoy health and Lord MacLeod and the regiment remains in this country, in 3 or 4 years I shall still, barring misfortunes, be able to render myself comfortable for life...”

Young MacDougall lived 15 more years before being killed in Russia.

The high reputation MacLeod earned as a soldier, soon resulted in him receiving a promotion to the rank of Major-General in the British army. This happened in 1782. His brother George was killed in India in 1787.

In 1780 MacLeod was elected as member of parliament for Ross-shire. A paper reported:

“A general satisfaction appeared in every countenance on this occasion. The town of Tain was illuminated, the bells set aringing in the evening, and a large

bonfire at the cross. The country for many miles around was all in a blaze....The fervent prayer of the whole country is, the safe return of Lord MacLeod to his native land, and the prosperity of his family...In short it is believed no election can give more universal satisfaction than that of Lord MacLeod has done to this and the neighbouring counties.”

Following his return from India, on the 18th August, 1784, an Act of Parliament was passed whereby the Cromartie estates were restored to Lord MacLeod on payment of £19,000, being the debts attached to them. Following this restoration MacLeod commenced the renovation of the estates of Tarbat which had become dilapidated from years of neglect. He commenced the building of a luxurious mansion, known as Tarbat House, which, alas, no longer survives. He planted thousands of trees and spent considerable time reviving the fortunes of the House of Cromartie.

He married at the age of fifty nine to Marjory Forbes, daughter of James, Lord Forbes. They had no children. Lord MacLeod died on 2nd April 1789. His widow later married the 4th Duke of Atholl and had one son and one daughter.

Thus ended the crowded and eventful years of one of the most honoured and respected members of the Mackenzie family. To quote the words from Eric Richards' and Monica Clough's book, *Cromartie: Highland Life 1650-1914* (Aberdeen University Press 1989):

“It was an astonishing recovery of esteem made possible by MacLeod's own energy and connections and also by the opportunities which lay open to men of initiative in the world of European expansion in the third quarter of the eighteenth century.”

Meanwhile, the new Earl of Seaforth had already received new titles and was in possession of his estates when he decided to show gratitude to the government by raising a regiment of his own. Just one month after Lord Macleod obtained permission to raise the Macleod Highlanders, Kenneth, Earl of Seaforth received a commission in January 1778 to raise a regiment for general service.

The American War of Independence and threats of invasion by the French plus British ambitions in India required a large army. The Scottish Highlanders were just what was needed. Their fighting prowess was legendary and there were unlimited numbers of these people needing employment. William Pitt, Britain's Prime Minister claimed some of the unquestionable success of the Scottish soldier.

“I sought for merit wherever it was to be found, it is my boast that I was the first minister who looked for it and found it in the mountains of the north. I called it forth and drew into your service a hardy and intrepid race of men, who when left by your jealousy became a prey to the artifice of your enemies, and had gone nigh to have overturned the State in the war before the last. These men in the last war brought combat on your side; they served with fidelity as they fought with valour and

conquered for you in every part of the world.”

The continuing recruitment of soldiers from Scotland to feed the wars of Britain against a wide variety of enemies continued into the twentieth century. John Prebble in his book "Mutiny" gets to the core of the issue with his statistics:

“The population of Scotland was one-fifth that of England and Wales, and only three per cent of the King's subjects lived in the Highlands. During the next seven years sixty regiments of Fencible Foot and forty-six of Horse would be raised in Britain, and of these Scotland would supply thirty-seven of infantry and fourteen of cavalry. A people who numbered fifteen per cent of the nation's whole were thus to find sixty per cent of its Fencible foot-soldiers and thirty per cent of its horsemen. It is true that unlike England and Wales, Scotland was not yet required to raise regiments of militia, but this demand too would shortly be made. The disproportion is even more remarkable. Of the thirty-seven battalions found by Scotland twenty-three were Highland, and so three per cent of Britain's population provided the King with thirty-eight per cent of his Fencible infantry. Such prodigal use of the nation's minorities was not uncommon. In many nominally English regiments of the line the rank and file were predominantly Scots and Irish, and this imbalance to a greater or lesser degree, would continue throughout the next hundred years. Not until the citizens' wars of the 20th century would the army of the United Kingdom correctly reflect the proportions of its diverse peoples.”

The "Little Lord" proceeded with the raising of a regiment from his Mackenzie lands and within a very short time a fine body of 1130 men had enlisted. The largest clan representation was naturally from the Mackenzies with 85, mainly from Scatwell, Kilcoy, Applecross and Redcastle. Other clans with significant representation were Macdonalds (56), Mackays (49), Macraes (48), Macleods (44) and lesser numbers of Frasers, Macleans, MacLennans, Campbells, Stewarts, Morrisons, Macaulays, Mathesons, Smiths, Rosses, Camerons, MacIvers, Sutherlands, Munros and Grahams, in that order. The regiment was numbered the 78th and was later renumbered the 72nd in 1786.

Some of the "wild Macraes" in the regiment were to cause a mutiny which became known as the "affair of the Macraes". The dispute, caused by the regiment's orders being given in a "confused and ill-judged fashion" was soon resolved and it was fortunate that no executions resulted, which was the expected reaction to any mutiny from the King's men.

In 1781 the regiment was sent to India. The long ten-month voyage was a great ordeal and by the time they arrived, 250 men had died, mainly from scurvy. Among the casualties was the Colonel of the regiment, the Earl of Seaforth, the "Little Lord".

Kenneth had been married to Lady Caroline Stanhope, eldest daughter of

William, second Earl of Harrington on 7 October 1765. They had a daughter, Lady Caroline Mackenzie born in London on 7 July 1766. A few months later, on 9 February 1767, Kenneth's wife died from consumption (tuberculosis) at the early age of twenty. Kenneth's daughter had an irregular union with Lewis Malcolm Drummond, Count Melfort, a French nobleman of Scottish extraction but no children resulted. Thus on the death of Kenneth, the Seaforth line went to his cousin, Colonel Thomas Frederick Mackenzie-Humberston.

### **Thomas Frederick Mackenzie-Humberston, Chief 1781-1783**

Thomas was a great grandson of Kenneth Mackenzie, 4th Earl of Seaforth. His father, William Mackenzie was the son of the Hon. Alexander Mackenzie. William married Mary, the daughter of Matthew Humberston, hence the reason for Thomas acquiring the double-barrelled surname. Earl Kenneth, before he died, was in desperate straits financially. He sold the estates to his cousin, Thomas for £100,000. Thus Thomas not only became next clan chief, but also the owner of the Seaforth estates, or what was left of them. The title of Earl of Seaforth ended with his cousin's death.

Thomas was by profession a soldier. He was a captain in the 1st Regiment of Dragoon Guards and later a captain in Seaforth's regiment of Ross-shire Highlanders. In September 1780 he became Lieutenant-Colonel-Commandant of the 100th Foot. He saw action with his regiment against the French and in India against Hyder Ali in 1782. In 1783 he sailed from Bombay. His ship was attacked by the Mahrattas and Thomas was mortally wounded when he was shot through the body from a four pound ball. He died on 30 April 1783 and a monument was erected to his memory in Fortrose Cathedral.

Thomas was unmarried and he was succeeded as clan chief by his brother, Francis Humberston Mackenzie.

### **Francis Humberston Mackenzie, Lord Seaforth, Baron of Kintail, Chief 1783-1815**

Francis was raised to the peerage of the United Kingdom as Lord Seaforth and Baron Mackenzie of Kintail in 1797. He was a most remarkable man as despite his severe disabilities he overcame them to an incredible degree. He was born in 1754 and at the young age of twelve he suffered from a severe attack of scarlet fever. This illness left him totally deaf and for some years he was unable to speak. In spite of this handicap he stood for parliament and was elected for the County of Ross in 1784 and 1790.

He made offers to the government to raise a regiment from his clan which were declined and it was not until war broke out once again in 1793 that the government accepted another offer from him. On 7 March 1793 he was granted letters of service to raise a battalion consisting of a company of grenadiers, one of light infantry and eight battalion companies. The regiment was numbered the 78th as

the previous Mackenzie regiment had been renumbered the 72nd. Francis, despite his deafness was created the new regiment's Lieutenant-Colonel-Commandant.

Francis appointed as his Major his brother-in-law, Alexander Mackenzie of Belmaduthy, later of Inverallochy and Castle Fraser. A poster was placed throughout Ross & Cromarty and Lewis encouraging the local population to join and "have a stroke at the Monsieurs, my boys".

Other Mackenzies appear among the first list of officers. They included Major Alexander Mackenzie of Fairburn who went on to become a General in 1809; Captain John Mackenzie of Gairloch, known as "Fighting Jack, he became a Lieutenant General in 1814 and died the father of the British Army in 1860; Captain John Randoll Mackenzie of Suddie, who rose to the rank of Major-General and was killed at Talavera in 1809.

Francis was so successful in raising men from his clan that he applied to raise a second battalion. Permission was given to raise only a separate corps which was not what Francis wanted, he was after a second battalion for his own regiment. As a consequence he wrote a letter of protest to Mr Dundas, Secretary of State as follows:

St Alban Street, 8th February 1794

Sir, I had sincerely hoped I should not be obliged to trouble you again; but on my going today to the War Office about my letter of service (having yesterday, as I thought, finally agreed with Lord Amherst), I was, to my amazement, told that Lord Amherst had ordered that the 1000 men I am to raise were not to be a second battalion of the 78th, but a separate corps. It will, I am sure, occur to you that should I undertake such a thing, it would destroy my influence among the people of my country entirely; and instead of appearing as a loyal honest chieftain calling out his friends to support their King and country, I should be gibbeted as a jobber of the attachment my neighbours bear to me. Recollecting what passed between you and me, I barely state the circumstance; and I am, with great respect and attachment, sir, your most obliged and obedient servant,

F.H.Mackenzie

This letter had the necessary effect and a second battalion was formed with the distinctive title of "The Ross-shire Buffs". The two battalions were later amalgamated and these in turn amalgamated with a third battalion by July 1817.

As a reward for his service Francis was appointed Lord-Lieutenant of the County of Ross and was raised to the peerage as Lord Seaforth and Baron Mackenzie of Kintail on the 26th October, 1797.

After resigning the command of the regiment Lord Seaforth went on to become Governor of Barbados. It is said that he was very popular and succeeded in putting an end to slavery and the practice of slave-killing in the island. This action did not endear him to many of the colonists and he finally left Barbados in 1806. In 1808 he was made a Lieutenant-General.

This remarkable man is worthy of a book in his own right. Despite his

deafness he achieved so much. He outlived his four sons and the chiefship of the clan went to his daughter Lady Mary Elizabeth Frederica Mackenzie, Lady Hood.

The continuing chiefship of the clan is detailed in the appendix to this book until the time there was no chief at all.

### **The Earls of Cromartie**

It was the Rt. Hon. Roderick Grant Francis Mackenzie of Kintail, Earl of Cromartie, Baron Macleod of Castle Leod and Baron Castlehaven of Castlehaven who revived the chiefship of the clan though it took him many years to do so. He was well into his seventies in 1979 when the Lord Lyon King at Arms finally authorized Roderick to take the title of Chief of the Clan Mackenzie. As a direct descendant of Colin Cam via the Tutor of Kintail it was highly appropriate that the important House of Cromartie should rescue the Mackenzie Clan from oblivion.

It was his son, John Ruaridh Mackenzie, who took over the Chiefship of the Clan on the death of his father in December 1990. He inherited his father's enthusiasm for the heritage of the Mackenzies. He and his wife, Janet, Countess of Cromartie, moved into the ancient home of the Cromarties, Castle Leod. Today, Castle Leod is being renovated to repair the damage caused by centuries of Highland weather. A Clan Mackenzie Charitable Trust has been formed and the old castle tower has been leased to the Trust for 99 years. It is the intention that the old castle will become the home of the Mackenzie Clan worldwide, with a genealogical section and archive, as well as accommodation for visiting Mackenzies from around the world.

### **Clan Mackenzie Societies**

A number of Clan societies have been formed since the 1970s. The Clan MacKenzie Society in the Americas incorporates two divisions, an American Division and a Canadian Division, the latter being started by the author of this book in 1987. There is another Clan MacKenzie Society in Australia as well as one of the oldest societies in Nova Scotia, where so many Mackenzies arrived from Scotland.

Scotland itself has only very recently formed a Clan Mackenzie Association, which has the Chief of the Clan as its head. It is to be hoped that one day all the various clan societies will link together, possibly as divisions of the Clan Association in Scotland.

On a final note to close this book, I recognise that I have not dealt at all with the Highland clearances. This is a vast subject and many books have been written about this unhappy period in Highland history. The late Earl of Cromartie maintained that his family never cleared any tenant from their lands and I have never seen any evidence to show that they did. What we do know is that the handful of Mackenzie families that at one time owned virtually all of Ross and Cromarty had considerable

difficulties in making ends meet financially and gradually their huge estates were broken up and sold. Today the Earl of Cromartie's estates comprise about 6,000 acres when they once numbered hundreds of thousands. The Mackenzies of Gairloch still own a large estate but they are the exception.

I once met Mackenzie of Applecross, who lives in Canada, and he told me that all that remains to the family of that once vast estate is a burial ground. Nevertheless, it is evident that large numbers of Mackenzie emigrated to Canada, the United States and Australia to escape poverty or to build for themselves a better life. Whether they went of their own accord or they were pushed we do not yet know. That will require much research.